

European Forum for Restorative Justice

Editorial

The more serious a crime, the higher the need for restoration. Still, in most European countries, restorative justice (RJ) is not available in the most serious cases for which offenders are already serving their sentence in prison. Based on domestic and international research findings, the restorative approach is most effective and efficient for serious crimes. Hungarian professionals in RJ, in cooperation with foreign partners, set up a research consortium to study, at national and international level, how restorative practices could be applied with offenders during their time in prison.

The research programme has become known as the MEREPS project (www.mereps.foresee.hu), which stands for "Mediation and Restorative Justice in Prison Settings". It has been supported by the Criminal Justice Programme of the European Commission (Project number: JLS/2008/JPEN015-30-CE-0267156/00-39).

Using empirical research and by carrying out pilot programmes in Hungary, the UK and Germany, the aims of the project were:

- Study the applicability of RJ during a custodial sentence;
- Become familiar with the ongoing mediation projects in prison settings;
- Map out the attitudes of prison staff and inmates towards mediation;
- Provide a training programme for prison staff about RJ and mediation practices;
- Develop well-functioning techniques (mediation, facilitation, circles and other restorative practices), good practice and processes that can be standardised in close cooperation with the prison staff involved;
- Foster the exchange of best practice and information between parties.

The MEREPS consortium included six research groups from four European countries. The consortium was headed by the Hungarian *Foresee Research Group* (www.foresee.hu), represented by Dr Borbála Fellegi. The project operated under the professional direction of the *National Institute of Criminology Hungary* (www.okri.hu), represented by Dr Tünde Barabás and Dr Szandra Windt. Further partners were the *Independent Academic Research Studies* from the UK (www.iars.org.uk),

directed by Dr Theo Gavrielides and two organisations from Germany, the *Hochschule Für Öffentliche Verwaltung Bremen* (www.hfoev.bremen.de) and the *Bremen Mediation Service* (www.toa-bremen.de), represented by Dr Arthur Hartmann. Our Belgian consultants were Ms. Els Goossens from *Suggnomé* and Ms. Karolien Mariën. Karolien also represented the European Forum for Restorative Justice providing the wide scale dissemination and communication exchange for the project.

Researching prison society and searching for ways in which RJ can be implemented in this world was a highly exciting and challenging task. The complexity of trying to 'fit' RJ into prisons can be explained by relating it to toys which require children to fit blocks into various shapes. You have to match the block to the shape in order to get it into the box. Implementing RJ into prisons, a strongly democratic and partner-based approach into a highly hierarchical setting is similar to this. The research teams in the UK, Germany and Hungary all intended to map what forms of RJ are suitable for custodial settings and what kind of further changes are needed within these institutions to make a 'fit'.

We placed emphasis on combining empirical research with piloting practice and action research to see the interaction between theory and practice. Also, the international context – seeing countries with developed and less developed RJ systems – allowed us to draw lessons from each other. Meanwhile, the research results helped us to recognise several new aspects of our work concerning both implementation and methodology.

This issue of the Newsletter is specifically dedicated to this MEREPS project. The authors summarise the activities that they have been undertaking during the three year long project and the main results of their research activities.

Enjoy reading them and if you find them interesting, contact us to receive an electronic copy of the final publication to be published in 2012. And if you find them even more interesting, come to our international final conference in Budapest!

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Mediation and Restorative Justice in Prison Settings

Lessons learned from the UK project

Independent Academic Research Studies (IARS) was honoured to have been asked to be part of the Mediation and Restorative Justice in Prison Settings and lead on evidence gathering for the UK. We thought that it was a timely project. As an international think-tank with expertise in youth justice, IARS focused its project on the application of restorative justice (RJ) with young people in custody. Following on from the 2004 Youth Justice Board (YJB) report "Restorative Justice in the Juvenile Secure Estate", IARS looked at the findings and report recommendation while expanding the research to look at matters impacting on young people beyond the age of 18.

Our youth focused approach for the MEREPS project could not have been more timely as this summer the UK saw some of the worst riots of the last decades. At the time of writing, 1,715 offenders have been prosecuted. The new UK coalition government was swift and tough in its response, with its Prime Minister addressing the rioters: "You will feel the full force of the law and if you are old enough to commit these crimes you are old enough to face the punishment"¹. Of the 1,715 offenders 525 were between 18-20 years old.

This is when 2009 government statistics showed that the UK had the second highest prison rate in Western Europe, just below Spain (Ministry of Justice 2009). Focusing on young people, 2010 data reveals that during that year there were 1,637 young people (15-17 years) in prison, 273 children (12-15) in privately run secure training centres and 160 in local authority secure children homes. In addition, there were 10,114 young adults (18-21) in prison (Berman 2010: 7). The Ministry of Justice (2010) also stated that the reoffending rate post-custody is almost 50%, meaning that approximately half of all offenders sentenced to prison will go on to commit a further offence.

In December 2010, the UK coalition government published the Green Paper "Breaking the Cycle", announcing its intentions for key reforms to the adult and youth justice sentencing philosophy and practice. Our project paid attention to these policy changes and aimed to create an evidence base for recommendations and best practice while at the same time reaching the MEREPS overall objectives.

We started with an overview of the extant literature. IARS then officially launched its UK project with an expert three day seminar that took place in London in November 2009. Thirteen Hungarian criminal justice professionals (i.e. prison governors, probation staff, judges, prosecutors, and researchers) attended workshops organised by IARS in partnership with Prison Reform Trust, NACRO, Southwark Youth Offending Team, London Probation, Dr. Martin Wright, and the Register of Restorative Justice Practitioners.

The preliminary findings from the workshops were complemented with a focused literature review, followed by original qualitative research that combined 20 in-depth interviews with prison governors, RJ practitioners, policy makers and academics. The fieldwork also included observation of a RJ practice and five in-depth interviews with young people who had received a custodial sentence and had direct experience with RJ.

The UK research was concluded with an expert half day seminar that was held in London in November 2010. The seminar was organised by IARS in partnership with Open University. Forty experts in the field of RJ, policy and criminal justice attended the seminar². The final draft of the UK report was also sent for peer review to three academics with expertise in restorative justice in prison settings.

The general conclusion of the UK research is positive for RJ practices in prisons. However, several reservations and caveats were identified. There was no doubt that RJ in prisons is widespread. However, it is piecemeal, inconsistent and sometimes invisible. It is also characterised by numerous implementation barriers and definitional ambiguity. Our research suggested that these problems are not insoluble. In fact, what seemed to be consistent throughout our findings was the absence of institutional opposition and philosophical doubt about the viability and applicability of RJ in prison settings as Guidoni (2003), Immarigeon (1999) and others supported. More importantly, case studies suggest that certain best practices have already been successful in overcoming these challenges. Whether their success and lessons are replicable or not is indeed a matter of debate and further research.

Our research also concluded that the practices of RJ and imprisonment are not in opposition despite belonging to two different schools of thought. Our research endorsed the idea of "restorative punishment" and rejected the proposition that RJ can only be approached as an abolitionist concept. In our attempt to construct a clearer picture of RJ in the secure estate, we also became sceptical of codification projects that saw various programmes labelling themselves as "RJ". The research pointed towards a more simplified way of identifying RJ practices in the prison estate claiming that programmes can either be "preparatory" or "delivery". The difficulty to pin down RJ practices was thought to be one of the key reasons they remain largely in the shadow of research and evaluation. On the other hand, RJ's ad hoc and local nature is believed to be a key ingredient of its success. Despite encouraging findings recorded by the limited extant literature on RJ's impact on young prisoners, offenders and the community, doubt remains in relation to its ability and viability as a mainstream policy.



Increasing pressure is put on governments to reduce the financial cost of imprisonment and recidivism. The belt-tightening in public spending presents RJ with a chance to test its cost-benefit analysis. The scarce evidence seems to be encouraging, but the lack of hard data remains. This is particularly true for RJ practices within prisons. A key concern that arose from the study is that RJ may be picked up as an alternative practice for its seemingly low cost and not really for the depth of its values and practices. There was consensus among the interviewed practitioners that this could lead to quick fix policies, a lack of a coherent and long term strategy and high expectations.

The UK report looked at the various enablers and barriers in constructing a RJ strategy for the secure estate. Our findings point out that in going forward first a clear understanding and a mutual agreement between RJ practitioners, politicians and researchers must be reached as to where resources will need to be focused. The shrinking state and the reduction in available public services also present an opportunity for the voluntary sector. They also give a reason for mobilising communities. Scepticism remains, however, as to the motives that lead to social policy reform and the engagement of civil society.

In addition, knowledge about the voluntary sector's role in crime control is principally based on anecdotal evidence and

only rarely are scientific studies published on its contribution and evaluation. The infrastructure for developing such knowledge is absent while academia itself needs to develop its thinking even further in the development of clearer goals for research of RJ.

As expressed in other works, our research also concluded that one of the biggest strengths of RJ is the passion and commitment that exists among mediators and RJ practitioners (Gavrielides 2007). Braithwaite (2002) warned that if this passion is tampered with, there is real danger that RJ may lose its authenticity. Our study continues to be sceptical about top down approaches that attempt to define the future of RJ in the UK. The IARS study also remains dubious about the reasons that drive current legislative and institutional proposals for a change in the philosophy and practice of sentencing and crime control.

Dr.Theo Gavrielides

Founder & Director Independent Academic Research Studies, author of the MEREPS UK report

1. Accessed September 2011 <http://www.telegraph.co.uk/news/uknews/crime/8691034/London-riots-Prime-Ministers-statement-in-full.html>2. From the mediation point of view, we consider success as change in communication and building trust among parties.

2. To download the expert seminar report http://iars.org.uk/sites/default/files/restorative_justice%20Seminar%20Nov%202010%20report_Final.pdf

Readers' Corner

- The Forum's research reports are available for purchase from the Secretariat at a cost of 10 euro for members and 15 euro for non-members + postage costs. Some of them are: 1) *Building social support for restorative justice: Media, civil society and citizens*, by Brunilda Pali and Christa Pelikan (2010) which seeks to generate debate and thinking which more systematically engages with the questions of public information about, education on and participation in RJ. 2) *Supporting the implementation of restorative justice in the South of Europe*, by Clara Casado Coronas (2008) provides an overview of the state of affairs of RJ in Southern Europe, the findings concerning the priorities for policy development identified by the experts, and the strategies and tools geared to expand and consolidate the implementation of RJ in each of the concerned countries. 3) *The role of the European Union in the further development of restorative justice*, by Jolien Willemsens (2008) which seeks to answer the question: 'Is there a role for the European Union in the further development of restorative justice in Europe, and if so, what should be regulated or provided for and by which instruments?'

Calendar

- 'Responsibility-taking, relationship-building and restoration in prisons', 17 - 19 January 2012, Budapest, Hungary. This conference summarises the main findings of the Mediation and RJ in prison settings-project and the pilots experimenting with RJ and mediation in prisons in Germany, Hungary and the United Kingdom, and to stimulate the exchange of good practices related to RJ in prisons.
- "Victims and restorative justice" – three workshops discussing interim findings on the needs, experiences and position of victims when participating in RJ programmes will take place in 2012. The first takes place on the 2nd of February, 2012 in Tilburg, the Netherlands (topic: Victim policy and mediation), the second on the 9th and 10th of February in Helsinki, Finland (topic: Victims and RJ: Violence in intimate relations) and the final one on the 28th of February 2012 in Vienna, Austria (topic: Victims and RJ: What methods to use?). More information: www.euforumrj.org or karolien@euforumrj.org

Newsflash

UK Government response to 'Breaking the cycle' consultation. The UK Government response, published on 21 June 2011, to the three month consultation 'Breaking the cycle' argues for 'robust and demanding' punishments in which offenders have to confront the consequences of their crimes. To achieve this the government plans to turn prisons into places where prisoners are involved in work or education for 40 hours a week and to turn non-custodial sentences into 'more credible punishments.' Community payback will be extended to all offenders so that a portion of an offender's earnings, whether in custody or not, will be diverted to support victim services. Alongside these measures the government proposes to devote more resources to preventing offending through drug and alcohol programmes and a greater emphasis on education and training for employment, mental health needs and housing needs. These resources will be made available to organisations on a 'payment by results' basis. They also propose greater transparency in criminal justice processes and a greater emphasis on victims. In paragraph 28 they say;

Many victims say the best way harm can be repaired is through participation in restorative justice. We are proposing using restorative justice interventions at each stage of the justice system. Most responses to the consultation welcomed our emphasis on greater use of restorative justice as long as it is used appropriately, interventions are of sufficiently high quality and there are sufficient safeguards in place for victims. • This draft Directive is intended to replace the current Framework Decision on the Standing of Victims in Criminal Proceedings – it is important that the document is as right as we can make it before it is finalised as it will prove a seminal document for the future of restorative justice in Europe.

Accordingly, the Ministry of Justice and the Home Office will consult on introducing 'restorative justice approaches at all stages of the criminal justice system.' They will reform the system:

- to create a framework for out of court disposals
- to reduce the use of custody for those on remand including ending the use of prison for 17 year olds on remand
- by reviewing the current indeterminate sentences, the possible extension of suspended sentences and possible changes to the functions of the parole board
- to reduce the number of foreign national offenders
- by simplifying the system and the ways its performance is measured.

Comment. The overall tone of the response is punitive, ignoring the dictum of Alexander Patterson, the penal reformer and member of the Prisons Commission in the 1930s, that people are sent to prison 'as punishment, not for punishment' and all the proposals that the government is proposing to bring forward exemplify this punitive approach. However, taking a longer term view, the government appears to have been impressed by the number of responses advocating greater use of restorative justice and the range of areas which it intends to explore to improve the system could offer many opportunities for restorative justice practitioners to influence the long term direction of English and Welsh criminal justice policy and practice.

***Note:** These proposals do not apply to Scotland or Northern Ireland which have separate criminal justice systems.

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Somewhere over the rainbow the MEREPS results in Hungary

Background

In Hungarian criminal law it is not the aim of the penal system to foster reconciliation between parties and nor is it suitable for it to do so. Mediation as part of the penal process became available in 2007. There are, however, legal limits to the use of mediation. For example, it can only be used in crimes punishable by imprisonment of up to five years which excludes the most serious crimes from its remit. The final opportunity to refer cases to mediation is by the court, it

cannot be used during the execution of sentence.

Victims of serious crimes and imprisoned offenders therefore rarely have the possibility of participating in any restorative programme and gaining from its benefits. Nevertheless, its importance is unquestionable, since serious crimes do have the most significant impact on victims and offenders as demonstrated by the findings of several research studies.

The empirical research

The National Institute of Criminology's (OKRI) task in the

MEREPS project was to research the attitudes of juveniles, adult inmates, correctional staff, policy makers, legislators and other key stakeholders towards RJ. Two prisons, an adult prison and a juvenile institution took part in the quantitative research. Two hundred questionnaires were filled in by inmates and 50 in-depth interviews were undertaken with them. Furthermore, 40 in-depth interviews were conducted with staff members about their attitudes towards RJ, and about how they solve their conflicts in the prison.

The primary purpose of the study was to assess the ability and willingness of offenders to participate in mediation after sentencing, with special regard to the internal and external factors supporting and hindering this. The initial findings show a significant distinction between young and adult offenders in terms of their willingness to take part in a mediation process. With young convicts mediation should only be used after careful preparation, simply because most of them are not prepared in any way to meet their victims. The younger age group is dominated by violence, which reduces the chances for remorse and reconciliation. They often lack empathy, reject the concept of guilt, and blame the other party or the environment for what happened. By contrast, adult prisoners seem to be more prepared to meet their victims.

Following the assessment of the attitudes of offenders, we tried to find out what people directly dealing with offenders thought about restorative practices, with special regard to prison staff, who are the key actors in the success of mediation programmes implemented in prisons. We then discussed the issues that had arisen during the in-depth interviews with the prison managers (governors, deputies, chief educators, chief guards, psychologists) in the framework of focus group discussions. During the discussions, group participants identified the various functions that prisons serve, which sometimes represented heavily conflicting interests in practice. In addition to guarding prisoners, prisons are also required to educate and support them, but they lack the necessary resources to complete these tasks. Often, staff members have not been trained to meet these requirements and many of them work under the supervision of 'burned-out' managers who only follow a daily routine.

Our findings suggest that the use of restorative practices after sentencing requires a great deal more effort than before sentencing. However, there are measures that may facilitate the use of mediation in prison settings. Based on a psychological assessment, an education and personality development plan is drawn up for all new inmates. This plan could also include measures, established on the basis of their personalities and other factors, with a view to developing the prisoners' abilities to take part in mediation.

The pilot research

The one year long pilot project within the MEREPS programme realised in two Hungarian prisons was the first

attempt in Hungary to implement restorative practices at the institutional level. The main object of the project was to explore the opportunities for implementing mediation and restorative practices in prison settings. A further aim was to test whether such practices could help support victims of crime, raise responsibility-taking in offenders, support the prison staff and inmates in peacefully resolving their internal conflicts, help the restoration of family relations and reintegrate offenders into society after release.

The pilot began with a training course in October 2010 in mediation and restorative conferencing provided by Dr Marian Liebmann (UK) for about 20 staff of Balassagyarmat Prison and three from Tokol Juvenile Institution. As part of the preparation, 18 inmates took part in a Sycamore Tree course. Following this a steering group was set up consisting of five correctional education officers and the MEREPS supervisor, Ms. Vidia Negrea, a psychologist and RJ facilitator - whose role gradually turned from an active co-facilitator to a mentoring supervisor.

During the 'action research' we supported all kinds of interventions following restorative principles, including restorative conferencing, family group conferencing, mediation and supporting circles. Restorative encounters were led by two facilitators: the MEREPS supervisor and a member of the prison personnel. The long-term objective of the project was to integrate facilitation techniques into the correctional education officers' day-to-day work in a sustainable way.

We involved 28 inmates (sentenced for homicide, robbery, theft, physical assault, sexual assault, rape and vandalism) in seven restorative conferences, a family group conference and in several preparatory interviews and group activities to sensitise them for meeting their victims. In the case of cell conflicts, usually mild physical assaults were the reasons for restorative meetings, but other conflicts also occurred, such as loans, power fights, sexual abuse or the lack of coffee and cigarettes. The aim of the family group conference was to prepare the inmate, the family and the local community for the inmate's temporary release. Seventy-five percent of the conferences were considered as successful interventions by the parties, and concluded in an agreement.

Concerning the possibility of meeting victims, we had to conclude that it is nearly impossible to link inmates and victims due to the absence of the institutional system of victim protection and the data protection and regulatory limitations. We found that rules, criminal law procedures, regulatory requirements and routine-mechanisms generally determine the formal and informal management of conflicts in the prison and are one of the main obstacles to putting restorative processes into practice. The institutional response to any type of involvement in conflicts is punishment. Hence, inmates aim to conceal their conflicts and try to solve them behind the scenes to avoid formal punishment. These fea-

tures of the formal and informal institutional structure determine the frame, and limit the scope of restorative practices. Restorative principles and practices in MEREPS needed to be adapted to these institutional conditions.

However, factors that could be changed were the social-psychological and motivational conditions. We saw that to introduce RJ in certain cases there is a need for an initial basis for trusting and open human relations amongst the actors – far from the everyday life of the prison. Relations beyond the prison, family ties and plans after release often meant an appropriate basis for these kinds of human relations and supported inmates' identification with restorative practices.

In the case of cell conflicts we had to build upon those situations in which inmates shift from their role as inmates in the rigid hierarchy of the prison community. Therefore, any preparation for RJ practices needed to recognise when these conditions were present and when they were not, efforts needed to be made to create them. However we also had to face some risks. Inmates' motivation was sometimes oriented by self-interest, earning advantages in the prison system. Or the personnel's motivation derived from suiting the governor or getting rid of conflicts easily and avoiding legal sanctions. Our main task was to put these – often instrumental – mo-

tivations of the parties onto a restorative basis and find all those supportive factors that might help responsibility-taking, identification of needs and intention and ways of reparation. Initially, our primary aim with RJ was to help victims and offenders, but we realised that it can only be done through helping the prison staff in their conflict management. Throughout the pilot we witnessed how RJ can positively influence the communication culture of a hierarchical institution, how it can become a first step towards empowering people (both staff and inmates) to articulate their needs, and dare to believe that some dialogue and cooperation might be possible. RJ contributed to helping the staff to make a move from their roles as prison officers, experience professional challenge and success and avoid burn-out. As one staff member summarised:

"(...) there is a paradigm shift in progress in the prison system, and it intensely influences and divides prison employees. They are either very interested in the restorative approach, or sharply against it. As I can see, we are heading towards restorative justice, and I like to be there where new things are born."

**Tünde Barabás, Borbala Fellegi,
Dóra Szegő and Szandra Windt**

The MEREPS-project in Germany

Introduction

Victim-offender mediation (VOM) as a means of diversion for juvenile and adult offenders is rather common in Germany (Kerner et al. 2011). The legal concept is output-oriented and gives space to take different restorative practices into consideration (Hartmann 2010: 125). Beside this legal openness, restorative practices like "conferencing" and "circles" are hardly used in Germany, although some model projects practise them (Hagemann 2009). Also, VOM in prisons is almost unknown. The legal basis for such schemes is more complicated, as since 2006 the legislative competence for prison laws is in the hands of the 16 federal states ("Länder") and therefore the regulations in some aspects vary from state to state. After having done a legal analysis we could not find significant legal obstacles; rather, there are good legal reasons for the opinion that in normal cases the prison regime has an obligation to make restorative justice (RJ) possible (Lindrath 2010: 335). Furthermore, promising results in foreign countries e.g. Belgium and the UK supported the idea of engaging in the MEREPS-project (see Mariën 2010: 225-229; Van Droogenbroeck 2010: 230-235; Shapland et al. 2008a: 27; Shapland 2008b). This was the background to participation in the MEREPS project for the Institute of Police and Security Research (IPoS) of the university of applied sciences in public administration Bremen (HfoeV) (see www.ipos.bremen.de and www.hvoev.bremen.de) and Täter-Opfer-Ausgleich-Bremen e.V., which is the local NGO providing RJ in the city of Bremen in a variety of schemes (see www.toa-bremen.de).

Our main tasks in the MEREPS project were: to implement a model project in the prison of Bremen, to evaluate this model project, and to make a survey among the employees of prisons in Germany regarding their attitudes about VOM and RJ. This article gives a short overview of the results that have been achieved so far.

Results of the online survey - summary report

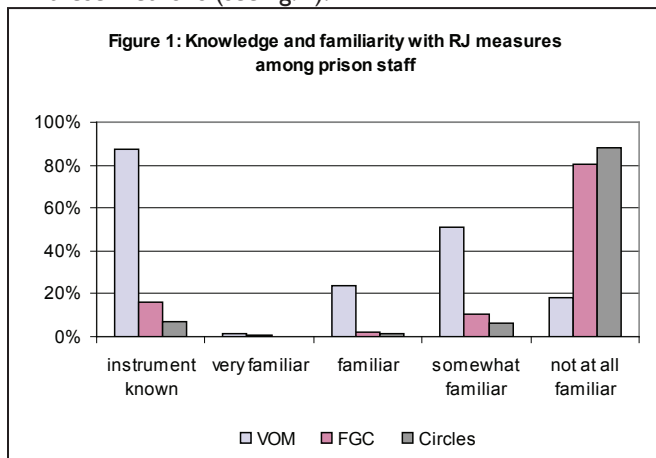
Under the assumption that the success of the future implementation of restorative justice (RJ) in prison settings also depends on how prison employees judge it, a nationwide internet-based survey was conducted among prison staff. The focus of this survey was on the awareness of VOM, family group conferencing and circles among prison staff. Furthermore, the online questionnaire asked prison staff about their views and attitudes towards the implementation of such measures in prison settings. All employees that are in contact with prison inmates were invited to take part. The central results of this survey are as follows:

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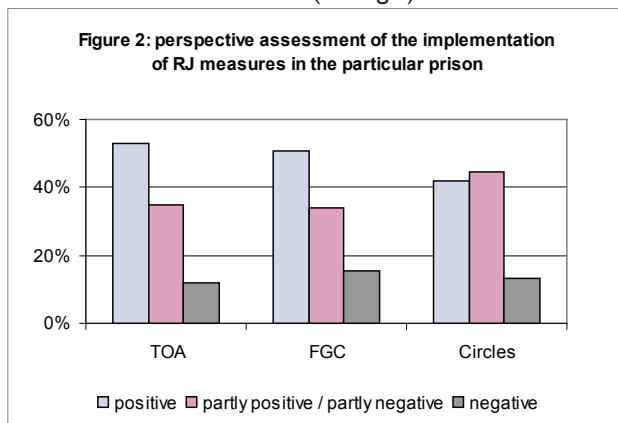
Under the assumption that the success of the future implementation of restorative justice (RJ) in prison settings also depends on how prison employees judge it, a nationwide internet-based survey was conducted among prison staff. The focus of this survey was on the awareness of VOM, family group conferencing and circles among prison staff. Furthermore, the online questionnaire asked prison staff about their views and attitudes towards the implementation of such measures in prison settings. All employees that are in contact with prison inmates were invited to take part. The central results of this survey are as follows:

- VOM is widely known by prison staff in Germany. Family group conferencing and circles are known only by a minority. However, only one quarter of the polled staff is

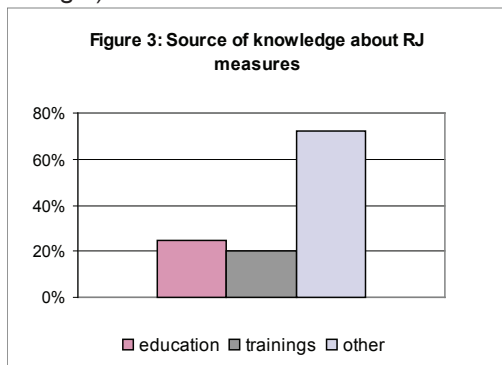
familiar with VOM and in the case of family group conferencing 80 percent while in the case of circles 90 percent of the staff indicated that they are not at all familiar with these methods (see fig. 1).



- Eighty percent of the interviewed prison staff considers contact with the victim and efforts by the prison inmates to compensate for the offence as reasonable. VOM and other RJ measures are therefore generally accepted by the prison staff. About one half of those polled however have doubts concerning the realisation of the implementation of such measures (see fig.2).



- Education and training contributes to knowledge about VOM and other RJ measures only to a minor extent (see fig. 3).



The above-mentioned findings from abroad, the German le-

gal status and the generally broad acceptance by the prison staff altogether constitute a good basis to sample and implement VOM and other RJ measures in German prisons.

The scepticism of the employees towards the realisation must however be taken seriously. The necessary conditions for such measures do not pre-exist by implication. Hence, the implementation of model experiments requires intensive preparation. Above all, knowledge and familiarity with RJ measures among prison staff have to be improved considerably by training, especially concerning family group conferencing and circles. International experience argues for a detailed examination of these measures, which is still needed in Germany.

Results of the model project in the prison of Bremen

VOM as a means of diversion and alongside the court hearings is available in Bremen and is a well-accepted option for victims and offenders. The NGO, called the Täter-Opfer-Ausgleich Bremen e.V.¹ is dealing with more than seven hundred cases including a thousand victims and offenders a year. Although there had been several attempts in earlier years to offer VOM for prison inmates, this had not become possible until the MEREPS project started in 2009.

After several preparatory discussions with prison staff and managers the practice could start in the section for juvenile inmates of the prison "Oslebshausen" in Bremen. The project is not restricted to juvenile inmates, but it started with juveniles. The project was made public in the prison and the inmates could express their interest in taking part in mediation to the prison staff whose passed this interest onto the mediator. In general, the inmates came from highly disadvantaged social backgrounds and have had long criminal careers, including several previous convictions. The offences were serious and included grievous bodily harm often combined with robbery and in some cases attempted murder. Rape and other forms of sexual violence were not referred to the model project, however. One of the first tasks in the dialogue between the mediator and the inmate was to become aware of the high number of victims that were harmed by the inmate and to figure out those victims that could become possible partners in a mediation session. Usually the offenders needed several meetings and a longer time to become ready for mediation with the victim.

In summary there were more than hundred dialogues between mediator and inmates. 27 offenders agreed to take part in mediation, seven cases are open so far. The mediator had 27 dialogues with victims and usually more than one preparatory talk with each victim. Direct mediation was possible in four cases, indirect mediation ("shuttle diplomacy") in three. In other cases no contact with the victims was possible or the victims did not agree to VOM. The applied method

was VOM, but other persons could also be included. In two mediation sessions victims had a supporter at their side, and in the preparatory talks a number of persons were involved, like parents, friends, representatives of victim aid organisations, attorneys etc.

Therefore we can say in summary that VOM in prison is not a kind of an “assembly line” procedure, but a very individual setting that has to be handled with care. But the whole process seems to be very valuable, even if no full mediation is possible. If mediation takes place, the dialogue and communication are in almost all cases very serious, emotional and in the end, reconciliatory.

Arthur Hartmann, Marie Haas, Tim Steudel

I.e.V. indicates the legal status of the NGO like ‘Ltd’. The meaning of e.V.– ‘eingetragener Verein’ can be translated with ‘nonprofit organisation enrolled in a public register’.

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