

## **Mediation and Restorative Justice in Prison Settings (MeRePS)**

Report about the educational trip to Leuven/Belgium 01.09.2010 – 03.09.2010

The exciting thing about realizing a pilot project is for sure to experience the own image of the (ideal) implementation being restricted and measured by the actual circumstances. Concerning the *MeRePS* Project this means to implement a procedure based on voluntariness, autonomy confidentiality and trust in a strongly hierachic organised institution. It is obvious that this does not always work frictionless. Beyond that the actual subjects often are re-offenders with long-term criminal careers, the underlying offences are often severe and the victims and their affiliated have experienced much harm. These circumstances are resulting in new challenges for the mediators every day during the case work.

Since four years I work as a trained mediator for criminal cases at the *Täter-Opfer-Ausgleich Bremen*. The team consists of five diploma (equivalent to master's degree) psychologists, two attorneys, one social worker/criminologist, three volunteers and about fifteen trainees. Our main working area is the mediation of misdemeanour and medium-serious crimes. Generally also severe crimes can be attended, but in this area police, prosecution and court are quite cautious, so that these are very rare. When initiated by the parties involved (offender or victim), the imprisonment of the offender has been an insuperable obstacle in the case work. Concerning mediation in prison settings no concrete experience data exist in Bremen. Hence an exchange of experience in this area with colleagues is only possible to a limited extent. In Bremen we are indeed lucky to have the possibility to reflect and share our impressions and feelings in supervisions or internal case reviews but mere practical questions can not be answered here.

In Leuven the work with prisoners and their victims is an inherent part of the mediation since ten years. Beyond that diverse professionals (practitioners, scientists etc.) altercation with the subject so as to me, as the responsible mediator in Bremen, there are many things to learn from these (experiences). Due to the great agency of Prof. Dr. Ivo Aertsen (K.U. Leuven Institute of Criminology / Coordinator Research Line on Restorative Justice) I found some competent contact persons very quickly. During my three-day visit in Leuven I was able not only to talk to Prof. Dr. Ivo Aertsen, but also had nice and informative conversations with Mrs. Karolien Marien (Executive Officer of the European Forum for Restorative / former Restorative Justice Counsellor in Prison) and the very experienced mediator Kristel Buntinx (Leuven Mediation Service *Suggnومé*). At this point special thanks to you for your hospitality and the comprehensive information.

By that I learned a lot about the background and the evolutionary history of the victim-offender-mediation in Belgian prisons and got an overview of the European Restorative Justice network with scientists and practitioners. I was especially impressed by the discussions with Kristel Buntinx. She witnessed the very beginnings of the work with prisoners as a mediator and sat out all quarrels with the participants, the public authorities and the prison, all this without loosing her faith for her work. She shared her experiences with me and had some valuable answers to concrete questions (e.g. Who to contact when there are many victims? – all at one time or one after another? Only the severe / misdemeanour crimes? How should a serious offer of an offender to his victim should look like? What kind of restorative measures can be realized during imprisonment? How strong have the victims to be

protected? How can prisoners contact a mediator anonymously? How are first letters to the victims phrased in Leuven? etc.)

Finally I had a guided tour through the local prison in Leuven. In this prison only long-term prisoners convicted of murder, manslaughter, severe robbery etc., are accommodated. Here the severity of the criminal acts do not represent an obstacle to accomplish mediation. The offer of the responsible office (*Suggnomè*) rather has been appreciated since many years. The direction as well as the responsible civil servants of the prison recognize the positive effect of the victim-offender-mediation for all parties (offender, victim and affiliated) and guarantee good / appropriate working conditions for the employees of *Suggnomè*. A nice detail here was a small letterbox directly placed within the prison. By that the prisoners have the possibility to contact the mediators discrete and anonym. This provides a low-threshold possibility especially to deal (via mediation), with internal conflicts (between the prisoners themselves, but also between prisoners and prison staff).

Altogether I was able to collect many new supplementary or only approving / confirming impressions and information. If and how far these perceptions can be implemented in Bremen remains to be seen. For sure it can be noted that with the *MeRePS* project we are on the right way.

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