Forum 15: A fundamental review of the role and strategy of the European Forum for Restorative Justice

In May this year, the Board met with the Secretariat of the European Forum for Restorative Justice (EFRJ) to address serious issues in relation to the operations of the EFRJ. It was clear that the staff were experiencing unacceptable levels of stress due to the volume of work over, at least, the past year.

This included organising a very successful conference in Belfast, managing several important research and development projects, developing a business plan and applying for the operational grant from the European Commission. It was also clear that this pressure of work exposed limitations into the availability of support from the Board.

There were also financial issues. The EFRJ’s income is derived from membership fees, project grants and the European Commission operational grant. The current situation was assessed as unsustainable in the long-term. The EFRJ must apply for the operational grant every year and the Commission has made it clear that there is no guarantee that it will be granted each year. Project grants are competitive and increasingly difficult to win. They also put an excessive strain on the administrative capacity of the Forum.

Consequently, the Board with the support of the Secretariat, decided that there should be a fundamental review of the role and strategy of the EFRJ. It would involve both an examination of the internal structures, roles and operations of the EFRJ including the role and function of the Board and the external strategy that the EFRJ should adopt to promote restorative justice in Europe and to support and involve its membership. The EFRJ was established 15 years ago, so the project was named ‘Forum 15.’

Background

Over the past fifteen years of its existence, the EFRJ has organised eight international conferences bringing together the most distinguished academics in the world and the most experienced practitioners in the field of restorative justice. It has undertaken and published many significant research studies in the field, convened many seminars to examine specific issues in depth,¹ and in recent years, has cooperated with a wide range of partners to conduct research and to prepare practice guidelines on:

- Accessibility to restorative justice;
- Training judges and prosecutors in restorative justice;
- Desistance from offending and restorative justice;
- Restorative approaches to conflict in inter-cultural contexts;
- Victims and restorative justice;
- Restorative conferences;
- Restorative justice in prison settings;
- Restorative justice and crime prevention;
- Building social support for restorative justice; and
- Developing standards for assistance to victims of terrorism.

Each of these themes is directly relevant to the promotion of restorative justice throughout Europe, yet we believe that these important documents have had limited influence on policy and practice.

The availability of restorative justice in Europe

A recent survey of restorative justice provision for young people in 28 countries in Europe (Dünkel et al., 2015) found that every country has implemented some form of restorative justice. Most countries use victim offender mediation although the degree of availability

¹Further information can be found in the EFRJ website http://euforumrj.org
of this is very limited, except in a small group of jurisdictions. Even though these processes are widely available, they are seriously under-used. The provision of restorative justice in prisons and other custodial institutions is even more limited. Even in those countries with a high commitment to restorative justice, there are still too few direct meetings between victims and those who have harmed them. Thus, many people affected by the harm caused by crime are deprived of the proven benefits of restorative justice. The EFRJ does not believe that this is acceptable.

What the EFRJ can contribute

The EFRJ believes that restorative justice should be available throughout Europe to all people affected by the harm caused by crime. There should be access to restorative processes at all stages of the process for dealing with crime, from prevention to prison. As such, we wish to increase our efforts to promote restorative justice throughout Europe and to support governments, statutory agencies and civil society to develop restorative justice initiatives. The key obstacles to this strategy include:

- the prevailing retributive discourse in relation to offenders in many European countries;
- the risks that governments perceive in offering restorative justice (especially in more serious cases);
- the reluctance of system and professional gatekeepers/referrers to use what they see as an innovative and untested approach; and
- a lack of confidence or competence among practitioners.

To overcome these obstacles and to work towards the overall aim of the full availability of high quality, effective restorative justice in every European country, the EFRJ should:

- draw attention to the most up-to-date research into the effectiveness of restorative justice;
- produce a framework of effective implementation of restorative justice (this would take the form of a detailed index or checklist of what needs to be in place to provide an inclusive, accessible and effective range of restorative processes delivered to a high quality) and a how to guide in terms of drafting legislation, policy, governance, protocols to facilitate cooperation between organisations, practice models, quality standards, training, performance management, evaluation (this will allow countries to assess what they have achieved and what they still need to do);
- promote existing and under-used practice guidelines for a range of restorative practices in a range of contexts (family, schools, communities, criminal justice and prisons);
- act as a contact point for governments and agencies seeking consultants, researchers and trainers who can support governments and organisations who wish to implement the framework or elements of it; and
- actively promote these services throughout Europe and coordinate consultancy, research and training services to meet local needs.

The need to build the capacity of the EFRJ to achieve these objectives

Currently within existing resources, the EFRJ does not have the capacity to perform these tasks. However, the EFRJ is a membership organisation which means it has access to policy makers, leading researchers, experts, restorative and legal practitioners in 34 different countries. Not only should these members be offered more support to develop restorative justice in their countries, but they are also a valuable resource.

By mobilising membership more actively, the EFRJ can enable different countries to assess their needs and to access the consultancy, research and training services in the field of restorative justice that will help them meet their needs. This means that the EFRJ will have to develop a more proactive and dynamic relationship with the membership with a view to understanding what needs to be done in each country, what support is required and what expertise members can offer. To achieve these objectives the Forum will need to:

- change its relationship with its membership network;
- review and change its internal structure, systems, procedures and staffing; and
- develop a robust strategic plan and business model which will reduce dependence upon European Commission grants and research projects so that it can generate its own sustainable income.

The EFRJ has developed a project plan, Forum 15, to review and transform the internal capacity of the Forum and to develop a detailed strategy to achieve its vision. This involves two working parties: one to review internal operations and one to develop an external strategy. These working parties are composed of members of the Board and the Secretariat. In addition, members will be consulted on how the EFRJ can more actively support them and how members can more actively become involved in promoting restorative justice throughout Europe.
The findings and recommendations of the Forum 15 will be presented for approval to the AGM and biennial international conference in June 2016 in Leiden in the Netherlands. The Board will be consulting membership on both what the EFRJ should be doing to support the development of restorative justice in their areas and what members could offer in relation to training and consultancy expertise. I would encourage all members to make an active contribution to the success of Forum 15.

References

Tim Chapman
Board Member
tj.chapman@ulster.ac.uk