

BOOK OF ABSTRACTS

3RD INTERNATIONAL SYMPOSIUM ON RESTORATIVE JUSTICE “DISCIPLINING AND TAKING RESTORATIVE JUSTICE FORWARD”

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Key challenges and opportunities for restorative justice in a corporate world: *The political economy of restorative justice*

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In times of the domination of the free markets and globalization there are still contradictions on how to perceive the new corporal world. Agreeing either with the divinization or the a-moralization of the markets, there is an ambiguity on whether or not values exist in business, what are they, and how predominant are. We don't aim at condemning or supporting the free markets ideology and self-interests. We don't either aim at doing politics –at least in this presentation, even if Aristotle is right when stating that 'all human beings are political animals'. On the contrary, we aim at challenging the restorative justice values and ethos in a world that changes radically and needs more scenarios and responses in dealing with crime and social problems. We aim at exploring the political economy of restorative justice in the context of privatization of public goods, such as fairness and justice. So, we try: a) to explore the risks for commercialization of restorative justice in a corporate world, and b) to find any possible links between restorative justice and business ethics.

I. Today, in the post –modern capitalism societies, the out -sourcing solutions and the privatization of the public policies that are prevalent in health and education systems, opened the road to the privatization of doing justice. After the privatization of prisons, now the community organizations and NGO's are the key actors in designing, implementing and evaluating the criminal justice policies and crime prevention –mainly in the fields of juvenile delinquency and victims support. The legitimate power of the state to handle the crime and criminality is distributed through an increasing number of social actors, who are funded to produce 'visible' and fast results, no matter of what the values, the needs and the rights are. In this context, Restorative Justice is shifting into an outsourcing solution for reducing the overloading of the traditional criminal justice systems. I don't judge if this is good or bad, since the evidence -based research in the field is too weak. However, there are a few warnings on offering restorative justice as 'cheap justice' and on the warm embracement of the restorativists by the politicians, in times where the safety and crime industry is getting profit oriented and globalized. The more we concentrate on the cost effectiveness of restorative justice, the more we undermine its content, values and aims. Thus, the key issues for restorative justice is how to keep its values and ethics, how to figure another paradigm, another zeitgeist, how to be implemented, by whom, to whom, in what schemes, and what its impact in persons, communities, societies and systems without being another way of commercialization of doing justice.

II. Corporate ethics have long been questioned. Since 1970 when Milton Friedman famously proclaimed "The Social Responsibility of Business is to Increase its Profits" ([NYTimes 1970](#)), ethics and business are not perceived as contiguous and related to each other. In criminology, both the legacy of Edwin Sutherland on 'the white collar crimes' and the research on organized crime, do not permit any innocent thoughts on the self- interest of the corporations. The amoral Homo Economicus was (or still is?) a pattern of thinking and acting in the late 20th century. However, there are corporate ethics -even if there are no dominant in the free markets economy. There are a few honest, green, responsible corporates with 'human face' that seek for development and sustainability in communities and societies. These corporates keep distance from the two poles: either of doing corporate philanthropy or maximizing their self -interest profits. Social responsibility, trust, investment in communities, development and sustainability are the main strategies for

these corporates to convince that ethos and ethics may exist also in the business world, despite the mainstream global free market economy.

III. The encashment of common good, the improvement of social capital, the empowerment of social and community bonds, and the social change/transformation are the common ground where restorative justice and corporate social responsibility meet. Not subject to morality, we try only to enrich the interdisciplinary background of restorative justice and to link RJ with the broader economic, social and cultural systems in certain contexts. Further research needed to address the opportunities of introducing and expanding restorative ethos and values in corporates.

At this critical point, there is need for disciplining restorative justice in epistemological/theoretical, research and policy level. This process of disciplining restorative justice safeguards its values and humanitarian perspective. My recommendations on how to discipline Restorative Justice focused on retreating a separate and discrete object of analysis in a clear epistemological field, developing comprehensive theoretical perspectives, adopting innovative methodologies, and implementing evidence based practices. Impact assessment research on restorative justice would be also useful in addressing the effects and the impact in individuals, communities, and societies in terms of gender, poverty, social change/transformation and would accelerate the process of disciplining. The inter- and trans- disciplinary character of restorative justice may facilitate or hold back the discipline procedure in situ and in context.

The real global crisis

Dr. Theo Gavrielides, *Founder and Director of The IARS International Institute, Co-Director of the Restorative Justice for All institute (RJ4All), Adjunct Professor at the Centre for Restorative Justice of Simon Fraser University and Visiting Professor at Buckinghamshire New University.*

Governments around the world, the media and many intellectuals had us convinced that we are living a period where financial resources are more scarce than during the World War II era. Having observed this period at personal and research levels, I believe that the world economic crisis which started with the Great Recession in the US in 2007, made us feel our future is in a deadlock with despair replacing hope. Subsequently, the rest of the world's populations may be considered as living their lives without any prospect of survival considering the deprivation of essential commodities and basic amenities afflicting these populations. In this absolute despair, fear is created and through this fear control.

Corporate crimes, money laundering and the lack of ethics in businesses, banks and large online enterprises are all accepted as the norm. Habermas poignantly observes that we are living in the crisis of a 'post democratic' era, which is characterized by a more capitalist and market oriented functioning of democracy (Habermas, 2012). The representational and equal political systems that we set up through international conventions and long fought campaigns are being replaced by new orders where financial clout increasingly dominates the democratic system and political success. This system has led to a financial calamity and leads to despair in the developed world (Dorling, 2011).

Ask any first year psychology student and they will tell you that for any individual to develop their potential and thrive, first there needs to be a sense of self-pride and a set of personal goals. Remove these and independently of the social, societal, biological, political factors that may be evoked, we should expect to see a life of underachievement and likely criminality. "We learn best in stimulating environments when we

feel sure we can succeed. When we feel happy or confident our brains benefit from the release of dopamine, the reward chemical which also helps with memory, attention and problem solving” (Wilkinson & Pickett 2009: 115). In the current climate of financial terror, ask a young person independently of their European country of origin and they will tell you that they are not special.

This defeatist attitude is also what informs our criminal justice systems. This approach has traditionally focused on all that is wrong with the offender (psychologically, socially, biologically etc.). It looks for their vices and vulnerabilities, their addiction, their social and financial problems, their broken relationships and their distorted view of the world and then asks us to fix them. Consequently, our energy and care are given to minimising risk through treatment programmes.

To no surprise, for decades, policies, funding programmes, laws and practices have focused on setting up and managing a criminal justice system that aims to deal with offenders’ negative traits. No wonder why desistance is seen as a result of being ‘tough on crime’ and criminals. [12] In fact, this approach has been named in the rich literature as the Risk Need Responsivity (RNR) model of rehabilitation.

The real global crisis is not financial but one of hope and control. In a society where there is no hope, human rights whether in their legal or value based version are seen as luxuries. Survival comes first and in the serving of our basic instincts the vulnerable come last and this includes the refugees and migrants who die in modern Europe with a rate of more than 160 per month¹.

As a values based and positive approach to problem solving, restorative justice has a role to play nurturing morality at the personal, inter-community and business levels. However, it currently faces its own internal power interest battles while it lacks (a) discipline. I believe that it is time for restorative justice to engage, energise and use disciplines it has never reached. In fact, I hope that restorative justice benefits from an inter-disciplinary dialogue that can take the best features and learnings from an array of fields while not losing sight from its original intention of truly empowering those it aims to reach. Consequently, this abstract and the 3rd International Symposium on Restorative Justice aim to bring together criminology, affect-script psychology, sociology, political sciences and human rights, psychology and positive psychology, design, arts and social work to open new paths for restorative justice at policy, practice and research levels internationally.

¹ According to UNCHR, at the time of writing (March 2016) there have been 464 deaths since 1 January 2016, see <http://data.unhcr.org/mediterranean/regional.php>.

Anti-Corruption And Business Ethics: From Setting Up Compliance To Creating Ethical Corporate Culture

John Apsouris, *Group General Counsel, Hellenic Petroleum S.A., Greece.*

Great corporations are built not only on their business performance, but also on the values and principles that they adopt and serve through their actions, from the simplest, day to day, to the most complex and important ones.

Intense global enforcement effort within the last decade has made the organizational risk of anti-corruption/anti-bribery a current top ethics and compliance risk.

Various supra-national legal acts such as the 1997 OECD Convention on Combating Bribery of Foreign Officials and the 2003 UN Convention Against Corruption mark a global approach to the criminalization of bribery and prevention of corruption and are mirrored in numerous national legislations.

Laws are not enough to face the organizational risk of corruption; a company's written policies and procedures form the core of a comprehensive anti-corruption program which is the best tool to mitigate such risk.

We can define "ethics" as the actual rules of conduct that govern day to day interactions in a particular group. If compliance is the articulation of the expected standards of behavior (the "what"), then ethics is the means by which the organization comes to comply, or not, with those standards (the "how"). Companies need to focus on both.

Besides the obvious benefit of mitigating ethics-based risks, there are other important and measurable benefits to the organization of an effective ethics and compliance program.

Understanding the nature of any gap between the desired culture and the actual culture is critical in determining the nature of any ethics-based risks inside the organization and creating the appropriate policies and procedures.

Challenges in the field: making healing, emotion and dialogue work in economically driven and law and order climates

Dr. Jane Bolitho, *Lecturer, School of Social Sciences, University of New South Wales, Australia.*

One of the key tensions still facing restorative justice as a social movement is the disjuncture in perceptions between those working at the coalface of restorative justice and those outside of the field, in terms of both the scope and impact of the movement. Many of us understand and make meaning of our work through frames of peace-making and non-violent activism, and see our RJ work as directly participating in the deepening of democracy and social justice in our communities (Mayer, 2012). By some, we may be seen as 'edge-walkers' or 'agents of change' (Neal, 2006). However, many outside of the RJ habitus question the real impact of RJ and others contend that it falls short of the real political engagement and activism expected of a social movement. In this session I would like to debate some of the tensions that exist for the movement, focusing specifically on two key areas: the notion of healing and the emotional transformative potential of RJ, and the notion of active and equal participation in decision making. I will draw from my experiences as a researcher in the RJ field, across youth and minor crimes in a diversionary context and adults and very serious crimes in the prison context. Up for discussion will be the idea that as we get closer to understanding the mechanisms that explain why RJ 'works', we need better ways of framing this knowledge that are convincing to those who have to make tough decisions in economically driven and law and order climates.

This session is designed to contribute to the symposium topic of 'how can the restorative justice rhetoric be disciplined in competitive environments', and the global challenged identified of 'delivering justice and criminal justice in difficult financial climates'.

Lessons Along the Way

Steve Brady, *College counsellor, St Andrews Lutheran College, Australia.*

This abstract is intended to form bases for discussion by sharing "lessons along the way" for Policy and Procedures formation from a Restorative Justice (RJ) Trainer / Practitioner's point of view. The focus points listed below arose out of specific incidents that I encountered when, during 2008 - 2010, I was seconded for two days per week by Lutheran Education Queensland to manage an initiative called "The Relational Management Project". The purpose of this project was to work with Queensland Lutheran School campuses whose Principals wished to re-examine school cultural values and practices, especially those relating to behaviour management in classrooms and, in a wider context, how to deal with harmful or disruptive behaviour across student, staff, leadership, and parent communities. Twenty-three campuses participated. Three key assumptions precede the following focus points:

- Interpersonal conflict is inevitable in any group or organisation. The use of RJ can facilitate healthy and cohesive growth.
- Successful and sustainable Restorative ethos, policies, and practices in Schools are applicable and foundational to any long-term Legal and Institutional Restorative reform in other sectors.
- Effective, highly-accessible Policies & Procedures that are well communicated are a foundation for applicable, sustainable Restorative Practices.

I hope that the following anecdotally-based focus points will generate productive dialogue:

1. In my context, the terms Restorative Justice and Restorative Practices are used interchangeably. My suggestion is that **Restorative Practices** are those strategies that bring Restoration both intrapersonally, and interpersonally, both of which are foundations for **Restorative Justice**.
2. High quality RJ **training** for teaching staff is essential, so too is RJ **coaching** or **mentoring**.
3. Teaching staff that were involved with the Project were provided with clear training and scripting for use in the classrooms and schoolyards. Based on comments made by a number of staff, I found that some teachers expressed fears of "**running out of language**". It is my view that coaching of staff will help embed RJ philosophy for each staff member individually, and thereby **encourage a creative RJ orthopraxy**. That is, that RJ is transformed from being good theory and a sound philosophy to a paradigm that each teacher "owns" for themselves, and RJ application becomes creative and natural.
4. Some teaching staff expressed fear about "**opening Pandora's Box**" (i.e. eliciting disclosures from students relating to possible complex personal issues) if they used restorative language with children or adolescents. Again, it is my view that access to skilled coaching or mentoring services will help staff to allay these fears. Well-established processes will help the staff member to reassure students and arrange for appropriate staff to assist, or facilitate referral to other providers.
5. Classroom culture, Restorative Conferences, Classroom Restorative meetings, or Restorative "chats" are undergirded by **Interpersonal Neurobiology** (Siegal, Daniel J. (2012) Pocket Guide to Interpersonal Neurobiology - An Integrative Handbook of the Mind, W.W. Norton & Co. Inc., New York, London). It is my view that if this science is consistently included in teacher and facilitator training, it will increase **understanding** and **foster effective relationships for learning**.

6. **Undisclosed or undiagnosed trauma** can make a highly significant difference to RJ processes and outcomes. I acknowledge the work of Dr David Berceli, whose writing clarified for me what I have seen many times as a practitioner (Berceli, David (2005) *Trauma Releasing Exercises*, Booksurge LLC).
7. For complex cases, in which the 'lines' between 'wrongdoers' and 'victims' are blurred, I often found that **creative adaptation of core RJ scripting and philosophy** was integral to successful outcomes. Complex cases such as these were common across upper primary, middle, and senior high school students over the years I have worked at St Andrews Lutheran College. I also encountered them in consultation work I did with schools in the years following my Secondment, as mentioned above.
8. I found that the **use of ritual** to complement RJ processes was extremely helpful in cases of seemingly intractable conflict, or cases in which participants had difficulty expressing themselves. **Use of ritual** was also helpful when strongly expressed emotions threatened to 'derail' the process.
9. My view is that the '**Shared Concern Method**' is a Restorative Practice that, in my experience, has led to Restorative Justice many times. This may be a contentious view, but I would value discussion about this within the Symposium (Pikas, A. (2002) *New Developments of the Shared Concern Method. School Psychology International*, 23(3), 307-36).
10. An essential skill for RJ practitioners that was missing in my training, but in experience has proved invaluable, is that of '**reading the energy**' of a group participating in a Restorative conference. By this I mean noting body postures, comments, micro-expressions, or, more abstractly, certain 'vibes' that can mean that there is something seeking expression, or that the process may 'derail' without skillful intervention by the facilitator. The model known as **Process Oriented Psychology** is informative in this area (Mindell, A (2014) *The Leader as Martial Artist*, Deep Democracy Exchange, U.S.A.).

This abstract is a 'scaffold' of the many lessons I learned along the way as an RJ practitioner and trainer within Lutheran Education Queensland and St Andrews Lutheran College. Schools are ideal for learning the art and science of RJ. Each point above has illustrative anecdotes and an increasingly scientific basis. As time allows, I hope the sharing of my stories and discussion with Symposium colleagues will add to the unfolding story of Restorative Justice.

Art, Design and Criminal Justice: the case for building Empathy and new Cultural Values

Prof. Lorraine Gamman, *Professor in Design, Central Saint Martins College, University of the Arts, London, UK.*

This paper will present the work of the National Alliance for Arts in Criminal Justice, reviewing initiatives such as the Koestler Awards, Clean Break Theatre Company and Fine Cell Work. It will discuss why the work of these arts organisations with inmates has been evaluated as making a contribution to 'desistance', discussing precisely why this is so, and reviewing some of the darker issues that evaluation processes have raised.

The paper will also introduce the work of the Design Against Crime Research Centre in delivering the Makeright project with HMP Thameside, London and Sabarmati Central Jail, India, where anti-theft bags

have been co-designed with inmates with the ambition of providing meaningful work, as well as demonstrating restorative principles in action. It will go on to discuss the design devices, including empathy experiments, that the project has utilised, analysing the role of Empathy 'Things', objects and processes that aim to build empathy. It will also review whether or not such 'things' can make a contribution to prompting new experiences that lead individuals in the criminal justice system to reconsider engagement with restorative processes.

Reentry Planning for People in Prison, Parole or Probation

Penelope Griffith, LICSW, *trainer and facilitator of Family Group Conferencing; Executive Director, Collaborative Solutions for Communities, USA.*

Lorenn Walker, JD, MPH, *Health educator, Restorative lawyer; Director, Hawai'i Friends of Restorative Justice, USA.*

A reentry circle planning process using restorative justice (RJ) and solution-focused (SF) approaches has been piloted in Hawai'i for adults and youth in prison. The process is being replicated in a New York jail, and with probationers in California and Washington DC. This experiential presentation will be held in a circle with participants introducing themselves, working in a dyad with someone they did not know before the presentation. Dyads will share recent their personal successes with each other. Information about the reentry process will be provided in the actual brochure that is provided to clients. The RJ and SF aspects of the entry planning process will be pointed out and explained. Small groups will discuss how they might use the process or aspects of it. Large group reconvenes and discusses what small steps they might take to use some aspect of the process.

Presentation objectives:

1. Participants generate new connections with others
2. Optimism for future efforts is promoted in dyads by sharing past successes
3. Participants will learn the various elements of RJ & SF in the reentry process
4. Participants establish concrete steps they can take to implement aspects of the reentry planning process (assuming they are interested in doing so)

Taking the Blinkers off Intimate Partner Violence

Dr. Anne Hayden, *Research Associate of Office of Pro Vice-Chancellor, Auckland University of Technology, New Zealand.*

Justice can be seen in many ways. One way is that equality and fairness are one side of the two-pronged fork of justice, the other being lawfulness. While both should be value-based, lawfulness is open to arbitrariness and human fault (Artinopoulou and Gavrielides, 2013)

This perspective is particularly relevant to intimate partner violence in the sense that, as found in my qualitative research, instruments of law and relevant literature are often unfair or biased against some victims and perpetrators. Case studies will be presented which demonstrate this possibly systemic social

inequality. Furthermore, in the field of intimate partner violence, some victims and perpetrators are also treated unequally or unfairly outside the legal system.

This presentation will explore the concept of human rights and how they are impacted by gatekeeping, less than appropriate accountability or integrity, and the important role restorative justice could have to change this. This is because restorative justice allows people to define justice for themselves (Hayden, 2010).

In other words my presentation is about taking the 'girl' out of gendered violence.

Restorative justice and victim support: The powerful effects of restorative and solution-focused practices for crime victims

Jasmina Nikolic, *Manager of the Service VDS info and victim support, and member of the Executive Board of Victimology Society of Serbia, Serbia.*

Research shows that many victims find restorative justice approaches very helpful, empowering and healing; they assist victims in gaining over their agency and help them in moving on with their lives. This is particularly true for restorative processes, such as mediation, conferences or circles, which are based on encounters and dialogue. However, it would be important to re-examine the effects of restorative and solution-focused approaches/practices to victim support in general, even in cases when victims do not meet the offenders. Namely, one level of victim support is providing victims information and preparing them for and supporting them in restorative justice processes, but the other one is seen in using restorative justice principles and solution-focused practices in direct work with victims when providing them assistance and support. Therefore, the aim of the paper will be to open the floor for broader discussion between experts and practitioners on how could we improve and increase the use of restorative and solution-focused practices in victim support framework in terms of supporting, empowering and strengthening capacities of both direct and indirect victims regardless of their active participation in restorative processes. The paper will present the analysis of the twelve years' work of the victim support service of the Victimology Society of Serbia in general, and the use of restorative and solution-focused practices in our work with victims, in particular. We will analyse the content and effects of the services provided to victims against the theoretical background of restorative justice paradigm. In the concluding part we will argue that victim support is to a large extent based on the principles of restorative justice, including, active participation, respect, empowerment, restoration and transformation, as well as for a broader use of restorative and solution-focused practices in everyday work with victims.

Restorative justice, mindfulness and yoga

Prof. Vesna Nikolic-Ristanovic, *Director, Victimology Society of Serbia; Professor of criminology, victimology and juvenile delinquency, Faculty for Special Education and rehabilitation, Belgrade University, Serbia.*

Lorenn Walker, *JD, MPH, Health educator, Restorative lawyer; Director, Hawai'i Friends of Restorative Justice, USA.*

The main aim of the paper is to present the potential that mindfulness and yoga have to enhance the empowerment and restoration of the lives of people harmed by injustice and crime, those who have caused harm for others, imprisoned people, and people in the community including the loved ones of people who have caused and/or are harmed by crime and injustice. Mindfulness and yoga have synergetic effects and are compatible with restorative and public health approaches and interventions. We provide an overview of literature on the use of mindfulness and yoga as a part of restorative justice programs. We will present programs that we have developed and implemented in United States and in Serbia, with a focus on the role of mindfulness and yoga in them. We will do both theoretical and practical presentations/demonstrations on our use of mindfulness and yoga. We will conclude with a comparison of lessons learned and recommendations for the future.

Program descriptions to be presented by Lorenn include: 12-week cognitive behavioural course provided in Hawai'i prisons since 2005 *Restorative Justice as a Solution-Focused Approach to Conflict & Wrongdoing*; restorative facilitator training & mindful listening; Hawai'i reentry circles for imprisoned people & their love ones and the role of mindfulness. Programs to be presented by Vesna are: programs implemented in a Serbian women's prison: *Program on victim impact and raising awareness on restorative justice* and pre-release program *Preparation for the release and social integration of female prisoners* (Victimology Society of Serbia), as well as workshops implemented within the FP7 project *Developing alternative understandings of security and justice through restorative justice approaches in intercultural settings within democratic societies* – ALTERNATIVE, sub-project *Fostering victim-oriented dialogue in a multi-ethnic society* (Victimology Society of Serbia).

Restorative Justice amongst First Nations People

Karla Olinek, *Justice Coordinator for the Nak'azdli Alternate Justice Centre, Canada.*

It is widely known that First Nations People are over represented in the Prison population. Using alternate methods to the Western Court system has allowed individuals to be more involved in the Criminal Justice System process. The use of Restorative Justice Methods in our First Nation Community (Nak'azdli), has allowed us to resolve issues in a more cultural or traditional fashion. We incorporate our traditional practices with the restoration of harm. The marrying of these two practices benefits all the participants and the community, while keeping our First Nation culture alive.

Restorative justice -The side of judges and prosecutors

Judge Evangelia Palaologou, PhD, Honorary Judge, Chairman of Association of Greek Judges and Public Prosecutors for the Democracy and the Liberties, Greece.

Crime and Punishment or criminal conciliation? The criminal justice meets the purpose which theoretically serves? Restoration, reformation, prevention, exemplification or long term controversies, which accentuate differences and set apart the parties involved? Is considered imperative this different approach towards the crime, the perpetrator and the victim and the need to resolve the problem with the participation of all parties who are affected in a non-accusatory context? Approach of "problematic situations" by a "new justice way" that alternates the old concepts with current needs? A justice who "builds cooperation areas"? We talk about restorative justice.

The Greek penal law recognizes the necessity and practicality of this institution and proceeds to its gradual institutionalization. So according to the explanatory memorandum which introduces criminal conciliation "as an alternative process of administration of criminal justice, in full harmony with the central target of criminal proceedings for the restoration of juridical peace", is applying gradually the process to delinquency of minors, to family differences/issues and offenses concerning economic / fortune issues .

And while this institution (process) aims to consolidate the legal peace, reasonable questions arise. Has it matured in the mind of a judge, who must decide the best for both, the sides involved and for the society? Has it won his confidence, so that he may forward it and implement it or he will remain attached to traditional forms of administration of justice?

Does he consider the new institution involves reliable practices that impart justice efficiently or maybe they are problematic and inadequate? Does he consider it facilitates social reintegration? Which are the difficulties of its implementation? Does he consider it reforms criminal policy, it promotes preventive practices, and finally it contributes and assists the existing penal system?

Empirical data will illuminate the limits of acceptance and adoption of criminal conciliation by the judges and prosecutors. Is the target for a quality, an efficient and a satisfactory integrated justice system achieved by having the judges to "dive into the deep of the human existence"? Conclusions / Suggestions

Using the restorative mind- and skill- set to lead organizational culture change

Margaret Thorsborne, pioneer of restorative justice in educational settings and workplaces – Practitioner, facilitator, trainer, consultant, author, Australia.

Changing hearts and minds to achieve a paradigm shift to restorative problem-solving has to be done at a number of levels – individual, organizational, systems and community to assure buy-in, take up and sustainability. If leaders are wanting deep change, then talking the talk, walking the talk and understanding elements of change management are all necessary to align theory, practice and culture.

This session will devote itself to the practicalities of managing culture change in whatever setting symposium delegates hail from. Delegates will be encouraged to dig deep personally and professionally in dialogue with others to explore their strengths and make some commitments to maximize their influence in advancing restorative practice and theory.

Are Conflicts Property?

Dr. William R. Wood, *Senior lecturer, School of Criminology and Criminal Justice, Griffith University; Associate editor, Victims & Offenders, Australia.*

In what has become one of the most influential works in restorative justice, Nils Christie argued almost forty years ago that modern states had largely taken over or “usurped” the ownership of certain types of conflicts (i.e. those defined by the state as criminal) for its own purposes – legitimacy, the justification of a professional class of justice experts, and so on. Those harmed by such conflicts, he argued, have a far more vested and rightful ownership in them than the state itself or its representatives. Since the publication of Christie’s article, the concept of conflict as property has become axiomatic within restorative justice as justification for direct victim involvement and redress, for local community involvement and participation in restorative practices, and for offender opportunities to make amends to victims and reintegrate into their communities. In this paper, I critically analyse the concept of “conflict as property” and explore problems related to its use as a theoretical basis for restorative justice practices. I conclude with what I see as a better alternative theoretical framework for the direct participation of victims, offenders, and local communities in restorative justice practices.

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