



RESTORATIVE JUSTICE IN CASES ON VIOLENT EXTREMISM AND HATE CRIME

Practice guide by the *European Forum for Restorative Justice Working Group on Violent Extremism*

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Victimisation in a digital world: responding to and connecting with victims**

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CONTEXT AND AIM

- Discussions, debates and presentations conducted between November 2019 and June 2021 by the **Working Group on Violent Extremism** of the European Forum for Restorative Justice.
- To provide Restorative Justice (RJ) facilitators with practical tips, guidance and advice on **how to facilitate restorative justice encounters in cases of violent extremism and hate crime.**



KEY PRINCIPLES

- **Voluntary** participation.
- Impartial (or **multipartial**) role of the facilitator.
- Creation of a **safe space** for open and non-judgmental exchange and the flexibility to adapt the process to the needs and demands of the parties.
- Special focus on **preparation**.
- General training of facilitators in RJ and **specific training** (interculturality, hate crimes, situations of vulnerability).

RESTORATIVE PRACTICES

- The best known practices are **mediation, conferences and circles**. These practices are designed to bring together either only the parties directly affected (victims, offender) or also others who wish to contribute and can benefit from the process.
- Other practices may also qualify as "**restorative oriented**" (e.g. deradicalisation programmes, educational programmes and prison training), but they will not be RJ practices if the fundamental principles of the practice are not followed, or if all affected parties do not participate.

POLARISATION, HATE CRIMES AND VIOLENT EXTREMISM

- **Ideological purpose:** violence is used against direct targets (the "direct victims") to threaten, frighten and otherwise influence a wider group (social, political or ideological), which would be the primary or ultimate target of the terrorist attack ("vicarious dimension").
- **Fear** and provocation are used to break social bonds and reinforce divisions within the target population.
- Vicarious victimisation among people who associate with the perpetrators, through a process of "**vicarious retribution**" (Jihadism: Islamophobia).
- Suppression of violent extremism has led to numerous **human rights violations** committed in the name of the "war on terror".

SPECIFIC CONSIDERATIONS FOR RESTORATIVE JUSTICE FACILITATORS

- Several **pre-meetings** with the victim and offender before the face-to-face meeting with both parties takes place.
- **Facilitators can stop the process at any stage** if they feel that the parties are not suitable for restorative justice.
- Facilitators should establish regular times when they will **update** participants on the progress of the process.
- The **venue for meetings** and gatherings should be neutral and easily and safely accessible.
- If an **interpreter** is used, he or she should be certified as such, neutral and not biased about the crime or the persons concerned.
- All participants should commit themselves to the ground rules based on the **principles of restorative justice** and respect them.

- **Safety** for all parties involved should be continuously assessed, and if the offender is incarcerated, this should be done in collaboration with the prison services.
- Facilitators should always **debrief meetings** and be supported by their colleagues and supervisors.
- A considerable amount of time should be spent identifying the right **support person** to enhance the experience of all parties, provide support and ensure respect for the parties' process.
- If **face-to-face meetings** occur, there needs to be immediate communication with all parties in the following days because new questions arise and they will be processing complex emotions and need attention.
- **Follow-up** with all parties is an opportunity to disseminate the restorative impact to others, but it should be well planned and ideally be part of the process from the beginning, with the consent of all parties. Evaluation and empirical studies are the best tool to raise awareness and disseminate the impact of restorative justice in society.

PUBLIC AND SOCIAL CONSIDERATIONS

- Crimes with **high social impact**: challenge for the parties may be to balance their personal need to dialogue with the offender or victim against the fear of stigmatisation and condemnation if others find out that they are in dialogue. The facilitator should be aware of this and inform the parties of the duty of **confidentiality and consent** if the parties wish to share information.
- **Society/community should be represented in some way at all stages.** In the last stage, accompanied and trained victims and perpetrators can become "agents of peace" in their communities to ethically dismantle hate speech and violence.

OTHER ASPECTS COVERED IN THE GUIDE

- **WHAT ARE THE SKILLS AND EXPERIENCE THAT RESTORATIVE JUSTICE FACILITATORS NEED TO BE WELL PREPARED?**
- **HOW CAN RESTORATIVE JUSTICE PROCESSES WITH RETURNED TERRORISTS AND VIOLENT EXTREMISTS BE PREPARED?**
- **HOW CAN FACILITATORS IDENTIFY RISKS TO CONTINUING THE RESTORATIVE JUSTICE PROCESS AND MITIGATE THOSE RISKS IN HATE CRIME CASES? AND WHEN CAN THEY DECIDE TO PREVENT THE RESTORATIVE JUSTICE PROCESS FROM TAKING PLACE?**
- **HOW CAN RESTORATIVE JUSTICE FACILITATORS BE HELPED TO BETTER UNDERSTAND SOCIO-CULTURAL DIFFERENCES?**

- **HOW SHOULD RESTORATIVE JUSTICE FACILITATORS PRACTICE SELF-CARE AND WHAT KIND OF SUPPORT SHOULD THEY RECEIVE WHEN FACILITATING THESE CASES?**
- **HOW TO PROVIDE RESTORATIVE JUSTICE IN THESE CASES? WHAT SHOULD BE CONSIDERED WHEN CONTACTING THE VICTIM OR OFFENDER?**
- **HOW TO IDENTIFY APPROPRIATE SUPPORT PERSONS FOR VICTIMS AND OFFENDERS IN THESE CASES?**
- **HOW TO FOLLOW UP RESTORATIVE JUSTICE IN THESE CASES AND HOW TO CONSIDER A PROCESS AS "SUCCESSFUL"?**

**ESKERRIK ASKO
GRACIAS
THANK YOU**

<https://www.euforumrj.org/en/restorative-justice-and-violent-extremism>

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