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## FREEDOM WINGS

Identification and dissemination of European best practices about restorative justice and evaluation of the role and the application of the mediation and the alternative measures in the EU member states.

# **Report about the scientific-technical board (Deliverable n. 8)**

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## **1. Introduction**

### **1.1 Objective of the technical - scientific boards**

According to the Work Programme of the project, the Technical Scientific Boards were formed in each of the three partners' countries with the primary objective of ensuring that project deliverables and activities were implemented according to the work programme, to provide insight and to monitor outputs.

The Boardshad to provide an ongoing evaluation of the project implementation in the Italian, Greek and Cypriot partners; review and comment on the deliverables prepared by all three partners; provide advice on methodology to be followed; encourage inter-institutional comparisons; and ultimately promote the dissemination of identified good practices.

It should be mentioned here that scientific boards along with the work done in multi-agency and professional groups has been an excellent occasion in forging the debate about restorative justice in all three countries. Especially in Italy, as the composition of the Board and the formed network exhibit, there has been an involvement of many institutes and public administration at the highest level. This ensures the sustainability of the project beyond the scope of the deliverables produced by the partners.

Another dimension that has to be highlighted is that the Boards contributed through their evaluation process to the "fine tuning" of the reports and studies produced mitigating in many cases the differences in methodology issues that derive from different legislative environments in the respective countries. In other cases, the Boards facilitated the research either by providing invaluable data, such as in Italy or by easing the access of beneficiaries to public administration data, such as was the case in Cyprus.

Lastly the technical-scientific boards, having acquired a good overview of all the activities of the project are an important vehicle for an effective follow up of the objectives of Freedom Wings. All three partners have formulated proposals for capitalizing the results of the project which are outlined in the end of this report.

The report on Scientific Boards of Freedom Wings project starts with this introduction encompassing in chapter two the composition of the boards, the methodology used in chapter three while in chapter four it is described the evaluation of each of the main deliverables of the project by each respective board. In Chapter 4 it is mentioned the suggestions that came out of technical boards session and how each partner is going to capitalize the work done. Finally in Chapter 5 some final conclusions are outlined.

## 2. Composition of the boards

### 2.1. Italy

#### 2.1.1 The Italian network

The network of the University of Sassari, main partner of "Freedom Wings", coordinated by Prof. Patrizia Patrizi, defined the research work on theoretical-methodological tools to enhance the multiagency networking and to promote a permanent, circular and interactive dialogue to reflect and to co-construct on models, processes and tools.

In this perspective, the University of Sassari activated the institutional network, since the design phase of the project, involving the institutions at all its stages. The collaboration with the institutional network mainly concerned the *Ministry of Justice* with the *Department of Penitentiary Administration* (DAP) (ordinary justice) and the *Department of Juvenile Justice* (DGM) (juvenile justice), involving, at the same time, other local authorities as the *Surveillance Court of Sassari*, the Province of Rome with the *Department of Social Affairs and Family* and representatives of the private organisations, at national level, such as the AICS – Italian Association Culture and Sport, Social Policy department and the ITCA / FAP Onlus - Institute TerziariCappuccini of Addolorata in Italy, Community BorgoAmigó Rome.

For a better understanding of the network, the description of the bodies involved in the creation of the technical board can be very useful.

Specifically, *the Department of Penitentiary Administration (DAP)* has been established by the Article 30 of the Law 395/1990, under the Ministry of Justice and has the following responsibilities:

- implementation of the order and security policy in detention centres and prisons and of the treatment for detainees and internees, as well as for sentenced and inmates eligible for alternative measures to imprisonment;
- technical operational coordination, direction and administration of the staff and of external collaborators of the administration;
- Direction and management of technical support for the general needs of the Department.

It is divided into five Directorates Generals (DG) which have specific intervention tasks – DG for material resources, goods and services; DG for personnel and training; DG for prisoners and treatment; DG for budget and accounting; DG for outside penal enforcement- and an Office of Advanced Penitentiary Studies. Furthermore, at local level, the Department is organized into:

- 16 Regional Superintendence of Prison Administration (Provveditorati Regionali per l'Amministrazione Penitenziaria - PRAP);
- 213 penitentiary institutes of which 177 prisons for people who are waiting trial or serving a sentence of no more than 3 years prisons ("case circondariali"); 70 houses of detention; 1 institution of attenuated custody for detainee mothers

(ICAM); 2 care institutions for drug addicts; 1 detention centre. Within these structures operate social workers, educators and psychologists, who are part of the penitentiary team that, along with the Prison Director and the Penitentiary Police Corp, is responsible for taking in charge of the detainees.

The Offices of External Penal Execution also depend on DAP (called - before the Act of July 27, 2005 n.154, cd Meduri, which has the "Delegation to the government to regulate ordering of career Prison management "- Social Service Centers Adult-CSSA). The tasks of U.E.P.E., provided for the reform of the prison (Article 72 L.354/75) and regulated by the regulations, are numerous and can be broadly traced to two main areas:

- a) Posts held in favour of persons confined in prisons
- b) Interventions developed in the area for enforcement outside

The *Department of Juvenile Justice*<sup>1</sup> (DGM) is made up of a central and local administrative network and ensures the implementation of the measures of the juvenile justice authority, guarantying the certainty of punishment, the protection of individual rights, the promotion of the adolescent evolutionary on-going processes and pursuing the goals of social and employment reintegration of minors entering the criminal circuit. It deals with the protection of the rights of children and young adults, aged from 14 to 18 years (21 years if the offence is committed before being aged 18), subject to criminal measures, through preventive interventions, educational and social reintegration. The local structures that make up the Department are:

- 12 Centres for Juvenile Justice<sup>2</sup> (Centri per la Giustizia Minorile - CGM) are organs of administrative decentralization that may have jurisdiction in the territory of several regions and in this case refer to more Courts of appeal.
- 19 Juvenile Detention Centres<sup>3</sup> (Istituti Penali per i Minorenni - IPM) ensure the implementation of the measures of the justice authority, as the custody or the expiation of punishment against juvenile offenders.
- 29 Offices for Youth Social Services<sup>4</sup> (Uffici di servizio sociale per i minorenni - USSM) provide assistance to juvenile offenders at every stage and level of criminal proceedings.
- 25 Juvenile Classification Homes<sup>5</sup> (Centre di Prima Accoglienza - CPA) host the minors under arrest, detention or accompanying until the validation hearing which must take place within 96 hours from the arrest or accompanying, ensuring the custody of minors without being structures as prisons.
- 12 Residential Communities<sup>6</sup> ensure the implementation of the measures of the justice authority addressing juvenile offenders.

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<sup>1</sup><http://www.giustiziaminorile.it/>

<sup>2</sup><http://www.giustiziaminorile.it/ricerca.asp?id=cgm>

<sup>3</sup><http://www.giustiziaminorile.it/ricerca.asp?id=ipm>

<sup>4</sup><http://www.giustiziaminorile.it/ricerca.asp?id=ussm>

<sup>5</sup><http://www.giustiziaminorile.it/ricerca.asp?id=cpa>

<sup>6</sup><http://www.giustiziaminorile.it/ricerca.asp?id=Com>

The *Surveillance Court* (until 1986 known as Section) has territorial jurisdiction extended at the District Court of Appeal. It is a specialized collegial body composed of ordinary judges who carry on their functions on an exclusive way and by non-gowned experts (in psychology, social work, education, and clinical psychiatry and criminology, forensics and science teachers). The provisions of the Probate Court are adopted by a board consisting of four persons:

The President, one of the surveillance judges and two experts. The hearing is held with the participation of the defence attorney and the prosecutor's office representative. The people concerned may personally participate in the discussion and submit statements. Decisions are issued by order in the council chamber. In case of equal votes, the president's vote prevails against all the others. The Surveillance Court acts as a court of first instance and as a Court of appeal. As Court of first instance, it deliberates on the granting or withdrawal of custody trial in social service, house arrest, the probation of parole, mandatory or optional on the postponement of execution of prison sentences, on the demands of rehabilitation. As Court of appeal, it has to decide on appeals lodged against the acquittals with simultaneous application of security measures issued by the ordinary criminal courts against the orders resulted from hearings of the judiciary supervision. Besides, it decides on the complaint against the measures taken by the judges of surveillance in terms of permits, it even releases expulsion from the State and against certain orders issued by the prison authorities. Against the orders of the Probate Court it is necessary to appeal to the Supreme Court.

The *Department of Social Affairs and Family* at the Province of Rome Department has an internal *Office for Territorial Planning and Training* that provides, among other activities, training and updating for health workers involved in welfare services<sup>7</sup>.

The collaboration with this Office is based on a shared vision aiming at driving Social Policies in the framework of Active Policies of the territory, that provide interventions with restorative function of the relationship and communication.

#### *AICS – Italian Association Culture and Sport, Social Policy department*

AICS was founded in 1962 as a national body to promote sports. Over the years, its activities extended to culture, social policies, third sector, tourism, environment, civil protection and training. The association has a very well structured institutional network with associations with educational, sporting, cultural, environmentalist, tourism, solidarity aims with millions of members and tens of thousands of volunteers.

AICS has been recognized by the Olympic Committee as National Sports Promotion Body, by the Ministry of the Interior as a charity institute, by the Ministry of Labour as Social Promotion Body and by the Ministry of Social Solidarity for the activity in favour of migrants. It has an agreement with the Ministry of Justice for the prevention of youth problems and social reintegration. It is recognized by the Department of Civil Protection at the Presidency of the Council of Ministers as volunteer organization. AICS is member of FITuS (Italian Federation of Social Tourism) for its important initiatives to support social tourism and active citizenship as the holiday's coupons and the Permanent Forum of the Third Sector, for the great social challenges and the support

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<sup>7</sup><http://www.provincia.roma.it/percorsitematici/sociale/aree-di-intervento/formazione>.

and promotion of third sector organizations.

AICS structure is divided into Regional, Provincial, Interprovincial and Zonal Committees where sport and multifunctional clubs in line with AICS purposes can become members. AICS is rooted all over the country with 9.000 associations that are the cornerstones of a polycentric network highly booming comprising over 860.000 members motivated by a sense of identity and ownership.

*ITCA / FAP Onlus - Institute TerziariCappuccini of Addolorata in Italy, Community BorgoAmigó Rome.*

The Religious Order TerziariCappuccini of Addolorata, also called Amigoniani, is member of a religious congregation founded in Spain in 1889 by Father Luigi Amigó to educate children and young people with problems related to their behaviour or social integration. At present, the Institute is present with 80 institutions in 20 countries in 4 continents, but Oceania. Its fields of action range from the management of closed institutions, to the community for addicts, from projects for street children, to local education and vocational training. All the activities are supported by Amigoniani - lay movement - which shares the educational ideals and sensitivity of the Congregation. In Colombia, in particular, it manages a state-recognized University Foundation, which is dedicated to the study of the problems of disadvantaged youth and staff training operating in this sector, and manages, since many years, a school for educators in Valencia (Spain). It also publishes two magazines of popular science: *Surgam*, Spain, and *Alborada*, in Colombia. The Association ITCA / FAP's Fund is a spinoff of the Congregation already recognized as a legal entity with R.D. of 23 June 1932 n° 993 (OJ No 196, 25 August 1932). It is an educational welfare body aiming to support children and young people with behavioural problems already entered the penal system or at risk of delinquency. It runs mainly a pedagogical-educational activity based on coexistence with young people sent to it, the cultural and educational recovery, the guidance and job placement through the management of Professional Training Courses. In Italy, the ITCA / FAP's Fund operates in Rome, Lecce, Galatone (LE), San Giovanni Rotondo (FG), Catignano (PE) and Saltocchio (LU). Rome and Lecce work in the field of youth problems; Saltocchio and San Giovanni Rotondo in VET; Catignano and Galatone in the promotion of youth. Since 1983 there is a mission in the Philippines where it is engaged in a vast work of primary prevention in favour of street children.

### **2.1.2 Agreements**

In the framework of "Freedom Wings", the University of Sassari has signed two framework agreements with DAP, in particular with the Directorate General for the External Penal Execution (DG-UEPE), represented by the Director General, Ms. Luigia Mariotti Culla, and the DGM, in particular with the Office of Studies, Research and International Activities coordinated by Director Ms. Isabella Mastropasqua. UNISS also involved Ms. Federica Palomba as member of the DGM – Office of Studies, Research and International Activities of the Center for Juvenile Justice (CGM) in Cagliari with which the University has a multi-year partnership in projects on juvenile delinquency. Furthermore, the CGM of Cagliari has stood for the promotion of best practices of restorative justice and in particular, of juvenile criminal mediation. Finally, we have to mention the collaboration with the Office for the Implementation of Judicial Orders (DG-UAPG), represented by Director General Ms. Serenella Pesarin. With regard to the ordinary justice, the University, represented by

the Rector Prof. Attilio Mastino and by Prof. Patrizia Patrizi, could collaborate, for the project tasks, thanks to an agreement for research activities on restorative justice, with the Surveillance Court of Sassari, represented by Ms. Antonella Vertaldi.

The collaboration with AICS and the ITCA / FAP, already active for the implementation of various projects in the field of prevention and intervention, has been strengthened particularly in the area of discomfort and juvenile delinquency. Both organizations have a long history with the DGM and the DAP, as attested by the presence of agreements, protocols, partnerships in targeted projects. The University of Sassari, with the scientific responsibility of Prof. Patrizi, is also coordinator or partner in projects submitted by AICS- Department of Social Affairs and funded.

The institutions that have just been described, with their experts, have become the members of the Scientific - Technical Board of Freedom Wings, as summarized in Table n. 1:

**Table n. 1. Members of the Scientific - Technical Board**

<b>NAME</b>	<b>ROLE</b>	<b>ORGANISATION</b>
<b>Mr. Antonio Turco</b>	National Responsible for Social Policies	AICS
<b>Ms. Culla Mariotti Luigia</b>	Director General of the External Penal Execution	D.A.P.
<b>Father Gaetano Greco</b>	Provincial Father (Italy and the Philippines) and Director of the Community Borgo Amigó	ITCA/FAP-Onlus
<b>Ms. Mastropasqua Isabella</b>	Director Office of Studies, Research and International Activities	D.G.M.
<b>Ms. Palomba Federica</b>	DGM – Office of Studies, Research and International Activities - Director of the Centre for Juvenile Justice (CGM) in Cagliari	D.G.M.
<b>Prof. Patrizi Patrizia</b>	Scientific Coordinator of Freedom Wings	UNISS
<b>Prof. Sergio Babudieri</b>	Professor in Infectious Diseases	UNISS
<b>Ms. Persiani Marisa</b>	Responsible for the Office for Territorial Planning and Training of the Province of Rome	Province of Rome
<b>Ms. Pesarin Serenella</b>	Director General of the Office for the Implementation of Judicial Orders	D.G.M.
<b>Ms. Vertaldi Antonella</b>	President of the Surveillance Court	Surveillance Court

The cooperation with these organizations made possible to plan and implement each of the project phases, as summarized in Table. 2.

**Table n. 2.** Institutional network involved in the project phases

<b>PROJECT PHASE</b>	<b>INSTITUTION</b>	<b>OFFICE</b>
<b>Analysis and mapping of experiences of Restorative Justice and criminal mediation</b>	DAP  DGM  DGM	- Directorate General for the External Penal Execution  - Office of Studies, Research and International Activities  - Office for the Implementation of Judicial Orders
<b>Analysis of the trials/penitentiary folders</b>	DGM  DAP	- Office for the Implementation of Judicial Orders  - CGM Lazio and CGM Sardegna  - Office of Juvenile Social Services Rome and Sassari  - Surveillance Court of Sassari
<b>Organization of inter-professional and multiagency focus groups<sup>8</sup></b>	DAP  DGM	- Directorate General for the External Penal Execution  - Office for the Implementation of Judicial Orders
<b>Reflection on good practice in relation to restorative justice</b> <b>Development of projects based on the results of Freedom Wings</b>	Province of Roma  CGM - Cagliari  AICS  ITCA	- Office for Territorial Planning and Training  - Office of Studies, Research and International Activities  - Social Policies Department  - ITCA/FAP-Onlus-Community BorgoAmigó

## 2.2 Greece

The European Framework for Cooperation (ERFC) as the Greek Beneficiary of the project had the mandate to identify the appropriate members for the Greek Scientific-Technical Board.

<sup>8</sup>It is necessary to clarify that in the multiagency focus groups, in addition to justice system's institutions, we have also involved third sector agencies (associations etc..).

The main criteria for the selection has been the theoretical and empirical experience in the field of restorative justice, the knowledge of institutional comparisons and the connections to key agencies that can advance the debate of juvenile and adult restoration in Greece. Some of the members also participated as observers to the sessions of multi-agency or multi professional groups, as it has been deemed necessary for the Board to have a firsthand view of the discussion held in these two sessions.

The Scientific Board of Greece for the aim of Freedom Wings project comprises of the following members: Mrs. BarmpagalouAngeliki. Lawyer, Masters in Public Law, PhD Candidate in Civil Law, Mrs. Perdikari Marianna - Psychologist, Master Degree in Social Psychiatry – Pedopsychiatry, Mr Giannopoulos Giorgos: Lawyer, specialized in advocacy of Juveniles and restorative practices and Mrs.IouliaTheodoropoulou, Head of Probation Officers in the Probation Service of Athens. The Board also has been supported by Dr Nestor Kourakis, professor of Criminology in Law School of Athens, specialized in juvenile delinquency issues.

### **2.3 Cyprus**

In identifying the appropriate members for the Scientific Board of Cyprus, Lemba had a number of criteria in mind, including: expertise, experience with restorative practices, level of commitment to the role assigned. In addition, Lemba aimed for the Board to include an inter-disciplinary mix of members.

The Technical Scientific Board in Cyprus comprises four members: *Psychologist Andreas Ioannides*, who has experience in the public sector working with offenders, and who has lead the initiative for the creation of a private drug rehabilitation center. He is currently employed by this center, where he offers guidance and support to offenders who are following a detoxification program.

*Lawyer Andreas Mylonas*: holds an LLB Degree at the Democritus University of Thrace, where he studied Constitutional and Administrative Law, European Union Law, International Law, Criminal Law, Public Law, Commercial Law, Civil Law, Employment Law, Private International Law, History of Law, Civil and Criminal Procedure, Environmental Law, Public International Law, Tax Law. He has practiced law at reputable Law Firms in Cyprus and is currently managing his own law office A. Mylonas& Associates. He is a Member of the Cyprus Bar Association.

*Social Worker Stephanie Pattichi*: is employed by the Social Welfare Services of the Ministry of the Ministry of Labour and Social Insurance. In her capacity as Social Worker, she has considerable experience in the treatment of juvenile but also adult offenders when there are alternatives to imprisonment. For example, she has acted as probation officer and counselor for juvenile offenders.

*Community Worker Elsie Hadjipavli:* possesses experience working with drug addicted offenders and released convicts in a restorative context in the UK. She was chosen to enable comparisons between practices and approaches in Cyprus and the UK.



### 3. Methodology of working sessions

#### 3.1 Italy

In order to plan and structure the various project actions, different technical meetings between UNISS team and the institutions involved have been carried out. Considering the different geographical positions of the various representatives, especially Rome and Sassari, and their tight agenda, it was agreed to work in small groups, overcoming in this way, the organizational and logistics problems. So, to optimize and share content discussed by different groups, all the members of the Board were regularly updated via e-mail and telephone.

It is also important to underline, as shown in the general premise of the report, that the technical boards in the three participating countries in the project, during the 24 months of activity, shared contents and methodologies for the organization and implementation of the various activities, facing along the way organizational and logistics difficulties and sharing how to solve them.

Table 3 reports the calendar of the formal meetings organized to discuss the project activities:

**Table n. 3.** Calendar of the meetings of the Scientific – Technical Board

DATE	INSTITUTION INVOLVED	OBJECT OF THE MEETING
March 2011	<ul style="list-style-type: none"> <li>✓ DGM- Office for the Implementation of Judicial Orders</li> <li>✓ University of Sassari</li> </ul>	Planning of the actions and strategies of contact with the various CGM for the collection of materials related to the analysis of the local context.
April 2011	<ul style="list-style-type: none"> <li>✓ DGM – Office of Studies, Research and International Activities</li> <li>✓ University of Sassari</li> </ul>	Planning of the actions and strategies of contact with the various CGM for the collection of materials related to the analysis of the local context.
May 2011	<ul style="list-style-type: none"> <li>✓ DGM- Office for the Implementation of Judicial Orders</li> <li>✓ University of Sassari</li> </ul>	Sharing of the methodology concerning the analysis of trials/penitentiary folders related specifically to: <ul style="list-style-type: none"> <li>- Identification of two representatives of USSM who collaborated in this phase;</li> <li>- Number of folders to analyse;</li> <li>- Criteria for selection of cases;</li> <li>- Methods and timing of access to the folders etc..</li> </ul>
May 2011	<ul style="list-style-type: none"> <li>✓ DAP – Directorate General of External Penal Execution</li> <li>✓ University of Sassari</li> </ul>	Planning of the actions and strategies of contact with the various CGM for the collection of materials related to the analysis of the local context.
Different meeting from May to July 2012	<ul style="list-style-type: none"> <li>✓ Surveillance Court of Sassari</li> <li>✓ University of Sassari</li> </ul>	Sharing of the methodology concerning the analysis of trials/penitentiary folders related

		specifically to: - Number of folders to analyse; - Criteria for selection of cases; - Methods and timing of access to the folders etc..
Different meeting from May to July 2012	<ul style="list-style-type: none"> <li>✓ DAP- DGEUPE</li> <li>✓ DGM-UAPG</li> </ul>	Sharing of the methodology concerning the organisation of focus groups specifically in relation to: - Identification of the venues - Identification, selection and invitation of participants -Reflection on the results achieved
Different meeting from July to October 2012	<ul style="list-style-type: none"> <li>✓ AICS- Social Policies Department</li> <li>✓ ITCA/FAP-Onlus-Community BorgoAmigó</li> </ul>	Definition of projects aimed at developing a model of restorative justice. Involvement of the provincial committees (AICS). Sharing of what emerged during the final project meeting for the purpose of implementation of the programme.
October 2012	<ul style="list-style-type: none"> <li>✓ Province of Roma</li> <li>✓ CGM of Cagliari</li> <li>✓ University of Sassari</li> </ul>	Sharing of the final considerations about the actions carried out, the results achieved and the identified best practices.

### 3.2 Greece

It should firstly be noted that ERFC had the whole responsibility for the activity of scientific boards in the project so a methodology has been drawn and has been presented during the meeting of the partners in Rome in February 2012.

According to the provisional timetable, the criteria for the selection of the boards' participants have been defined, and some management and evaluation issues have been clarified in February 2012. The identification of boards' participants for all three partners has been foreseen for the Mars of 2012 in view of a final report to be produced at the end of the project. While the methodology did not prescribe extensively how each partner should set-up its board, it has been suggested that the persons involved should present a commitment in the objectives of the project, should have a relevant experience and connect with key institutions in the field. It has been also advised that each scientific Board should be limited to 4-6 persons to ensure flexibility, dedication and effective decision-making. The Greek partner also circulated an outline of the present report at August 2012 to all partners in order to be aware of the principal issues that should register in their technical boards' sessions.

Coming now more specifically to the Greek Scientific Board, it has hosted two main meetings: The first meeting has been held in July 2012 with the main objective of evaluating the local context analysis and reviewing and advising on the folders analysis (which at that time was under way) while the second meeting has been held in September which focused on reviewing the work done so far in the multi professional groups, evaluating the folder analysis report and preparing the ground for the multi-agency focus group which has been realized later in the same month. In the last also

meeting the participants made some suggestions about improving the scientific research in the field and discussed about possible follow ups of the project.

Before each meeting an agenda has been sent through mail five days before. Also the deliverables that had to be reviewed had been sent ten days before to allow enough time to study and contemplate on them. After the first meeting there has been a preliminary decision for the issues to be covered and the approximate date of the next meeting. Although the members acknowledged the need for the second meeting to be held in August, due to summer vacations it has been decided to plan it in September.

The sessions were conducted in the form of an open discussion within the limits of the agenda topics. Generally in terms of decision-making the Board had adopted a consensus attitude. The opinions of members have been registered and then analyzed in order to be stated in the final report.

### **3.3 Cyprus**

The Technical Scientific Board in Cyprus held monthly meetings to discuss the progress of the project, and assign tasks among its members. The meeting Agenda was circulated among the members five working days prior to the meeting date through e-mail.

In addition, where there was a need, the Board communicated through electronic means (e-mail, Skype conferences, fax, and telephone calls) with the Commune of Lemba, or amongst its members

#### *Meetings Agenda*

Pending issues unresolved from previous meetings would be addressed first on the agenda, followed by a list of upcoming deliverables due to be completed by Lemba. The Board discussed the requirements and expected content of each deliverable. A list of standards and points to check would be prepared through brainstorming. Board Members had the right to add to this list at a later time, but not after the date of the next scheduled meeting.

In cases where the Commune of Lemba would submit questions regarding a deliverable, or would submit a deliverable for Review the Member assigned responsibility for that particular deliverable would consult with the list of standards and points to check prepared by the Board, before making any recommendation to Lemba. The Member's recommendation would be discussed with the rest of the Board and once consensus was reached, the recommendation would be forwarded to Lemba.

Subsequently the Board would discuss any upcoming opportunities for dissemination of project results and activities, and agree on appropriate action to be taken.

The scheduling of future meetings was discussed at the closing of each meeting, and an effort was made to set up dates that were convenient to all its Members. A list of unresolved issues to be addressed at the next meeting was prepared.

The Minutes of each Board meeting were forwarded to the Commune of Lemba, along with any additional document required to guide Lemba in the preparation of project deliverables, or the general implementation of Freedom Wings in Cyprus

### *Decision Making*

The Board adopted a consensus philosophy, aiming to reach consensus through dialogue before any decision was made. The aim was to issue all decisions unanimously, with each Board Member possessing one vote. There was no President or leader in the Board- all Members maintained an equal standing.

In cases where the goal of reaching consensus was not attainable, the Board agreed on a formula to take decisions through majority voting. As there were four members of the Technical Board, decisions were adopted if they had the support of  $\frac{3}{4}$  of the members. Therefore, if only one member disagreed or abstained from voting, but the remaining three members agreed with a decision, that decision was implemented. It was not possible to implement any decision that had the support of less than three of the Board Members.

## **4. Evaluation of deliverables**

### **4.1 Local Context Analysis**

#### **4.1.1 Italy**

The cooperation with the institutional network has allowed the detection and analysis of the documentation on the experiences of restorative justice already completed. In this activity, beyond an analysis of the legal frameworks in the participating countries, UNISS carried out an exploratory analysis to collect information on projects, training, protocols etc aimed at raising awareness and dissemination of practices in the contexts of reparative justice. In particular, the Department of Juvenile Justice participated in the survey and selection of materials analysed by a sheet designed by the project team to detect content of interest.

The Department of Penitentiary Administration provided the judicial statistics useful to frame the condition of the prison population in external penal execution and in alternative measures. Then, the network of Justice Bodies constantly supervised the different actions in this phase and the results emerged.

#### **4.1.2 Greece**

Due to the fact that the scientific board in Greece had to start as an activity in the second half of the project, the board could not contribute in the deliverable which has been already finished by the end of the 2011, facilitating in this sense the research and the collection of data. Nevertheless, the board made an evaluation of the final deliverable and discussed on the lessons we learned from the research carried so far.

The Greek report consisted of three main parts: in the first part there has been an analysis of the Legislation in force, national and local agreements and parliamentary points of orders on the topic of restorative justice for adults and children. The second part consisted of statistical data concerning restorative measures for minors and adults while in the last part national research projects and educational programs have been reviewed, along with a short analysis of the victim-offender mediation system.

Concerning the first part of the report, the board commented that the analysis of the legislation in force at the time of the writing has been thorough and accurate. Especially the distinction between substantive, procedural and prevention law on Juvenile Delinquency has been the most efficient way from a methodological point of view to state the developments of restorative justice in the area. Concerning the parliamentary points of orders, there has been a notice that those stated in the report were not parliamentary points actually but mostly the introductory discussion in the parliament of the reform law of restorative justice. Nevertheless the board concluded that since it was difficult to access the Parliamentary orders, stating the different views and the background of Laws3183/2003 and 3860/2010 was particularly interesting and useful for the overall report.

Concerning the second part of the report, the Board has been notified of the problems finding accurate statistical data especially for the last five years. The information presented in the report has been derived mainly by the National Statistical Services (which do not have data on restorative justice but criminal activity in general), and individual studies of scholars in the field. Especially data concerning restorative measures and their application in a national scale has been particularly difficult to find. A member of the board stated that from this year ‘‘Kesathea’’ the Central Scientific Board for the Prevention and Confrontation of the Victimization and Criminality of Juveniles, will collect the data and then send a report to the Ministry of Justice. This may solve the current problem of lack of information in Restorative Justice.

Finally the third part of the report which involved programs and research projects has been reviewed positively by the Board, although there has been pinpointed the fact that most of the programs have been elaborated by private organizations, while the state could have a most active involvement at least in training programs (ie mediators). Another interesting point that came out of the discussion was that research projects- especially those co-funded by the European Union could be better capitalized by the Ministry of Justice which could establish a follow up for each of them.

#### **4.1.3 Cyprus**

The main activity implemented by the Commune of Lemba in this category is the production of a Report about the Local Context in Cyprus in relation to Restorative Justice and Mediation. This 53-page report was compiled following desk research using primary and secondary sources, including interviews with civil servants to retrieve public information and gain access to government records.

The Report presented the following technical research areas:

*Legislation in force, national and local agreements, parliamentary points or orders on the topic of restorative justice for adults and children:* this section aims to illustrate in detail the legal framework in Cyprus in relation to Restorative Justice, as well as to present the general debate taking place at Parliament and among relevant state departments on the application of the laws and necessary legal reforms to promote restorative practices.

The introduction to this section identifies relevant actors whose role and jurisdiction is defined by national law (Ombudswoman, Parliament, the Commissioner for the Protection of the Child, the Courts, Social Welfare Services).

The first subsection features an analysis of relevant legislation in force in the last ten years in Cyprus, highlighting for each piece of legislation separately: its relevance to the Repair Paradigm, its relevance to Restorative Justice, the year of passage, the offences that the law applies to, the penalties imposed, provisions for victim rights, whether there is a provision for diversion or probation, as well as a brief analysis of the law’s main contents. A total of eight pieces of legislation were analyzed in this section.

The second subsection features ‘Parliamentary Points or Orders’ that includes an illustration of the general context and ongoing debate relevant to Restorative Justice that has been taking place at Parliament. In Cyprus the legislature (House of Representatives) has the discretion to ‘check’ the executive branch of government through a process similar to the EU’s ‘question time’. Individual Members of Parliament (MPs) can ask written questions to the relevant government Minister, who is obliged to provide a written reply within a set period of time. The replies are considered public records, sent to the MP who made the question and the Parliament, and are maintained by the Parliament as records. This subsection includes eleven Questions posed by MPs and the reply provided by the relevant Minister.

A further subsection titled ‘Agreements’ presents relevant international agreements signed by the Republic of Cyprus and a brief description of each one. These agreements are: the Convention on the Rights of the Child, the European Convention on Compensation of Violent Crimes, and the International Covenant on Civil and Political Rights (ICCPR).

The second section of the Report includes detailed analysis of the *characteristics of penal justice and penal proceedings in Cyprus*, including a description of the Court System, jurisdiction and hierarchy.

The third section of the Report analyses *National Public Data about programs of Restorative Justice*. It presents information released by Social Welfare Services of the Ministry of Labour and Social Insurance regarding programs implemented which include the following:

- Juvenile Offender Program
- ‘Guardian’ (Probation) Officers to Juvenile and Adult Offenders
- Court Reports
- Centre for Family Guidance
- Family Counselors

In addition, this section presents programs implemented by the Police Force, through the setup of the Central Bureau for Handling Issues of Prevention and Combating of Violence in the Family and of Child Abuse. In addition, the Report analyses Prison Programs, Victim support mechanisms /programmes. Subsequently, penal measures for both adult and juvenile offenders are analyzed and illustrated in Tables provided by the Cyprus Statistical Services.

The fourth section of the Report is titled ‘*National data about experiences of restorative justice for young adults and children*’ and includes an analysis of programs implemented in the last 5 years. The first subsection includes information on *National research projects and studies of restorative justice (5 years analysis)* (about adults and children), and *National Programmes of restorative justice (about adult and children) (training programmes for professionals workers, training course, lifelong training, workshop) (5 years analysis)*.

### *Technical Board Evaluation*

The Technical Board held a total of two meetings to discuss this deliverable. Regarding the methodology implemented, the Board had a long discussion on whether the table of contents (sections assigned by UNISS) should be altered, and whether more sections should be added to the list of existing ones.

For example, for the section ‘Characteristics of Penal Justice and Penal Proceedings’, there was a discussion at the Board on whether there should also be a description of the different ‘styles’ of Judges in Cyprus; In brief, there are those Judges who interpret the strict wording of the law, and others who wish to uphold the ‘spirit’ of a law and are in general more flexible in their interpretation. One member of the Board argued that this is a significant aspect that influences Court Decisions. Other Members agreed that this is a significant point, but argued that it is not only relevant to Cyprus, but to legal systems worldwide and therefore does not add to the description and analysis of the legal framework and legal system of Cyprus. After a long discussion, consensus was reached among the Board Members, who agreed not to recommend to Lemba to add this particular section to its Report.

The Board commented particularly positively on the section ‘National Public Data about programs of Restorative Justice’, as information was retrieved mostly from primary sources, and after consultation with the Social Welfare Services, and was considered to reflect quite accurately the current state of affairs.

Following an initial review of the draft of the Deliverable, the Board recommended to Lemba to add the section ‘Crime Statistics & Penal Proceedings’. This section includes data on the number of cases, the type of offences committed, the age of offenders, and general crime trends observed in Cyprus.

In general, the evaluation produced positive results, with the Board expressing satisfaction on the quality of the research and the content of the Deliverable. The Board judged that the methodology set by UNISS was followed in the completion of this deliverable, and that in general the deliverable was consistent with the guidelines provided.

## **4.2 Trial Folders Research and Analysis**

### **4.2.1 Italy**

The network of Justice Bodies has actively contributed to the survey on minors and adults offenders’ folders participating in particular in the following phases of the project:

- 1. Structuring the research and sharing of the methodology (definition of tools, sample, content, etc.)*
- 2. Mediation with local offices in Rome and Sassari*
- 3. Selecting and supervising the collection of data in the folders*

#### 4. on-going monitoring

#### 5. Evaluation of results

For this activity, the board shared the aims of the analysis, methods, timing and modalities for its implementation (*Action 1*).

The comparison with the representatives of the Department of the Ministry of Justice (DAP and DGM) was particularly important with regard to the sharing of the criteria for the selection of folders and access them, granting the team of researchers of the University of Sassari the necessary permissions (*Actions 2 and 3*).

At local level, in the offices in Rome and in Sassari, where the folders were consulted, a close collaboration with the Heads of the various offices has been developed through a verbal confrontation that helped the researchers to have a more complex and full vision of the cases studied and of the procedures adopted within the services (*Action 2*).

It should be stated however the effectiveness of the network has concerned mainly the juvenile justice.

Concerning the analysis of adults' folders, during the first and subsequent meetings, the importance of analysing the cases of the Permanent Observatory on Restorative Justice, coordinated by Ms. Maria Pia Giuffrida, was highlighted. However, due to organizational and logistics problems and to the timing of the research, this has not been possible as well indicated in the official letter of Ms. Giuffrida enclosed in the report about the analysis of penitentiary folders (Deliverable 4 part II).

In view of the pre-existing partnership with the President of the Surveillance Court of Sassari, Ms. Antonella Vertaldi, by a special agreement between the University of Sassari and the Court for researches in the context of restorative justice, it was decided to analyse the folders of offenders who had benefited from alternative measures (*Action 4*). The results have been presented and evaluated during the three project meetings in Sassari (IT), Rome (IT) and Leeds (UK) (*Action 5*). The general evaluation of the deliverables has been managed by the Commune of Lemba (CY).

#### 4.2.2 Greece

The Scientific Board in Greece had an important contribution in facilitating and reviewing the analysis of trial folders. One major issue has been the granting of access to the folders, a decision which should be taken by the Probation Service of Athens in cooperation with the relevant department of the Ministry of Justice. The Board had certainly contributed in this direction. In parallel it has been decided not to proceed with any analysis of the adults folders for two reasons: a) firstly there were no restorative measures to analyze for the adults since the legislation do not foresee any measures for the adults except mediation in intra-family violence b) we have found very difficult to gain access to the folders referring to intra family violence due to the perceived sensitivity of the issue.

The Board also decided not to alter the methodology proposed by UNISS, with the exception of the parts of the questionnaire that were not applicable to the Greek Law. For instance, a point of concern was the relevant part of the questionnaire concerning probation. As probation before the hearing in Greece is not yet applicable, the Board

decided in certain cases that we should refer some probation measures after the hearing (ie suspension of detention or some cases of conditional prevention of custody).

In addition, as it has been granted unrestricted access to the folders, and time to derive all the information needed, ERFC conducted a very deep research not only limited to statistical data and basic information about the crime but also investigating the different paths of restorative interventions either from the point of view of the Probation Officer or the Judge of the Juvenile Court and the interaction between the two of them. In many cases there is also reference in the eventual progress of the minor to see whether a certain measure had positive or neutral impact in his behavior as a whole. The depth of the research is depicted in the 15 page report produced by ERFC concerning the qualitative and quantitative analysis of the folders, which has been evaluated very positively by the Board.

In addition, after a suggestion of the Scientific Board, the report through the analysis of the folders, investigated the current trends in juvenile justice, which of the measures under the Law 3183/2003 are the most applied and why, putting an emphasis to the most “restorative” of them such as victim offender mediation, community service, compensation, etc. It is also very important that for each finding/conclusion there is reference to the specific folder (s), which is going to facilitate any future scientific research on the field.

The Board found very useful and original this deliverable and this is the reason that some members commented that it should be given more time and resources for the analysis of the folders, than in the local context analysis, the findings of which can be found more or less in the current bibliography.

#### **4.2.3 Cyprus**

The Technical Scientific Board in Cyprus highlighted to Lemba that the analysis of the folders provided regarding both investigated groups (juvenile and adults offenders), aimed to clarify whether or not offenders had positively benefited from restorative measures, or whether such experiences were negative or had not produced the expected results.

The main focus of the analysis was to determine whether or not: Offenders are encouraged to understand and take responsibility for what they have done; Misattributions are challenged; Offenders are given encouragement and opportunities to ‘make things right’; Offenders are given opportunities to participate in the process; Offenders are encouraged to change their behavior; A mechanism exists for monitoring or verifying changes; Offenders’ needs are being addressed.

A total of fifty folders were analyzed, out of which 25 folders concerned juvenile offenders and 25 folders concerned adult offenders, all of whom had at some point benefited from/ participated in a form of restorative measure. Folder analysis sheets, for both adults and juvenile offenders, were structured and included a mixture of closed and

open-ended questions, the results of which were thoroughly analyzed both qualitatively and quantitatively in a report drafted by Lemba.

As previously mentioned, interview questions were developed prior the research and their appropriateness as well as possible effectiveness on the issues investigated was discussed with the personnel of the services providing the folders for analysis, and with the Technical Board.

Topics covered vary depending on the role that the particular offender had in relation to the restorative justice program. Core questions for both questionnaires (juvenile and adults) included among others, an evaluation of the Results being achieved by the restorative intervention, the activities of monitoring / evaluation been carried out (ongoing evaluations, final evaluations, by which institutions, and the criteria / parameters being adopted for the evaluation.

The folder analysis aimed to determine whether or not restorative approaches could be successfully applied to cases of juvenile and adults offenders in Cyprus where restorative measures are limited and not fully implemented, due mostly to the until recently low criminal rate of the island.

The results obtained through the evaluation/analysis of the folders have indicated that, on most of its part, this goal is attainable. However it should be noted that the Social Welfare's personnel and the support of related governmental services and NGOs is crucial to this positive attitude towards alternative to imprisonment measures as well as the ones related to the social rehabilitation and resettlement of detainees in prison.

Additionally, the analysis suggests that the measures (at least the ones adapted till present) have succeeded in promoting restorative justice. The evaluation has also revealed that the most positive outcomes of the restorative measures applied were the avoidance of interruption of the links with society and the stigma of imprisonment as well as a sense of respect towards other individuals and especially those of the opposite sex. Additionally the majority of the persons involved in the processes managed to be kept mentally and physically active while learning to drive aggression towards less violent and more creative paths.

For the minor's group, the majority of which are not imposed imprisonment sentences as it is a common practice for the courts in Cyprus to keep underage persons out of jail (even though from the age of fourteen they are to be considered legally accountable for the actions) the research has revealed that the main restorative measures applied had a slight differentiation in comparison to the ones for the adults

These mostly included educational, volunteering and recreational activities as well as socialization, specialist's interventions and in some cases community service. The overall results drawn from the evaluation processes indicate that for minors as well, a generally positive outcome is to be recognized. Yet, in the case of minor offenders there is a slight differentiation of the results revealed through evaluation processes. Even

though a relatively positive impression is being given variations of the main outcomes are related and being described in accordance to the motive behind the offence.

More specifically we see that on those cases related to racist or sexual offences, the restorative processes maintained a slight direction towards that offence and analysis has revealed that the persons involved progressively learned how not to aggressively express their emotions towards people of different race and the ones of the opposite sex.

As for the general strengths of the restorative interventions examined, similarly to the adult cases, the main ones were the avoidance of interruption of the links with society and the stigma of having been sent to prison, as well as a sense of respect towards other individuals including those of different race and opposite sex.

Another point highlighted through the outcomes is that in Cyprus the role of the Social Welfare Services of the Ministry of Labor and Social Insurance is crucial. This specific department bares most of the responsibility of implementing the processes of restorative measures in the island.

#### *Technical Board Evaluation*

The Board commented positively on the level and quality of the research and the academic value of the research results. However, the Board noted that more extensive research, using a larger sample should be conducted in the future for more accurate results. The Board argued that a more extensive list of standards or goals should be agreed on, against which outcomes can be compared. In this way, an evaluation of the effectiveness of restorative practices will be more substantial.

#### *Additional Comments*

Lemba worked proactively in order to gain access to the folders, which was not an easy task due to data protection and privacy concerns on the part of state agencies. The Board acted in a guiding capacity, advising Lemba on how to approach authorities (key officers), and how to ensure that data protection and privacy laws and regulations were followed.

Specifically, the Board prepared a short Brief summarizing relevant data protection laws and advising Lemba on ways to conduct the research without breaching these laws e.g. uphold anonymity, no use or storage of personal data etc. Lemba consulted with the Board on this issue and gave the relevant assurances to the state agencies that these regulations would be followed. It is believed that the care provided in dealing with information was particularly important in gaining access to the folders.

### **4.3 Focus Groups**

#### **4.3.1 Italy**

The activation of the national network for the organisation and management of interprofessional and multiagency focus groups (FG) was essential.

For the realization of FG, the following actions have been implemented:

1. *Programing* (definition of tools, target, content, etc.)
2. *Organization* (identification of the venues, identification, selection and invitation of participants)
3. *Management* (realisation of FG)
4. *Assessment* (reflection on achievements)

The active involvement of the institutional network focused on points 2 and 4.

The organization and implementation of FG in Italy was conducted through assiduous and valuable collaboration with the departments of the Ministry of Justice (described in section 1.2.1).

UNISS project staff decided to involve the network on a double level that was the same both for adults and minors in parallel.

The Technical Board agreed that the involvement of professionals working for the services of the Ministry of Justice had to be carried out by the national institutional channel given its preferential and privileged position that would have allowed a more consistent and varied participation of professionalism. Therefore, in collaboration with the Directors of DAP and DGM, circulars were sent to the various regional offices inviting professionals working in juvenile and ordinary justice services to participate in FG.

From a methodological point of view, cooperation with these institutional representatives for the organization and implementation of FG was carried out through regular telephone and electronic communications organising regular meetings aimed at identifying, selecting and inviting participants (as shown in Table 3).

At the same time, and through contacts of the University of Sassari and of the project staff, third sector agencies, associations, Local Health Agencies, Municipalities and local bodies have been identified in order to invite their professionals working in restorative justice.

Once identified the agencies to be contacted, participants were selected on the basis of the sampling methodology that was described in the report on FG (*Action 2 – Deliverable 7*).

Actions 1 and 3 were mainly managed by the staff of UNISS, as described in the report about the FG. However, for the generative questions used as investigative tool in FG developed by UNISS, a feedback was asked to the representatives of the Justice system concerning their relevance and effectiveness (*Actions 1 and 3*).

Finally, the evaluation of the results (*Action 4*) has been planned and managed as part of project meetings and regular meetings of the technical boards by means of discussion and shared reflection and feedback.

#### **4.3.2 Greece**

The organization of focus groups had as a purpose the investigation in depth of the way the restorative justice/practice system actually operates in Greece. Therefore the Scientific Board suggested that the discussion should be centered not only to theoretical issues but also to the practical aspects of the implementation of restorative justice from the point of view of different agencies and institutions.

To this end there have been organized a) two interprofessional groups in Athens, one held in 18 July 2012 with the participation of eight professionals, and one more in September 2012 with the participation of twelve professionals, b) one multiagency focus group in 18 September 2012 with 20 participants at the headquarters of the Probation Service of Juvenile Courts of Athens.

The Scientific Board encouraged the largest possible participation especially in the multiagency group, as there should be registered a diversity of agency views in the field. The selection of participants has been done in view of the personal experience and competence in the field of restorative justice, while at the same time it has been deemed that the inclusion of probation officers was crucial due to the central role that Probation Service currently plays in the juvenile justice in Greece. Psychologists and Lawyers also have been selected on the basis of their actual engagement in the field. Focus groups also saw the presence of two Judges of the Juvenile Court of Athens, as the Board suggested that there should be investigated the application aspects of the juvenile justice.

The Board also acknowledged that the questions proposed by UNISS covered the whole spectrum of debate about restorative justice. It also decided that an open discussion should be done and registered accordingly in a form that could be exploited by Atlas Ti software. The outcome of these sessions were two reports – one 24 page report about the inter professional groups and one 11 page report about the multiagency groups.

One of the most important findings for the Board when reviewing the reports was that there has been a convergence of views between the two focus groups concerning the usefulness of restorative justice while at the same time there have been concerns about the conditions of applicability of the restorative measures. Some very important flows have been identified that inhibit a more widespread application of restorative measures which are ranging from psychological aspects (i.e passion for trial) to legislative and administrative issues. For instance it has been supported that

- The Ministry of Justice has to select the actors ("players") and establish the list of Bodies and entities willing to be involved into the restorative measures
- Establish partnerships standing bodies such as cooperation Protocols between Agencies / Ministries
- Increase the number of Probation in all stages of presentation of a young delinquent in Justice
- Provide the presence of a lawyer at all stages related to the Juvenile Justice system
- Establish a single Courthouse with Juvenile actors assembled (e.g. with the presence of the Prosecutors next to the Juvenile Judges and the Probation services)
- Increase Social Services and Probation Services in Prisons (social workers, employees of the Ministry of Justice).

Moreover the Technical Board commented that it would be very beneficiary if we had managed to invite to the focus groups representatives of detention or educational centers to investigate to what extent restorative measures can be applied in such institutes.

Another suggestion of the Board derived from the focus group meetings was that there is no enough elaboration in Greece of the notion of “restorative approach” as a philosophy cultivated outside the Courts and that encompasses all the foundations of the society, from family to school and social institutions.

Overall, the Board has assessed very positively the work done in Multiagency and Multi professional groups and have endorsed the reports produced by Erfc as a good impetus to forge the discussion in the country about restorative justice and encourage the much more needed co-operation between the different agencies involved.

#### **4.3.3 Cyprus**

The Commune of Lemba organized the following focus groups in Limassol, Cyprus: i) Onemultiagency focus group implemented by the Commune of Lemba in Cyprus on 24 July 2012, ii) One interprofessionalfocus group implemented by the Commune of Lemba in Cyprus on 26 July 2012. Both focus groups had a duration of two and a half hours each, and were composed of ten participants each (twenty participants in total) and one facilitator. One of the focus groups focused on local restorative practices for Juvenile Offenders, and the second focused on local restorative practices for Adult Offenders.

The selection of participants was made with a view of acquiring an interdisciplinary mix, but also including as much as possible officers working in relevant positions at government departments. Securing the participation of established and experienced criminal lawyers was also deemed important.

The Social Workers who participated in the focus group are employed by the Welfare Services Department of the Ministry of Labor and Social Insurance. The reason for selecting these professionals is that they play a significant role in the treatment of juvenile but also adult offenders when there are alternatives to imprisonment. For example, they act as probation officers and counselors for juvenile offenders.

Lawyers were selected with the following criteria in mind: experience (with juvenile offenders and Restorative Justice approaches), attitude towards restorative justice and mediation practices (aimed to have a mix of both lawyers who believe in the value of restorative justice and those who are a bit more skeptical), age (variety of seniority level was aimed), specialization (aimed to have lawyers specializing in criminal law), and availability. Lawyers were included mainly to provide an expert insight to the legal framework in Cyprus, and to the workings of Cypriot Courts. Lawyers are familiar with the various styles of Judges, their reasoning, and are able to provide general remarks about the application of the law and the provision of non-custodial sentences.

Police Officers were also selected, based on the premise that they are important actors in the Justice system. Law enforcement duties involve close contact with offenders, including juvenile offenders. Police officers were selected by Lemba with the expectation that they would provide additional insight into the Justice system, comment on detention practices particularly for juvenile and young offenders, provide an insight to restorative approaches in Cyprus, and in general contribute positively to the discussion.

Psychologists were selected to provide insight to the support offered to convicts in Central Prison, and also for more theoretical aspects such as the motivation of offenders and methods to prevent recidivism. Sociologists were selected to provide input from a social processes perspective.

Some of the focus group participants were also Members of the Technical Board. This overlap took place on account of the recognition of the professional accomplishments of the Members of the Board, their interest in Restorative Justice, their understanding of the context of Freedom Wings, and a belief that their input would be beneficial.

The specific objectives of the focus groups can be summarized as:

- Collection of perceptions and views of practitioners and professionals about the legal framework in Cyprus specifically regarding Restorative Justice approaches in the treatment of Juvenile and Adult Offenders.
- Collection of perceptions and views on the definition of Restorative Justice in the treatment of Juvenile and Adult Offenders.
- Collection of perceptions and views of practitioners and professionals about the application of restorative justice approaches in Cyprus in the treatment of Juvenile and Adult Offenders.
- Collection of Best Practices in the local context of Cyprus in the treatment of Juvenile and Adult Offenders.
- Collection of perceptions and views about strengths or weaknesses in the system
- Collection of perceptions and views on the level of communication and collaboration between the various state departments involved in the application of restorative justice approaches in Cyprus
- Collection of perceptions and views on the training offered to sector professionals on Restorative Justice approaches and identification of additional training needs.
- Collection of feedback and opinions about necessary improvements to the system.

The focus group discussions were recorded and transcribed. Then, the transcripts were translated from Greek to English and forwarded to the Coordinator. Subsequently, a Report was prepared that summarized the results, feedback, good practices, and recommendations extracted from the two focus groups.

### *Technical Board Evaluation*

The Methodology for the focus groups was prepared by UNISS. This methodology was not altered by Lemba, in order to uphold the comparability between focus group responses in the three participating countries. The Technical Board agreed with this reasoning, but remarked that the Questions regarding experiences of Criminal Mediation should be removed, as the law in Cyprus does not allow Mediation in Criminal Cases.

Specifically, the Technical Board suggested that the two following Questions proposed by UNISS were not relevant to Cyprus:

- *Are there specific training to train penal mediators?*
- *What is the profile of the penal mediator that you frequently found on the field?*

During a discussion between the Members of the Board, the following arguments were presented:

- As there is no Penal Mediation in Cyprus, these Questions will yield no result.
- Although there is no Penal Mediation in Cyprus, it is good to include these Questions to stir discussion on the need for Mediation in Criminal Cases, and the need for legal reform towards this goal.

The Board saw value in both of the above arguments, and decided to have a brief meeting with the researchers and project team of Lemba to discuss the issue. In the end the following was decided: the Facilitator should be aware of these two Questions and of the background information regarding Penal Mediation in Cyprus; If the focus groups participants discuss the issue of Penal Mediation in earlier stages of the focus group meeting to a level judged as adequate by the Facilitator, then the Facilitator will not bring up these Questions (which are placed towards the end of the focus group meeting according to UNISS' methodology). However, if the participants do not explore the issue of Penal Mediation adequately, then the Facilitator will ask these two Questions in order to initiate discussion on the subject.

In general, the Board commented positively on the organization and methodology of the focus groups. They asserted that the participation of officials from the Prison Department of the Ministry of Justice should also have been secured, to gain more insight on the situation in the prison system. Lemba replied to this comment by explaining that one specific high-ranking official from the Prison Department was invited to the focus groups, but was unable to attend due to other engagements. In addition, Lemba explained that the Police Officers who attended the focus groups have

also worked at Central Prison, and were therefore able to provide some input from that perspective.

## 5. Exploitation of Project's Results and further suggestions

The first moments of inter-institutional collaboration and structuring of the network have been the project meetings and in particular, the meeting in Rome (2-3 February 2012) which was attended by the representatives of the Justice institutions, law enforcements, local authorities, private organisations and school. The meeting saw the participation, for the Department of Juvenile Justice: *Serenella Pesarin*, Director General for the Implementation of the Judicial Orders and *Isabella Mastropasqua*, Director of the Studies, Research and International Activities, for the Department of Penitentiary Administration, *Luigia Mariotti Culla*, Director General of the External Criminal Execution, *Antonella Vertaldi*, President of the Surveillance Court of Sassari, *Claudio De Angelis*, Public Prosecutor at the Juvenile Court of Rome, *Cecilia Sechi*, Guarantor of prisoners for the Municipality of Sassari, *Sandro Marilotti*, Director of the Center of Juvenile Justice of Sardinia, *Maria Pia Giuffrida*, Regional Superintendent for Tuscany and Responsible for the Permanent Observatory on restorative justice of the penitentiary administration, *Antonio Turco*, National Coordinator of the Social Policies Department of AICS, *Gaetano Greco*, provincial Father for Italy and the Philippines, founder and director of the Community BorgoAmigó in Rome.

In addition, the meeting saw the participation of one of the leading experts in the field of restorative approaches, Mr. Nigel Richardson, Director of Children's Services, Leeds City Council and author of a pioneering experience in Hull (UK), the first city in the world to have organized its services with a restorative model vision then replicated in the city of Leeds.

Since February 2012, an intense collaboration started with Leeds City Council that resulted in the choice, shared with the project partners, to organize the final project meeting at the Leeds City Council (10-11 October 2012). The meeting aimed not only to present the project results but also to a direct comparison with the educational, social and justice agencies participating in the community restorative model proposed by Mr. Richardson. Essential aim of the model is to create a "Child Friendly City"<sup>9</sup>, a city made for children, focusing on the child's welfare and actively involving families in the process and then, the community. In its vision, Leeds, with its 180.000 children, from 2011 to 2030 aims to become a city that gives them a voice welcoming their needs and ensuring that they are actually considered in the decision-making process of the planning of the city.

Restorative practices in this context become an essential tool of community involvement to increase empowerment of minors and their families, reducing the sense of helplessness in the management of relations in the family context, fighting the abuse and neglect of children, preventing and containing the phenomenon of school dropout and juvenile delinquency.

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<sup>9</sup><http://www.leedsinitiative.org/ChildFriendlyLeeds.aspx>

During the two day meeting, the participants from all partners could visit different agencies where restorative practices are implemented: the Carr Manor High School, the Leeds Family Group Conference Service, the Youth Offending Service, the Multisystemic Therapy Services and the West Yorkshire Police Crime Reduction and Safer School.

During the project and board meetings, the deliverables of the project have been analysed, discussed and eventually improved especially those related to the analysis of the local context, the analysis of folders and the focus groups.

In Greece, the debate carried out in the scientific board and the multiagency groups as well exhibited that projects such as Freedom Wings can advance the scientific knowledge and highlight the flaws on the research that is being currently conducted on the field, but also forge the cooperation in multiagency and inter-professional level. During the review of the research the following conclusions and suggestions have been highlighted.

- The local context analysis revealed that there is lack of systematic statistical data on national level about restorative justice. The issue is of major importance in order to assess the effectiveness of the applicability of specific restorative measure but also to investigate the different characteristics of the offense which derive from the pathologies of Greek society. Moreover without knowing the latter how can anyone design preventive measures?
- Another conclusion of the local context analysis has to do with the lack of overview at a central level of the restorative justice initiatives and programs which are covered by basically by the private sector. The Ministry of Justice should make an evaluation of the programs that have been implemented so far and issue guidelines to the responsible bodies encouraging their use by the Probation officers proposals.
- In addition, the Ministry of Justice should be more involved in projects such as Freedom Wings. It has been anticipated by the Board a greater interest from the Ministry which has been restricted to grant access of the folders. It is noteworthy that at the same time of the implementation of Freedom Wings project a similar project were running in Greece, also co-funded by the European Union, the 3E Model for restorative justice and no one came in contact from the Authorities to bring the two projects in line and better capitalise their results. This is a point of warning for the European Commission too.
- The folder analysis has exhibited the flows of how restorative justice works right now, and is centered around the lack of structures to support restoration. Either the role of Probation officers should be enforced, or the State should create or help institutions that focus on prevention or alternative to penalty measures once a minor is convicted.
- In addition the Board is of the opinion that a more thorough research should be carried out on the applicability of the new provision in Greek Juvenile Law which permits the Prosecutor of Juveniles to abstain from the prosecution if victim offender mediation is reached. These cases could not be covered by the

analysis of the folders since the creation of a trial folder has a prerequisite the launch of a prosecution.

In line with the above points, ERFC as the Greek beneficiary shall communicate all the work done under the auspices of the project and especially the reports of the local context, the folders analysis and the multiagency and multi professional groups to the competent authorities and especially the relevant Departments of the Ministry of Justice. Moreover as an organisation with increased sensitiveness in social issues and the protection of vulnerable groups shall disseminate the conclusions and the results of the project in any occasion, meeting or relevant conference. One further step is capitalizing from the work done in the multiagency groups, to support the Probation Service of Athens send a summary document of the most prevalent reforms that –in the point of view of the Probation Service- should be carried out for improving restorative justice in Greece.

Coming to Cyprus, the input of the Technical Board in the implementation of the project was beneficial, both in ensuring that deliverables maintained a high standard of quality, and in the dissemination of project results and activities. The Technical Board maintained a close although informal partnership with the Commune of Lemba.

This is considered as having had a positive impact on the attainment of the project objectives. The members of the Technical Board are field experts who, on occasion, have acted as advisors to the Commune of Lemba and have provided ongoing input, feedback and support.

The Technical Board has appraised the deliverables submitted by the Commune of Lemba within the framework of Freedom Wings and has commented positively on their quality and value. Through its participation in Freedom Wings, the Commune of Lemba has succeeded in contributing substantially to the scholarship available on the subject of Restorative Justice in Cyprus, and has recorded the legal framework in force, the best practices applied, and the needs for addressing deficiencies and weaknesses in the current system.

From the various meetings and discussions of the Technical Board a number of suggestions have emerged on the best exploitation of the results of the project. These include:

- The continuation of the operation of the Technical Board after the completion of Freedom Wings. The Technical Board will continue to cooperate with the Commune of Lemba and Interfusion Services in following all development relevant to Restorative Justice in Cyprus. Following the completion of the project, the Board will meet twice every year to discuss any developments and plan action if necessary.
- The Board and the Commune of Lemba will disseminate project results to their network of contacts.
- The Board and the Commune of Lemba will examine the ways in which the best practices that have emerged from the research conducted by the Freedom Wings partners can be fed into a training program for RJ professionals.

- The Board suggested that lobbying MPs would be a good way for interested groups to push for legal reform in Cyprus.
- The Board and the Commune of Lemba will continue to disseminate results in conferences and events attended by its members.

## 6. Conclusions

As all three Scientific Boards have concluded in their respective sessions, Freedom Wings project has highlighted the need for greater dissemination and awareness on restorative justice and practices. We emphasize in this regard the importance of promoting the work of the technical boards in all three countries for the implementation of projects that include restorative practices and experiences.

The importance of encouraging the debate on the applicability of the restorative measures and approaches has been also mentioned not only in relation to mediation in the partner countries. In addition, the need for special and mandatory training for all professionals involved in restorative justice and mediation has been shared by all the project participants.

The research path and the international network led the project partners to express their intention to participate in the International Forum on Restorative Justice<sup>10</sup> and to export and promote the model of Hull and Leeds with the aim to build pilot restorative community in their countries. In this direction, the meeting in Leeds strengthened the collaboration with Mr. Nigel Richardson, through the desire to become part of the international network committed to the dissemination of restorative approaches. The idea is to spread and promote the Leeds' model in Freedom Wings countries actively involving the scientific - technical boards created for the project.

In particular, for the pilot experiences in Italy, promoters will be Federica Palomba, Marisa Persian, Antonio Turco and Gaetano Greco for the juvenile justice system and Antonella Vertaldi for the ordinary one.

Regarding the general need for further action in Cyprus, the following suggestions have been recorded;

- Legal reform is required in order to substantially improve restorative processes in Cyprus and bring them in line with the progress achieved in the rest of the European Union.
- Reform is necessary in the public administration, as presently civil servants are mostly responsible for the application of Restorative Justice Approaches. The reform should focus on increasing productivity, efficiency, communication channels, and transparency.
- Necessary to organize awareness raising campaigns, both to prepare the public and the communities, but also to create the political will necessary to initiate legal and structural reforms.
- There is a necessity for additional and ongoing training to field professionals in order to improve knowledge and understanding of the legal framework and legal provisions, as well as specialised training according to the needs of each professional.
- A pool of trainers on Restorative Justice can be developed.

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<sup>10</sup>[www.restorativejustice.org](http://www.restorativejustice.org)

In Greece, as already mentioned, the multi-agency approach that has been forged by Freedom Wings will be further consolidated and promoted, as the Scientific Board has attested that is urgently needed a better coordination in the exploitation of scientific data and action planning between the different actors of Juvenile and Adult Restoration.

It is also expected by the Partners of Freedom Wings project to continue to share knowledge and register the progress that will be made in view of capitalization of different aspect of the objectives already set.

Finally, the various proposals for dissemination and promotion of the model, in the light of the project findings and especially of the experiences mentioned above of Leeds and Hull, will be presented to Governments in Cyprus, Greece and Italy.