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PROBAČNÍ A MEDIÁČNÍ SLUŽBA
PROBATION AND MEDIATION SERVICE

**Conference of Probation and Mediation Service on the
Occasion of the Czech Presidency of the Council of the EU**

VICTIMS OF CRIME
**Possibilities of restorative approach in
probation and imprisonment**

SPEAKERS OVERVIEW

Date: October 13 - 14, 2022 in Prague

Venue: Prague Congress Centre, 5. května 65, 140 21 Praha 4

With support of: European Forum for Restorative Justice (EFRJ), Confederation of European Probation (CEP), European Network for Victims' Rights (ENVR)



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The importance of treating the victim as part of probation work

Andrea Matoušková, Probation and Mediation Service, Czech Republic

Abstract:

In contribution, the presenter will explain the meaning of integrating victim work into the execution of probation from three perspectives - the offender, the victim and society. She will also present the starting points that were chosen when deciding to apply this approach within the framework of the activities of the Probation and Mediation Service in the Czech Republic. She will recall necessity of interdepartmental multidisciplinary cooperation in the development of services for victims of crimes and will point to practical experience in this area based on more than twenty years of activity of the Probation and Mediation Service in the Czech Republic. It will be described by the possibilities of applying a restorative approach in execution of probation and examples from practice. Presenter will point out the prejudices prevailing in the common and professional public and experienced stereotypes, which it is necessary to overcome when implementing this approach to probation work even today. In the end, she will explain the possible risks, but also the necessity to develop systemic measures and create the necessary conditions to ensure this approach in practice.



Dr Andrea Matoušková has been the Director-General of the Czech Probation and Mediation Service since 2016. After graduating from Charles University in Prague, majoring in Social Work, she started working as one of the first Probation Officers in the Czech Republic. From 1995, she participated in the introduction of probation and mediation into Czech practice and, later, in the preparation for the establishment of the Probation and Mediation Service. She has worked for the Probation and Mediation Service since it was founded in 2001, first as a Methodologist and later as Head of the Department for Conceptual, Analytical and Methodical Activities. In the academic field, she is the author of various publications, a

researcher and a university lecturer, taking an active part in projects dealing with the development of probation and mediation across Europe.

What is the current status of the victim in the justice process and probation services in Europe

Tim Chapman, European Forum for Restorative Justice

Abstract:

There are an increasing number of Probation Services throughout Europe adopting mediation and other restorative justice processes with a view to enhancing their criminal justice services. However, research suggests that, when restorative justice is



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institutionalised within criminal justice agencies, the active participation of victims in restorative meetings tends to be low. It is challenging for an agency that has always focused on offenders to understand what matters to victims and to engage with them. If Probation Services are to realise the full value of restorative justice, they will need to integrate values, principles of practice, standards, and seamless processes to bring out the best in the two approaches. This is likely to increase desistance from offending, to address the justice needs of victims and to enhance public credibility in Probation.

Tim Chapman had a lengthy career in the Probation Service in Northern Ireland rising to a senior management position (Assistant Chief Probation Officer). He spent 10 years as a lecturer and course director of the Masters programme in Restorative Practices at the University of Ulster. He now teaches at the University of Sassari, Italy, as a Visiting Professor and at The University of Strathclyde as a Visiting Professor. He also offers training, research and consultancy in restorative justice. He has published widely in effective probation practice and restorative justice. He is currently conducting research into victims' experience of restorative justice.



Victims' access to restorative justice in Europe

Edit Törzs, European Forum for Restorative Justice

Abstract:

In the recent years there is an increasing attention in research, practice and policy on the role of restorative justice in addressing victims' rights and needs. Indeed, the research on restorative justice shows considerable evidence about its effectiveness for victims. The adoption of the EU Victims' Rights Directive has certainly provided restorative justice with a more solid position and a clear victim orientation in Europe and further relevant international policy and legal instruments are recognising the benefits of restorative justice for victims. Still, in many EU Member States restorative justice is not accessible to all victims and where it is available, it is still very much under-used. The presentation will focus on the current challenges and on potential ways to create a wider access to restorative justice to all victims of crime.



Edit Törzs is the Executive Director of the European Forum for Restorative Justice (EFRJ). She studied law at the ELTE University Budapest, Hungary, where she later followed the PhD programme in the field of Criminology. She also has a degree in



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European and French Law from Université Panthéon-Assas, Paris. From 2004 she worked for the Hungarian Probation Service and from 2006 was responsible for the implementation of victim-offender mediation. In 2012 she started working at the EFRJ as project officer in the 4 years long ALTERNATIVE project, which focused on restorative justice approaches to conflicts in intercultural settings. Since 2016 she is leading the team at the EFRJ. She is a trained mediator and facilitator of restorative conferences and followed a 4-years course on dance and movement therapy.

Restorative justice in probation practice

Gerry McNally, Confederation of European Probation, Irish Prison Service

As well as President of the Confederation of European Probation (CEP) **Gerry McNally** is Assistant Director in the Probation Service in Ireland. During his career with the Probation Service since 1978, he has worked all areas of the Service, in prisons, courts and community supervision, as a probation officer and as a manager. He currently has responsibility for research, legislation and related initiatives in the Probation Service and is a member of the Probation Service Senior Management Team. Gerry is also a member of the Association for Criminal Justice Research and Development ACJRD council. Gerry McNally has published papers and made conference and workshop presentations on probation related issues and topics over many years. He has also been joint-editor of the Irish Probation Journal (Published by the Probation Service and Probation Board for Northern Ireland). His most recent publication, 'James P. Organ, the 'Irish System' and the Origins of Parole', is in Irish Probation Journal, Volume 16. He has particular interest in the facilitating of the transfer of supervised community measures and sanctions in Europe and the implementation of EU Framework Decision 947/2008.



Council of Europe priorities regarding the care of crime victims

Irina Taneva, Council of Europe

Abstract:

Restorative justice is still developing in Europe, legislation and practices vary in the different jurisdictions. The Council of Europe considered since the 1980s the use of mediation in civil, administrative and penal matters and set some basic standards in this area. The definition of penal mediation in turn was used by the EU when defining RJ in their Directive 2012/29/EU on the protection of victims of crime. It was felt at the Council of Europe level that time has come to revise broaden and replace CM Recommendation R(99)9 concerning mediation in penal matters in order to promote its use by all key actors of the criminal justice process. CM Recommendation (2018)8



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concerning RJ in criminal matters was adopted and was widely supported by the European Ministers of Justice in Venice in December 2021, who adopted the Venice Declaration and agreed on a number of practical steps to be taken to implement the standards and principles approved by the Committee of Ministers of the Council of Europe. Now it is time to act at national and international level to help repairing the harm done and reinstalling justice and social peace by using this less formal and more socially inclusive method at all stages of the criminal justice process.



Ilina Taneva is lawyer and is since 2004 Secretary to the Conferences of Directors of Prison Administration (since 2014 named Council of Europe Conferences of Directors of Prison and Probation Services) as well as Secretary to the Council for Penological Cooperation (PC-CP), Council of Europe. She has been working for the Council of Europe since 1997 and has been secretary also to several other intergovernmental committees which elaborated standards in the field of penal and penitentiary law, prisons, probation and aftercare, crime prevention and juvenile justice.

The major achievements in this area are the European Prison Rules (Committee of Ministers Rec(2006)2rev); The European Rules for juvenile offenders subject to sanctions or measures (CM/Rec (2008)11); The Council of Europe Probation Rules (CM/Rec(2010)1); The European Code of ethics for prison staff (CM/Rec (2012)5); CM/Rec (2012)12 on foreign prisoners; CM/Rec (2014)4 on electronic monitoring; the 2016 CM Guidelines for prison and probation services regarding radicalisation and violent extremism; CM/Rec (2017)3 on the European Rules on community sanctions and measures, CM/Rec (2018)5 concerning children with imprisoned parents, CM/Rec (2018)8 concerning restorative justice in criminal matters and CM/Rec (2021)6 regarding the assessment, management and reintegration of persons accused or convicted of a sexual offence. She has represented the Council of Europe as speaker at many international meetings, including meetings organised by the EU, UNODC, EuroPris, ICPA, CEP, GCTF and ERA. She has MA in history and MA on theory and history of art and culture (1979-1984) and LLM with a post-graduate thesis on international law and international relations (1983-1988), Sofia University, Bulgaria. She has had training courses at the US State Department (1993) and at the European University Institute, Florence, Italy (1990 and 1991). Before joining the Council of Europe Ilina Taneva has worked first as a trainee judge at the Sofia City Court (1988-1989), then at the Bulgarian National Commission for UNESCO (1989-1992) and afterwards as diplomat at the Bulgarian Ministry of Foreign Affairs (1992-1997).



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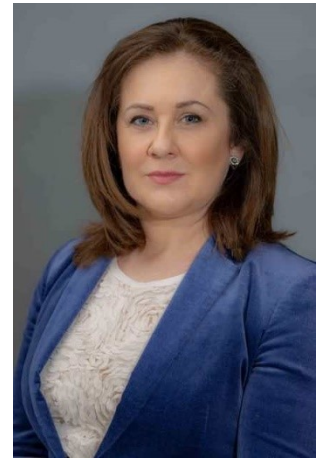
EU level victims' rights from the ENVR perspective

Aniella Ferenczi, European Network for Victim's Rights

Abstract:

The presentation will introduce the significance of facilitating the practical application of victims' rights set out in EU legislation, and the role of the European Network on Victims' Rights (ENVR) in this process. The presentation will moreover discuss the importance of recognizing and respecting the victim's perspective, and how the good cooperation between the relevant agencies can make measures more effective.

Aniella Ferenczi is a lawyer, who has been acting since 2018 as a fulltime manager and Executive Board member at the Association of the European Network on Victims' Rights (AENVR). During her carrier in law, between 2010 and 2017 she worked in various positions for the Office of Justice and for the Ministry of Justice of Hungary, in the field of crime victim compensation and support; compensation to victims of the communism and the holocaust; legal aid service; and probation service. As Head of Department, she was responsible for the policy making and supervising of those areas. Besides her masters in legal sciences, Aniella FERENCZI holds BA in economics and postgraduate degree in Anglo-Saxon law and English-Hungarian legal translation. At the Association, Aniella FERENCZI coordinates the strategic planning and implementing of the professional activities of all branches of the European Network on Victims' Rights (ENVR), and the work of the Association.



The implementation of the EU Strategy on victims' rights

Marieta Tosheva, European Commission

During the Plenary session on 13 October 2022, I will present the EU actions in relation to victims' rights. In particular, will talk about the implementation of the EU Strategy on victims' rights and the planned revision of the Victims' Rights Directive. I will also take part in the panel discussion during the second day of the Conference (14 October 2022).



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Programs for offenders implemented by Probation and Mediation Service

Jakub Kovář, Probation and Mediation Service, Czech Republic

Abstract:

In this presentation we will focus on introducing programmes aimed at offenders, especially those that have been implemented in the Programme Centers of the Service. Each of the three implemented programmes pay special attention to victims with different intensity. The programme for drivers takes a look on the crime victims and their stories from the background perspective, in the PUNKT programme we meet the victim briefly and in the You Matter Too (Victim Impact Training) the crime victim is in the centre. We will explore, what it is that the crime leaves on the offender and the victim and how we work with this. We will mention specific methods, concepts and practical experience.



Jakub Kovář completed his university studies in Anthropology at the Faculty of Arts in Pilsen and in Psychology at the Faculty of Social Sciences in Brno, Czech Republic. He started working at the Centre for Drug Prevention and Therapy and since 2010 he has been working with the Czech Probation and Mediation Service first as the Probation Officer, later on as the Victim Counsellor and currently he has been working on programmes for offenders at the Programme Center in Cheb. Jakub was part of the team that created and implemented the You Matter Too (Victim Impact Training) programme in prisons. He has

worked as a Psychological Counsellor as well as he has managed his own psychotherapeutical practice. He completed the psychotherapeutical training in gestalt modalities.

The Victim Impact Training (VIT) in Czech prisons and probation work

Lenka Kujevská, Prison Service of the Czech Republic

Abstract:

The aim of this seminar is to take a closer look on possibilities of the implementation of psychotherapy under conditions of imprisonment in standardized settings and in specialized treatment settings. It provides us with possible benefits (elimination of recidivism and addictive behaviour), difficulties (implementation of therapeutic approach in prison) and reserves (motivation of imprisoned persons, work with crime, victims of crime) of psychotherapy in prison. In this seminar we will discuss the You Matter Too (Victim Impact Training) programme which is focused on learning/intensifying empathies towards victims of crimes related to the offender's case



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and in general. This programme is primarily aimed at violent criminals who are learnt to take responsibility for their own actions and search for possibilities of redressing harm committed to the victims. Last but not least we will address the cooperation of creation and implementation of UM2 between the Probation and Mediation Service and Prison Service of the Czech Republic.

Lenka Kujevská completed her university studies in social work in Ostrava in 1999. Since 2009 she has worked at the Heřmanice Prison as a Prison Instructor – Therapist. Before that she worked as the Social Worker at the Karviná Prison. Since 2002 she has been actively involved in delivering lessons and presentations in Social Work inside Prisons, Social Work with Offenders, Penology at the Faculty of Social Sciences in Ostrava.



What does the perpetrator need the victim for and how does it help to correct him

Gemma Fraser, Community Justice Scotland

Abstract:

In 2019 the Scottish Government published the Restorative Justice Action Plan 2019-2023, which set out its vision for consistent, high-quality and trauma-informed restorative justice across Scotland. In pursuit of this vision, and in response to consultation completed with victims of harm, and survivors of sexual harm and domestic abuse, the Scottish Government commissioned a National Team hosted by Community Justice Scotland to take forward the delivery of a restorative justice service for Scotland, and a National RJ Service For Survivors of Sexual Harm, hosted within the third sector organisation Thriving Survivors.

The workshop will provide details on progress made in Scotland towards achievement of the national vision for restorative justice across both nationally funded projects. This will focus on:

- Collaborative policy and service delivery with stakeholders and those who experience harm, to address challenges and opportunities presented, and in particular for survivors of domestic abuse and sexual harm and the services who support them.
- How working in the above manner can deepen the benefits of restorative justice for those who go on to experience the service, in terms of their empowerment, safety, wellbeing and access to more meaningful justice outcomes.



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- How to achieve trauma-informed approaches in restorative justice which can inspire and inform a broader, national commitment to 'trauma informed and person-centred justice', as outlined within The Vision For Justice In Scotland (2022).



Gemma Fraser has an honours degree in Law and Management and a Post Graduate Certificate in Collaborative Leadership in Complex Environments. She began her career with the Crown Office and Procurator Fiscal Service, before commencing 11 years with the Police Service of Scotland in 2005 as a Crime Analyst in the Grampian area; a national trainer in crime and intelligence analysis and strategic assessment with the Scottish Police College; and finally as Senior Partnership Analyst with Fife Community Safety Partnership for a further six years. Prior to joining Community Justice Scotland at its inception in March 2017 as an Improvement Lead, Gemma was the Justice Coordinator for Fife

Community Justice Partnership. Within Community Justice Scotland, Gemma now leads of the Coordination of the COVID-19 recovery programme for community justice, as part of the Scottish Governments Recover, Renew and Transform agenda for the justice system. Gemma also heads the National Restorative Justice Team within the organisation, responsible for delivery of the National Restorative Justice Action Plan 2019-2023 and the oversight of the national test project to embed restorative justice across all Scotland's Sheriffdoms. Gemma has been on the Board of Directors for the Scottish Community Safety Network since 2018. She lives in Fife, Scotland with her son and enjoys music, books, Liverpool Football Club and her time spent with friends and family.

The Building Bridges program, its possibilities and achievements *Gabriela Kabátová, International Prison Community, Czech Republic*

Abstract:

The Building Bridges restorative project was created by Dan Van Nes, PFI, to increase empathies and acceptance of guilt of offenders titled Sycamore Tree Project. In between 2014-2016 seven European countries including the Czech Republic piloted the Building Bridges project as a restorative dialogue among groups of victims and offenders. The project has focused on victims' needs. The pilot was monitored by the University of Hull, UK, which released a book about it (Johnstone, Gerry, 2017). In 2016 the Building Bridges project gained accreditation within the support of crime victims from the Ministry of Justice of the Czech Republic. Last year the





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project was nominated for the Sozial Marie Prize for Social Innovation.

Gabriela Kabátová is a Director and Founder of the Prison Fellowship International in the Czech Republic, social worker, counsellor and interpreter. Since the 90s of the 20th century Gabriela has participated in the Fellowship International in USA, cooperated with the Faith and Learning International, Tutorial Program, Wheaton University, Chicago.

Specific practice of working with the offender

Ronald Gramigna, Federal Department of Justice and Police of Switzerland



Studies

10/1981 - 12/1986 Studies in Psychology, Psychopathology and and Neuropsychology at the University of Zurich, graduation with licentiate, 1986

1998 MAS "Psychology of Law" at the School of Criminology, International Criminal Law and Psychology of Law (SCIP), University of Berne

Doctorate

1996 PhD thesis in Psychopathology, with Prof. Dr. med. et phil. A. Uchtenhagen, University of Zurich, title: Coping and Methadone

Professional activities

06/2015 – today Federal department of Justice and Police, Federal Office of Justice; Unit for Execution of Sentences and Measures, Head

11/2008 – 05/2015 Member of the expert commission for the review of the public dangerousness of offenders, Prison Concordate of Northwestern and Central Switzerland

04/2007 – 05/2015 Cantonal Prison of Zug, Governor

12/2002 - 05/2007 Bostadel Intercantonal Penitentiary, Menzingen, Psychological Service, Forensic Psychologist

11/1998 - 11/2002 Psychiatric University Hospital Zurich, (Burghölzli), special wards for anxiety and depression disorders, Clinical Psychologist

06/1991 - 10/1998 Psychiatric Centre Lucerne-City, drug therapy outpatient clinic

04/1988 - 11/1990 Head of the Steinacker social-pedagogical residential community, Zurich Foundation for Prisoner and Discharged Persons Welfare (ZSGE), Zurich

02/1987 - 03/1988 Drug withdrawal ward at the Hard Psychiatric Clinic, Embrach



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A restorative approach to offenders in the field of non-governmental organizations

Lenka Ouředníčková, Rubikon Centrum, Czech Republic

Abstract:

Every year more than 1000 clients use the services of RUBIKON Centrum. These clients have criminal past and you can find many links in their fate, life strategies, wishes and motivations to start over. Five years ago we established the Community Center and Garden Kotlaska and started creating a concept of work with our clients that is based on connection with the community. Both Kotlaska's environment and cooperation with the garden's visitors from the general public living in the neighbourhood brought us opportunity to develop new dimensions in our client work and strengthen the restorative approach in our counselling and services. I will share our experience not only from Kotlaska in the seminar.

My professional life is connected with the criminal justice. I am experienced both in working within the state sector and NGO. I completed my studies in Social Work at the Faculty of Arts in Prague and after that I worked at the Municipal Court in Prague. I was part of the team that implemented probation and mediation in the Czech Republic. I was with the establishment of the Czech Probation and Mediation Service and for a couple of years I participated in the training of probation officers. Since 2001 I have been working with the RUBIKON Centrum (NGO) which I co-founded. My professional experience covers management, team leadership, project management, implementation of new programmes and services, development and cooperation with partners both in the Czech Republic and abroad. A number of projects that I had been in charge of gained international and local awards. Currently I have been engaged in advocacy work and since 2022 I have been in charge of coordination of activities within the RESCALED in the Czech Republic.



Sentencing domestic violence homicide cases in Poland

Anna Matczak, The Hague University of Applied Sciences, Netherlands

Abstract:

The presentation is based on the qualitative analysis of 51 sentencing decisions in domestic violence homicide cases, processed in Polish courts, published as a book chapter in the Routledge Handbook of Women's Experiences of Criminal Justice. Along with dr. Emilia Rekosz-Cebula, we argue that sentencing, like any other human action, is subject to interpretations at the hands of judges, who engage in the



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construction and meaning-making process of gender at the sentencing stage. Our findings demonstrate the diversely-constructed presence of gendered narratives, which vary in terms of their inclusion of the domestic violence terminology and/or the discussion on the fulfilment of socially-prescribed gender roles. The analysis exposed a powerful interplay between the judges' perception of the (abusive) relationship, gender roles, and the defendant's/victim's acquiescence to them, which in consequence makes women more likely the subject of double standards of conformity. The study offers a qualitative outlook on the topic and invites a new theoretical perspective to shift the attention from the impact of gender - to the meaning of gender - in sentencing decisions.



Anna Matczak - Lecturer in Comparative Criminology and Researcher at the Centre of Expertise Global Governance, The Hague University of Applied Sciences, Netherlands. Since 2019, she has been involved in a European collaborative project: Restorative Justice: Strategies for Change, which aims to encourage the development of restorative justice in Europe. In connection to this, since 2020 she has served as a restorative justice mentor to the Wrocław Restorative Justice Board, and collaborated with multiple criminal justice professionals to assist the Wrocław Municipality to join the network of restorative cities in 2021. In collaboration with the Nepal Peacebuilding Initiative, she co-organised the 2020 Summer School on transitional justice dedicated to Nepalese activists, justice professionals, third sector activists, civil servants. In collaboration with the University of Padua, Italy, she is one of the organisers of the annual Winter School 'Transforming 21st Century Conflicts'. Her areas of interest are: comparative criminology, restorative justice, Polish criminal justice system, the role of lay people in criminology and criminal justice, policing humanitarian emergencies.

Family Justice Center Limburg: a systemic approach to domestic violence

Sabrina Reggers, Family Justice Center Limburg, Netherlands

Abstract:

In this workshop Sabrina Reggers will start with a very short introduction to domestic violence and why it requires a specific approach. She will then present the model of the Family Justice Center Limburg in Belgium. This is a multi-agency and multidisciplinary center which brings together different organizations (police, public prosecutor, general and social welfare, probation service, ...) to work together to tackle domestic violence. After explaining how all these agencies work together under one



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roof on domestic violence cases, Sabrina will also highlight the added value of such a multi-agency collaboration.

Sabrina Reggers is the coordinator of the Family Justice Center Limburg, which is a multi-agency, multi-disciplinary and intersectoral co-located center in which professionals from different organizations and agencies (f.e. police and justice department, social services, probation service) work together on cases of domestic violence. Sabrina holds a Master's degree in Psychology as well as a teachers degree. She has a demonstrated history of working with and leading multidisciplinary teams. She is an expert on the topic of domestic violence and of multi-agency cooperation. She is also an experienced speaker on international conferences.



Levent Altan, Executive Director, Victim Support Europe



Levent Altan has been Executive Director for VSE since 2014. In that role he is responsible for providing overall leadership, strategic direction and management of the organisation. Levent began his career in 2001 in the UK Ministry of Justice before moving to the Home Office and the Cabinet Office under Prime Ministers Blair and Brown. Having previously worked in the European Commission for three years, Levent returned in 2009, to work as a national expert tasked with writing an EU Directive on victims' rights. Over the next three years, he developed the European Union's policy on victims' rights, leading the development and negotiation of the EU Directive which establishes minimum rights for victims of crime in 26 Countries across the European Union Subsequently, Levent worked as Principal Legal Advisor at Milieu Ltd, a multi-disciplinary consultancy, where he led a team running various multi-country projects on justice and home affairs. Levent has worked and spoken extensively on victims' rights across Europe and globally, providing expertise to national governments as well as the UN, Council of Europe and European Union. Levent is a founding member of Victim Support Asia, INVICTM - the International Network Supporting Victims of Terrorism and Mass Violence, a member of the victim focus group for the Northern Ireland police investigation – Operation Kenova, and an expert on the French Scientific Committee overseeing the establishment of France's national memorial to victims of terrorism.