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Workshop *The organisational aspect*

Restorative processes in Norwegian corrections



”Restorative Justice in probation practice”
Prague, 23rd September 2015

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Correctional services organisation

Ministry of Justice and Public Security

- Directorate

- Five regional offices

- Ca. 50 prisons – from 350 to 12 cells

- Ca. 3,600 prison officers*

- Ca. 35 probation offices

- Ca. 350 probation workers*





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The principle of normality



- The punishment is in the restriction of liberty
- Lowest possible security level
- Circumstances as normal as possible
- Other civil rights are not affected
- The right to restorative processes



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Infrastructure for RJ

- No specific training for mediation activities
- Two-year prison staff training – little attention for RJ
- Probation offices often co-operate with Mediation Service

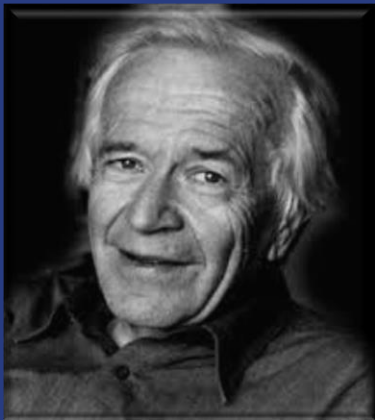




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Infrastructure for RJ

Mediation Service



Nils Christie: "Conflict as property" (1978)

Pilots since ca 1980 – established in law 1991

22 regional offices, 1 central secretariat

550 mediators

7,000 cases in 2014



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Mediation Service 2014



KONFLIKTRÅDET

Civil cases	49 %
Criminal cases	51 %

368 cases of domestic violence

- Victim – offender mediation
- Open to anyone
- Free of charge
- Aimed at an agreement
- If reached and carried out, no mention on the criminal record

Some main categories

Violence	22 %
Threats / bullying	15 %
Vandalism	12 %
Shoplifting	10 %
Conflicts with neighbours	10 %

- Trained mediators
- Appointed by a committee
- Paid
- State funded

124 persons in prison



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Mediation in legislation

Penal cases

- Referral by the police
- Conditional dismissal
- Condition in a conditional sentence
- As part of a community sentence
- Youth sanction





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Youth sanction

Introduced in 2014

- Restorative in character
- Target group
- Group conferencing / mediation
- Co-ordinated cross-professional follow-up
- Duration
- Responsibility of Mediation Service !





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Various forms of restorative processes

Report by a working-group from 2012

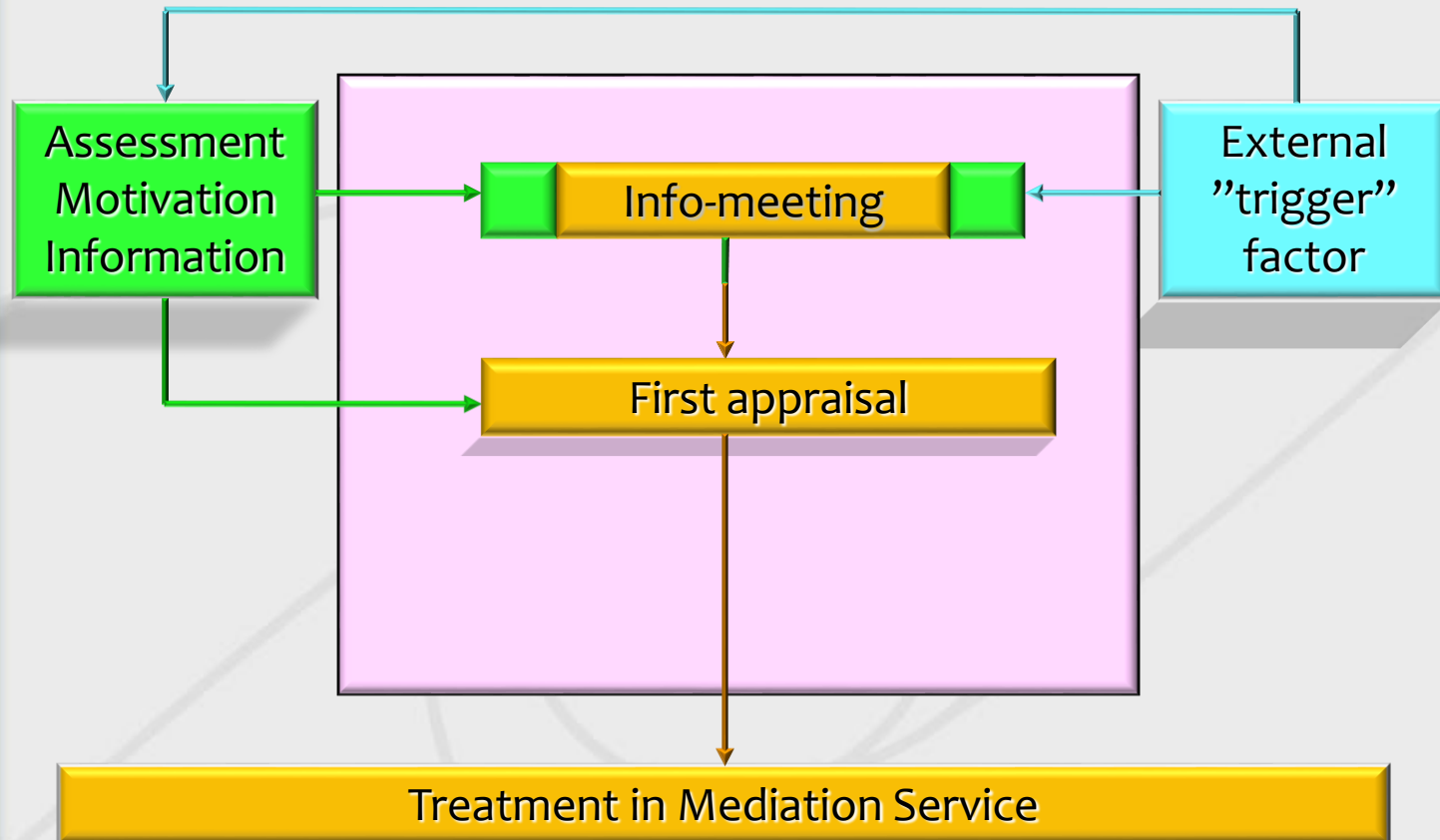
- Conflicts between victim and offender
- Conflicts in the executional context
 - Between offenders and staff
 - Among offenders
- Conflicts between offender and significant others





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Initiating factor - Offence Offender - Victim



Corrections

Mediation Service

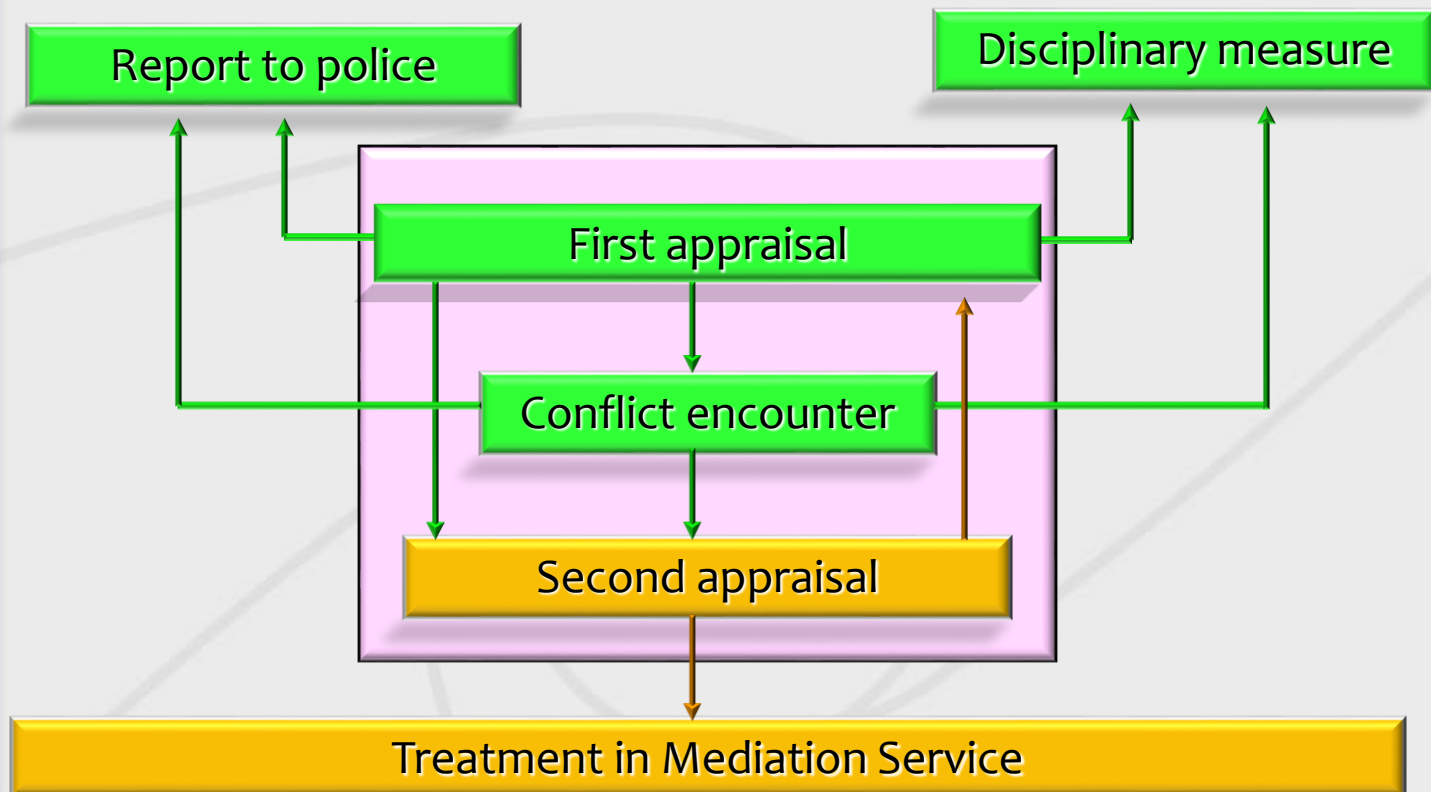
Collaborative area



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Initiating factor – Internal conflict

Offender – Staff or Offender - Offender



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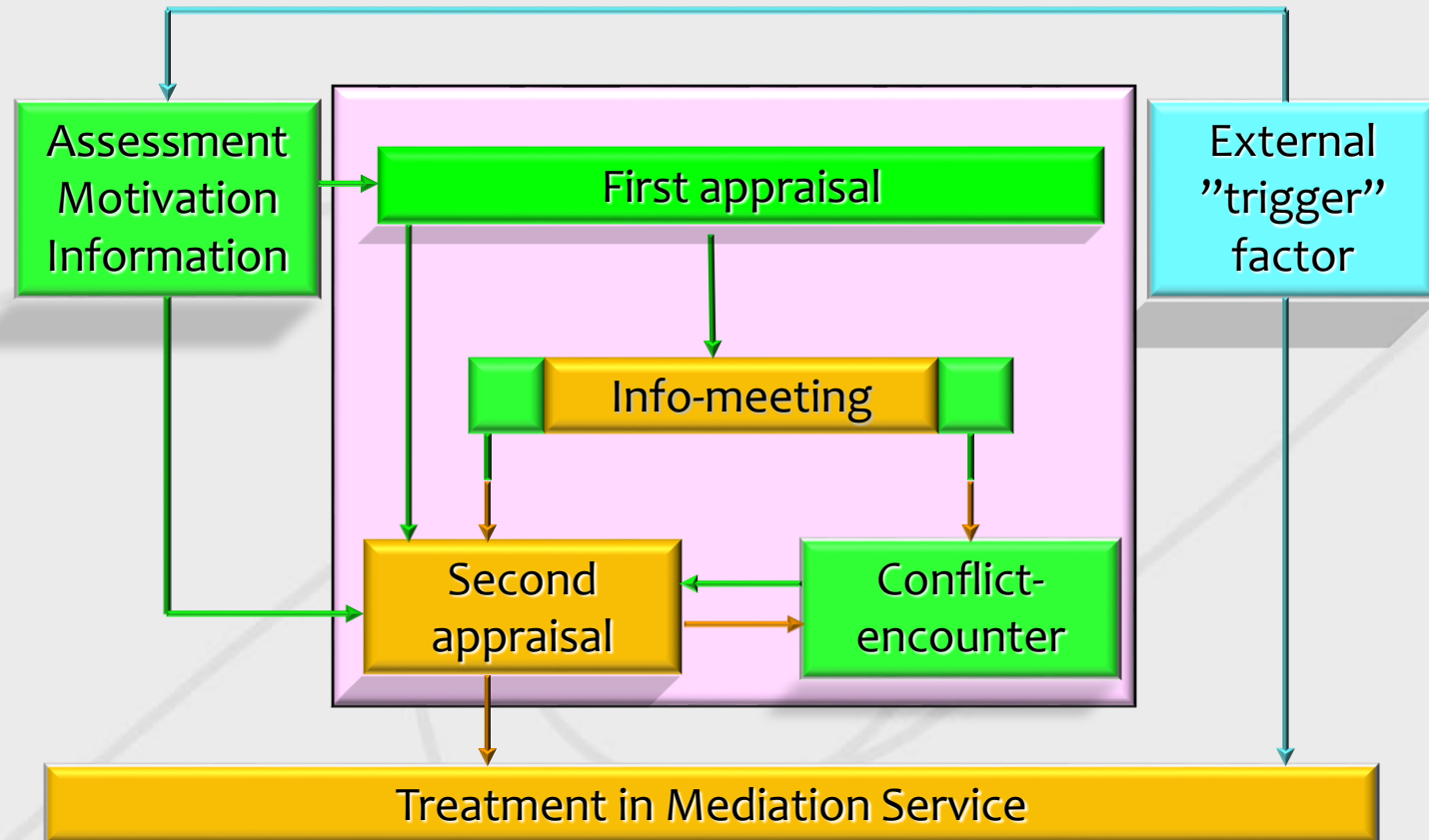
Collaborative area

Treatment in Mediation Service



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Initiating factor – Reintegration Offender - Others



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Mediation Service

Collaborative area



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”Hearing”

- Agreement on the importance of RJ in a correctional context
- Disagreement on responsibility matters
 - Doubts about lack of clarity in role and lack of independence for correctional staff involved in RJ
 - Doubts about sufficient knowledge and competence among correctional staff
- Difference of opinion on the role of correctional staff in RJ-processes in a re-integration context





Result - Restorative processes

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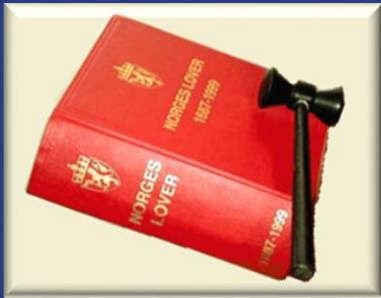
Execution of Sentences Act 2014:

§ 2. Purpose

A sentence shall be executed in a manner that takes into account the purpose of the sentence, that serves to prevent the commission of new criminal acts, that reassures society, and that within this framework ensures satisfactory conditions for the prisoners.

An offer of restorative process shall be made during the execution of the sentence.

In the case of persons remanded in custody the Correctional Services shall make suitable arrangements for remedying the detrimental effects of isolation.





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2015 – Proposal for guidelines



- Mutually obliging
- Only for sentenced offenders – no remand prisoners
- Guarantee of voluntariness from both sides
- Correctional Services locals units are to establish procedures for collaboration with Mediation Service
- Correctional Services have the responsibility for informing and motivating offenders
- Correctional Services have the responsibility for the security aspects
- Restorative processes shall be delivered by the Mediation Service
- Correctional Services will take into account which agreements have been made by the parties



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Final comment

A restorative process is primarily carried out for the sake of the victim

A restorative process can also be of great importance for the re-integration of the offender

A restorative process may contribute to a reduction in re-offending and so to a safer community





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Thank you for your attention!



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