



RESTORATIVE JUSTICE
IN CASES OF
VIOLENT EXTREMISM
AND HATE CRIMES



RESTORATIVE JUSTICE IN CASES OF VIOLENT EXTREMISM AND HATE CRIMES

A PRACTICE GUIDE BY THE
EUROPEAN FORUM FOR RESTORATIVE JUSTICE (EFRJ)
WORKING GROUP ON VIOLENT EXTREMISM

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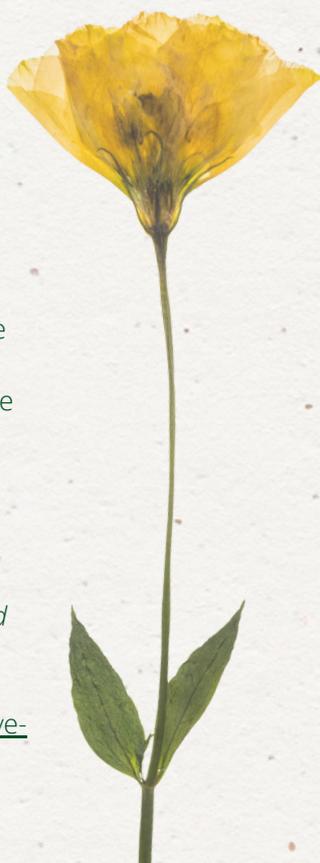
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If you want to share your thoughts about this paper or about innovative and inspiring experiences on restorative justice in cases of violent extremism and hate crimes, please share them with the EFRJ Secretariat at info@euforumrj.org. These will be directed to the EFRJ Working Group on Violent Extremism.

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INTRODUCTION AND BACKGROUND

This paper is designed to provide Restorative Justice (RJ) facilitators with practical advice, guidance and tips on how to facilitate Restorative Justice meetings in cases of violent extremism and hate crime¹. The paper is not intended to be a step-by-step approach as local contexts and other factors will influence Restorative justice approaches.

This paper is the result of discussions, debates and presentations between November 2019 and June 2021 by the European Forum for Restorative Justice (EFRJ) Working Group on Violent Extremism². The group members were selected by the EFRJ on the basis of their or their organisations' experience and motivation of using RJ in cases of hatred and violent extremism. Representatives from the UK, Basque Country, Finland, Italy, Norway, Belgium, and the United States contributed to this paper.

The aim of this paper is to offer insight into factors that should be considered when facilitating Restorative Justice meetings in these complex and sensitive cases. The main audience is RJ facilitators and managers of RJ services. This paper can also be useful for prison staff and the correctional service and victim services, as well as other professionals who refer cases to RJ services. This paper also aims to stimulate further debate and development of restorative practice with these violent crimes; for this reason, some examples may refer to types of hate crimes and polarisation that did not (yet) end with violent extremist and terrorist attacks.

At present, we are living through a period of intense global pressure triggered by the Covid-19 pandemic and exacerbated by growing polarisation, radicalisation, and acts of violent extremism and hate. People are seeking positive ways to address these situations and to repair the harm caused, as well as prevent more harm. Restorative justice offers the potential to help people heal, obtain answers to their questions, repair relations and move on in their lives. Pursuing the remedy of Restorative justice, however, must be an individual choice, rather than a uniform prescription for all.

At the end of this paper, a resource kit with relevant literature, films and links to find more information on this topic is presented. Readers who wish to share their thoughts about this paper or their own experiences with restorative justice and violent extremism and hate crime are invited to contact the EFRJ Secretariat. Authors who wish to use parts of this publication in their own work are welcome to contact the EFRJ Secretariat.

¹ This paper uses the term 'facilitator' to refer to the person facilitating the restorative process.

² The members of the EFRJ Working Group on Violent Extremism are: Miriam Attias (Finland), Emmanuelle Crane (France), Graziella Fourez (Belgium), Ali Gohar (United Kingdom), Joakim Hope Soltveit (Norway), Lucy Jaffe (United Kingdom), Katrien Lauwaert (Belgium), Cheryl Lubin (USA), Roberto Moreno (Basque Country, Spain), Ram Tiwari (Nepal). The Working Group is coordinated by members of the EFRJ Secretariat and Board, namely Emanuela Biffi (Italy) and Tim Chapman (Northern Ireland, UK).

WHAT IS RESTORATIVE JUSTICE?

Restorative justice refers to any process enabling those affected by a crime (victims³, offenders⁴, community members) to participate in the resolution of matters originating from the offence. Different definitions, some more process-oriented and others more outcome-oriented, can be found in international instruments such as the EU Victims Directive 2012, the Council of Europe Recommendation 2018, and the UN Basic Principles 2000⁵.

Some key practice principles include: the voluntary participation of all parties who engage in such a process; the “impartial(or multipartial)” role of the facilitator supporting all parties in a balanced and equal way; the creation of a safe space of open and non-judgmental sharing; and the flexibility to tailor the process to the parties’ needs and requests. To implement these practices, the facilitator puts significant effort into the preparation phase, asking all parties to clearly articulate their motivations and expectations before engaging in a potential direct encounter. RJ facilitators undergo standard skills training but also may complete training on specific forms of crime (e.g. hate and violent extremism) or vulnerabilities (e.g. trauma, historical abuse).

The most commonly known practices are mediation, conferencing, and circles. These practices are designed to bring together only the parties directly affected (victims, offenders) or others who wish to contribute and can benefit from the process. Other practices may also be referred to as “restorative” (e.g. de-radicalisation programmes, educational programmes and training in prison), but may not fall under the umbrella term of “restorative justice” if the key practice principles are not followed, or if not all affected parties are involved. For example, an educational programme for prisoners may yield great outcomes in terms of rehabilitation and reintegration, and they may even serve as a precursor to a restorative justice process, but such programmes are not “restorative justice” as defined here. Moreover, if such courses are obligatory for prisoners and do not require offenders to reflect on the harm done, the key features of a Restorative justice experience are not present.

³ Throughout this paper, the term ‘victim’ is used, but labelling is normally avoided in RJ practices. Indeed, the facilitator asks the person concerned how they prefer to be called (e.g. some victims may prefer to be named survivors).

⁴ This paper uses the term ‘offender’, but some may prefer to be named harmer, perpetrator or the person involved in crime. When practicing restorative justice, the facilitator will ask the person concerned what they prefer to be called.

⁵ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32012L0029>;

Recommendation CM/Rec(2018)8 of the Committee of Ministers to Member States concerning Restorative Justice in criminal matters:

https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016808e35f3;

UN Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters:

www.un.org/ruleoflaw/blog/document/basic-principles-on-the-use-of-restorative-justice-programmes-in-criminal-matters

WHAT ARE POLARISATION, HATE CRIME AND VIOLENT EXTREMISM?

Although governments generally agree on the importance of combating terrorism and violent extremism, the notion of terrorism remains highly controversial and there is currently no comprehensive and universally accepted legal definition. Despite this lack of consensus, each interpretation of violent extremism includes an understanding that the harmful intent and impact of violent extremism extend way beyond the direct victims⁶.

Considering the ideological purpose of violent extremism, its core feature lies in the fact that violence is used against direct targets (the “direct victims”) to threaten, frighten and otherwise influence a wider group (social, political or ideological), which would constitute the main or ultimate target of the terrorist attack⁷. Consequently, the targeted population will usually experience violent extremism as an attack on itself, and its members will often feel personally affected as vicarious victims⁸.

This vicarious dimension implies that members of the targeted group can suffer from damages, even though they were not physically injured, as a result of the attack. Numerous studies have documented the psychological impact of terrorism on vicarious victims, showing that many people may suffer from intense psychological disorders after terrorist attacks (for example, post-traumatic stress disorder, depression, severe stress, and high rates of suicide⁹). The psychological impact can induce a change in behavior of the targeted population, who may avoid traveling by any mode of transport and frequenting tourist areas. This has further repercussions for the population and the economy, particularly for people working in the sectors of tourism, catering, and transportation¹⁰.

Violent extremist acts use fear and provocation to dissolve social links and reinforce divisions within the targeted population¹¹. These acts also produce vicarious victims amongst the people who are associated with the authors of the attack, through a process of “vicarious retribution”. In the case of jihadism, this phenomenon is illustrated by the growing islamophobia and discrimination towards the Arab-Muslim community in many parts of Europe.

⁶ Pemberton, 2014; Schmidt, 2005; Cooper, 1978

⁷ Pemberton, 2014; L'Heuillet, 2009

⁸ Letschert, Pemberton, Staiger, 2010; Albrecht & Kilchling, 2007

⁹ Galea, Vlahov, Resnick, Kilpatrick, Bucuvalas & Morgan, 2002 ; Salguero, Fernández-Berrocal, Iruarrizaga, Cano-Vindel & Galea, 2011

¹⁰ Freedman, 2003 ; L'Heuillet, 2009

¹¹ EGO, 2010; Letschert, Pemberton, Staiger, 2010

Finally, the increased repression of violent extremism has led to numerous violations of human rights committed in the name of the “war against terror” (torture, unlawful armed interventions causing the death of thousands of innocent people, violation of the right to a fair trial, erasure of the presumption of innocence, denial of access to an independent and impartial court,) thereby victimising the perpetrators and increasing the overall number of victims²².

WHAT IS UNIQUE ABOUT RESTORATIVE JUSTICE IN CASES OF VIOLENT EXTREMISM, HATE CRIME AND POLARIZATION, AND HOW DO WE ADDRESS THESE ISSUES?

In polarised settings, including cases of hate crime and violent extremism, situations are characterised by black and white, “us versus them” thinking, negative stereotyping, prejudice, and distrust. Restorative dialogue and storytelling have the potential to build trust and shift parties' relationships in a positive direction because they create channels to restore respectful and constructive communication.

Potential pitfalls, however, may erode good intentions. Dialogue does not necessarily defuse polarised thinking patterns or increase understanding. Preparation is crucial when addressing conflict within polarised communities. The preparatory work can enable parties to tell their stories in advance to an impartial facilitator, or participate in a public dialogue, circle or conference. In the latter, it is crucial to recognise and assess risk where it takes place, with whom, and the topic for discussion. One might say this is standard procedure for trained RJ facilitators, but the following are particular aspects to consider for these particular crimes or conflicts.

Polarisation is a social process that is used to divide communities. It is based on the underlying thought construct of “us versus them” and can be further reinforced by discussions about identity, both negative and positive, by which stereotypical and simplistic identities are activated. Polarisation manifests as negative thoughts and

²² Association Internationale de Droit Pénal, 2005 ; David, 2008 ; Leclercq & De Roy, 2010 ; Conte, 2010

attitudes towards "the other", resulting in growing hostility and segregation between groups. This can lead to hate speech and even hate crime. Any restorative justice dialogue should avoid reinforcing those identities and feelings of separation, and should instead focus on a topic that builds common ground.

Dialogues arranged for the participants to "get acquainted with the other", where people are presented as representatives of their national/cultural/religious identities, do not dispel stereotypes, and may actually cause simmering hostilities to erupt. The politics of a fractured world challenge us: would not most topics exacerbate underlying tensions?

Violent extremism and hate crime have similar functionalities: the violence is used and justified by political or religious ideology, towards "the other" perceived as dehumanised, or "the enemy"; someone that deserves it. In addition to the direct victim, violent extremism targets society, and hate crime targets the whole community towards which the hate is manifested. The damage also goes beyond the targeted victim and their direct surroundings. From the point of view of society, violent extremism violates the social contract and basic trust. It divides and isolates people from each other.

One way to view violent extremism is to consider that the victim is only an instrument for bringing out social and political intentions, while one way to view hate crime is to recognize that violence is a means to scare and silence the target group. The influence of both is based on fear and insecurity and it affects the community broadly. Restorative justice enables people to handle damage done and looks at it from everyone's perspective: the victim, the perpetrator, and the rest of society.

Restorative justice can offer the opportunity to challenge prejudice. For example, victims may welcome the opportunity to meet the offender through restorative justice in order to challenge their views on identity and discourage them from inflicting hate again¹³. The act of education can empower people affected by hate and terror and can help them to recover from the incident.

Restorative justice also encourages empathy and understanding, making many people affected by hate crime feel it is worthwhile¹⁴. This can be uniquely beneficial for those harmed by hate crime, as the crimes committed against them are often motivated by prejudice. It is important for participants to have goals at the outset, but to simultaneously trust the process. If people feel free during the process to challenge prejudices and show their humanity, it can change beliefs. It is important to go beyond the surfaces of identity, to the level of individual personal meanings, and be seen as a human rather than labelled and targeted.

¹³ Why me?, Making Restorative Justice happen for hate crime across the country

¹⁴ Walters, M., 2014

KEY POINTS

- One of the most important things practitioners should be aware of when working with conflicts related to identities, is the power imbalance related to identities. In cases about identities, nobody is neutral. The facilitator should be very aware of that and also explain to participants their intention to be multipartial and recognize all parties, as well as the restorative justice goals. It is of utmost importance to foster mutual recognition of each other as human beings and to create space for reconciliation.
- Reconciliation happens if the parties have the need for it. To push for this too soon would likely endanger the core of the RJ process itself: restoring an unhealthy relationship can reinforce the power imbalance that might have been the root cause of the conflict. This can be harmful, and therefore, this process requires considerable patience and time from the facilitator.
- The ownership of the conflict has to be carefully kept with the parties themselves, which is difficult and challenging, and can cause uncomfortable feelings that the facilitator has to handle.

HOW TO PREPARE FOR RESTORATIVE JUSTICE WITH RETURNEES AND VIOLENT EXTREMISTS?

The idea of a facilitated dialogue meeting¹⁵ with violent extremists may be an odd thought for most, but if it were one of our own family members such as a son, daughter, mother or father that committed acts of violent extremism, we would likely feel differently. Those who have committed acts of violent extremism may have families, friends or even children who want to explain to them how they were affected, or are left with questions that only the returnee or violent extremist can answer. In addition, there might be survivors or vicarious victims who are wondering why they were targeted or chosen. These questions can be answered through a restorative justice process.

¹⁵ For more info about facilitated dialogue meetings as part of Restorative Justice, see point 1.5. and chapter 1 in the [The Mediators Handbook - Basic principles and practical advice for facilitators of restorative justice in the Norwegian National Mediation Service](#)

The use of restorative justice in cases of returnees and violent extremists may also be an opportunity for reintegration into the community or society where they will be released from prison. Involving relevant actors from the local community in facilitated dialogue meetings with the returnee or violent extremist may allow those community members to express their concerns, needs and expectations involving offenders' reintegration into society.

There should be two or more facilitators in these cases, and they should only accept these cases if they have the time and capacity to continue their work for months and maybe years. These cases require several pre-meetings individually with the parties. This is in order to ensure that the facilitators and parties are ready to meet. Participants must have the opportunity to develop a long term, stable relationship with the facilitators, who provide continuity for the parties. These pre-meetings also allow the facilitators to debrief, discuss and collaborate with one another.

In order to facilitate dialogue meetings in cases of returnees and violent extremism, the facilitator should be able to see past the actions of the offender, and see the offender as a human being¹⁶. This requires facilitators to give as much respect to returnees or violent extremists, as the victim or survivor, and can be challenging and difficult to comprehend for the victim, survivors or outsiders. This does not mean that the facilitator should take sides, but in order to facilitate a dialogue and safeguard the process, the facilitator must be impartial/multipartial in his/her role, show respect to both/all parties and see them as human beings.

The outcome and purpose of facilitated dialogue meetings should be made clear for all the parties involved. If the facilitator finds that the parties are not suited for restorative justice, they reserve the right to abort the restorative process. This is also the case if there are issues related to security and safety for the parties. Each case must be assessed individually to ensure the safety of all parties involved.

The facilitator should thoroughly examine why the parties would like to meet, and be aware of potential power imbalances that may compromise safety for all. The restorative justice process is guided by principles such as voluntariness, safety and full participation. In order to ensure these principles, the motivation and needs of the parties must be rigorously and continuously assessed.

It is important to separate women and children from men, as women usually either followed their partners, were often abused when going on site (physical abuse, domestic violence...) and yet supported "their men's" actions. Some women who have returned have shared no regret although at times tried to find how they can minimize their responsibilities since most women did not commit any criminal crimes such as killing.

¹⁶ Parallels can be seen with Nils Christie's research on prison guards in the North of Norway where prisoners who were seen as subhuman or dehumanised, were more subjected to violence than those prisoners who were seen as humans. Christie, N (1972). *Fangevoktere i konsentrasjonsleire (Prison guards in concentration camps)*. Universitetsforlaget, Oslo [Norway]. (Originally published in 1952.)

The fact that women have returned with children (often numerous and very small children) their role in parenting could have an impact on the restorative justice process.

There is more support from the general community for those women and especially of the children than for men, hence the importance of breaking it down into 3 distinct groups.

Children are especially of concern as some are extremely young and have been exposed to extreme violence (especially young boys) encouraged by their fathers to participate at times in some of the worst crimes and having been told that they were “created/born” for a new generation to transform the world. Ethno Psychiatrists have said that it is often very difficult to pick the traumas of the children as they have become very good at hiding them. We can probably compare those children to “child soldiers” in some conflicts in Africa that have been well covered in the media to have a better understanding of how to engage with them. Children from returnees are being sent to extensive family members who often do not know how to handle the trauma. They could be involved in the restorative justice program as they often seem to find it difficult to want to protect the children and get them to move forward while social services are trying “to read” and “prevent” future difficulties.

It is important to determine whether or not the returnee or violent extremist still has a radicalized view and does not take responsibility for their actions. Returnees and violent extremists may also see their actions as just and thus claim that their ideological, political, religious or other beliefs justified their acts of violent extremism or hate crime in favor of their cause. If this is the situation, the case is not suitable for a restorative justice encounter with the victim.

If, however, they are in the process of desistance and take responsibility for their actions, then a facilitated dialogue meeting could be considered. This need for dialogue may arise several years after the attack has taken place, initiated either by the victim, relatives of the victim, or the returnee and violent extremist themselves.

Media has often reported about attacks or attempted attacks carried out by returnees or violent extremists. In many cases, the whole community or the whole country is affected (e.g. 22 July 2011 in Norway; 11 March 2004 in Madrid; 7 July 2005 in London). Facilitators should be aware that restorative justice in cases of returnees and violent extremism may attract attention from the media, but the process should not be shared with the public, unless all parties agree. The processes should stay confidential, develop naturally over time, and be kept on a personal level. A challenge for the parties may be to balance their personal need for dialogue with the returnee or violent extremist versus the fear of stigmatization and condemnation if others in the public find out they are communicating. The facilitator should be aware about this and inform and assist the parties in managing the duty of confidentiality and consent.

KEY POINTS

- Do not limit the people who can benefit from the RJ process to returnees and people who have committed acts of violent extremism, as it can extend to family members and communities.
- Distinguish between men, women and children in the RJ approach, as they may have had very different experiences which leads to different needs.
- Involve all family members (parents, children-returnees, grand-children/returnees) social services and all involved in the process of getting returnees back into the community.
- If the offender continues to justify or deny his/her actions, then it is unlikely to be appropriate to proceed with RJ.
- All parties are treated equitably according to need, and no favour is given to any participant based on moral judgements the facilitators or society may have about the rights and wrongs of the original act.
- The RJ process may take a long time to develop and conclude so the individuals and services engaging in these processes need to be committed and resourced to complete satisfactorily without causing further harm.
- Take media interest and public approbation into account when conducting RJ in these cases to ensure that the confidentiality of all parties is respected.

WHAT SHOULD PRACTITIONERS BE AWARE OF WHEN WORKING ON THESE CASES? WHAT ARE THE SKILLS AND EXPERIENCES THAT RESTORATIVE JUSTICE FACILITATORS NEED IN ORDER TO BE WELL PREPARED?

The facilitator can strongly rely on the core principles of RJ and be multipartial. Multipartiality is manifested in thoughts, in choices of words and in the ways the facilitator interacts with the parties and leads the process. It requires vulnerability and openness. It is good to voice the purpose of the RJ process over and over again, and to encourage people to bring up experiences if they feel that the facilitator is not impartial.

Facilitators need to be aware of the intersectional lived experience of victim and offender – and also their own ones, as the cases can trigger personal issues and value-or identity based “gut” reactions.

It is a good idea to explain the process to the people involved rather than to start with the label “restorative justice”. Facilitators can use a process called ‘virtual conferencing’¹⁷ to help them explain restorative justice. The method uses a series of questions:

- Imagine that person who caused the harm is in the room with you now.
- What would you say to them?
- How do you think they will respond to that?
- What questions would you ask?
- Do you think you could actually say these things to them face to face?

It is very useful for facilitators to set up regular times where they will update participants on progress, for example a monthly call or text, whether there is any progress or not. This contributes to a feeling of safety and being more in control, which is particularly important for victims of terrorist-based crimes but can also be hugely reassuring for the offender (although it can be harder to communicate with them if they are still in custody).

¹⁷ Brian Dowling and Why me?, [How to have a conversation with victims and people working with victims, 2017](#)

Co-facilitation allows the restorative justice practitioners to reflect on their own prejudices and subjectivity and provide support for each other before and after interventions. Good case supervision is essential on a regular basis and must be available when needed.

The location of the preparatory and actual meeting needs to be carefully selected. The encounter may have to be in prison, but even then some custodial settings, such as the prison gym or a therapy room, may be more optimal. The venue should also be neutral and easily and safely accessible, and meetings should be scheduled for a time which is not of any significance (e.g. not on national days or religious fasting periods or, indeed, the anniversary of the crime).

HOW CAN FACILITATORS IDENTIFY RISKS FOR CONTINUING WITH THE RESTORATIVE JUSTICE PROCESS AND MITIGATE SUCH RISKS IN CASES OF HATE CRIME? AND WHEN CAN THEY DECIDE TO PREVENT THE RESTORATIVE JUSTICE PROCESS FROM HAPPENING?

The more informed a facilitator is, the better. If a facilitator has a good understanding from personal experience, or from specialists working with people who have committed hate or terrorist offences, and victim organisations supporting people who are harmed by such offences, they can gain a fuller understanding of the specific views and needs of both parties, and that is very valuable. Still, a state of openness (“a beginners mind”) is needed for the restorative work, and the facilitators’ own interpretations need to be recognised.

Openness is particularly crucial when working with people who are victims of LGBT+ hate crime. These processes need a tailored and personal approach which takes into account issues of identity of all parties. Victims of these crimes may be subject to blackmail as they may not have alerted others to their status as LGBT+. There are also specific language issues such as which pronouns are preferred and to disallow behaviour such as 'deadnaming' of people who have changed their names. Agreed mechanisms for victims to alert the facilitators to microaggressions or feelings of being re-victimised, can be to use hand gestures or time outs. This is also the case with racialized people (visible minorities), who often find themselves called by names that the dominant group does not recognise as hurting or problematic.

If a language interpreter is used, then it is important to ensure that the interpreter(s) is neutral, does not have opinions about the crime or the individuals affected, and is not a participant in the conference.

Where the offender acknowledges the offence e.g. placing a bomb, but does not acknowledge the added element of hate or terror, then the facilitator must address this with them during the preparation phase for a restorative intervention. If the offender consents, the facilitator can then help to explain the perspective of the person who was harmed. Restorative facilitators will make the victim aware of these risk factors, and help them to come to their own conclusions as to whether they wish to continue with a restorative process in such circumstances. The facilitator should also be risk-assessing to determine whether it is safe or appropriate to proceed.

It is important to be honest with the harmed person that restorative justice may not focus on all of their needs and can only address the issues arising from the particular crime/harm for which they have been referred to the RJ process. A skilled facilitator will manage expectations of all parties about the specific aspects of the harm which is being addressed.

HOW TO SUPPORT RESTORATIVE JUSTICE FACILITATORS TO BETTER UNDERSTAND SOCIO-CULTURAL DIFFERENCES?

The first step is to acknowledge that we all have biases. This helps to keep a state of openness (“a beginners mind”). It is also helpful to understand one’s own personal and social identities and allegiances and how they affect the way one sees the world. Furthermore it is useful to have insights into how “us versus them” thinking solidifies stereotypes, categorisation, and bias, which in turn can affect relationships and turn suspicions to hate.

One example of a successful approach is the UK organisation, Why me?, London LGBT+ Restorative Justice hate crime project which collaborated closely with specialist LGBT+ agencies, such as GALOP, the anti LGBT+ anti-violence charity. The first stage of the project was to consult and cooperate with LGBT+ organisations to understand their and the LGBT+ community’s needs, issues and barriers for the restorative delivery team to gain a better understanding of LGBT+ perspective. It is also essential that communication and data-sharing protocols are understood by all parties. Having single points of contact in each organisation who will manage the referral process helps with this.

The recruitment and training of facilitators from the communities affected by hate, victims and perpetrators as well as vicarious victims, should also be considered, in order to increase the agency of affected communities, who often have to explain themselves and their culture to third parties.

People who have experienced identity-based crimes may have a series of complex needs such as mental health or substance misuse problems. They may also have increased vulnerabilities because of their experience of previous hate crime and the nature of hate crime itself. With hate crime, the person hates you because of who you are which can impact people’s sense of safety. Many people harmed by hate crime experience siege mentality, where they are constantly on the edge looking for the next incident of abuse.

However, such needs may not necessarily constitute a barrier to taking part in restorative justice. The people affected can be worried about being seen to be vulnerable, so it is important for facilitators to be respectful, and that their priority is to keep them safe. Restorative justice facilitators will adapt their practice to manage such needs and where

possible engage with relevant agencies that are also supporting an individual. Facilitators will discuss with service users if they identify a potential need and will refer/signpost to another agency. It is, therefore, important for restorative facilitators to be aware of services in the local area.

HOW SHOULD RESTORATIVE JUSTICE FACILITATORS PRACTICE SELF-CARE, AND WHAT TYPE OF SUPPORT SHOULD THEY RECEIVE WHEN FACILITATING THESE CASES?

Cases involving hate and violent extremism may challenge the facilitator's perception of their own identity or loyalty, or they may also be directly and indirectly targeted by the offender. The facilitators should always meet and debrief after individual pre-meetings or facilitated dialogue meetings between the parties. The debriefings should allow the facilitator to process their immediate impressions and emotions, and they should be allowed to "empty" themselves. It should be expected that the facilitators debrief and that they check and ask questions of their co-facilitator such as what was the meaning of that word, what happened when that person used that word or did that hand gesture?

Then the facilitators should move on to the constructive phase to analyse what was said and strategize how this can be constructively used in the process. Part of the debrief can also focus on future practical approaches to verbal abuse, microaggressions or non-verbal negative communication, should they take place. The facilitators should meet for a final debrief when they close the case, and they should be available for each other afterwards if new questions and reflections arise.

Finally, the facilitators should have access to supervision and guidance. It is crucial that they have a chance to reflect on the process with colleagues and supervisors. The supervisors should always provide follow up meetings with the facilitators and take the initiative to talk about the case. This should be done when the case is ongoing and when the case has been closed. Information about the case can be discussed anonymously or with consent from the participants.

HOW TO OFFER RESTORATIVE JUSTICE IN THESE CASES? WHAT TO CONSIDER WHEN CONTACTING THE VICTIM OR OFFENDER?

The information about restorative justice should be available to everyone so that they can make an independent and well-informed choice about whether to participate. RJ service providers should not be gatekeepers about the opportunities to participate. Facilitators and professional services need to put faith in the process, but also take care about safeguarding the victim/offender from malicious behaviour, whether intentional or not. For example, the request itself can cause harm, such as coercive control or further victimisation or retaliation, and the facilitator needs to be aware that this might be the case and guard against it. The RJ services should have the right to dismiss the case if it is not suitable and the parties should be made aware of this and the reasons behind the decision. When offering restorative justice in these cases, the victim should never be used in order to rehabilitate the offender or vice versa.

Normally RJ services will receive a request for restorative justice from the victim or offender. It is unusual for RJ services and facilitators to initiate these processes themselves. When the RJ services want to offer restorative justice in these cases, they should always consider the following:

- Should the victims/offenders be contacted directly or indirectly via third parties?
- Should they involve others, and if so, whom e.g. the victim's lawyer or associations for victims, prison staff? (remember the duty of confidentiality)
- Should the offer of restorative justice be made by letter? By phone? By text message? Face to face meetings?
- Where should the offer of restorative justice happen? The victim's house? The office of the RJ services?
- Who should participate? The facilitators who will work on the case? The victim and support person? Others?

When the RJ services receive a request from an offender who has committed acts of violent extremism or hate crime, the services should examine the motivation for the request. The RJ services should ask themselves the following questions after meeting with the offender to find out if the case is suitable:

- What does the offender want from meeting the victim?
- What can the offender offer the victim?

- Is the RJ service in any danger of being used by the offender to re-victimize the victim?
- Can an indirect process via proxy, letters etc. be considered?
- Are there other considerations which need to be evaluated in this specific context before the victim is contacted?

If the offender does not express regret or does not show signs of desistance, then the RJ services should be cautious about the motivation for the request. This might be a way for the offender to reach out to the victim, and the RJ services may be in the process of contributing to revictimization. If this is the situation, then the offender is not suited for restorative justice at this point, and the case should be closed. This is also the case if victims are revengeful or want to express hate and anger or retaliate in meetings with the offender. Then the case is not suitable for restorative justice and facilitated dialogue meetings.

In order to gain an understanding about how to approach a restorative process for the wider community, the testimonies at the end of this paper give examples of circles and facilitated dialogue which have involved a number of people who are affected in various ways, in addition to the victim and offender.

HOW TO IDENTIFY THE RIGHT SUPPORT PEOPLE FOR VICTIMS AND OFFENDERS IN THESE CASES?

The role of support people should be to provide support for each of the parties involved. Their role is to show emotional support, understanding for the process and support the parties as they proceed. Not to speak on their behalf or dominate the process.

In order to identify the right support people for direct or indirect victims of violent extremism, or violent extremists themselves, the needs of the participants must be considered. In order to identify these needs, these questions can be asked:

- What are your needs in this mediation process?
- Would a support person help you to address these needs?
- Who could this support person be?
- Do you know anyone who could be your support person?

The facilitator should discuss the role of support people with the parties themselves and their co-facilitator, including how active the support person should be, what they should say, when to talk and so on.

Some parties may want to involve a family member, a therapist, a prison guard or someone else. On the other hand, they may want to be private about restorative meetings and not let family members or anyone else know that they are talking to someone who could be perceived as an “enemy” or “opponent” of the family or group they identify with. The Restorative Justice principle about confidentiality should apply throughout the whole process for all parties, including support people.

In order to ensure that the “right” support person is selected to be part of the process, they must also have the time and capability to participate, as these processes may take quite some time from the initial phase to the end. The facilitator could also suggest a support person appointed by an organization for the support of victims or a social service worker, amongst others, depending on the context.

KEY POINTS

- A substantial amount of time should be spent on identifying the right support person, as the right support person could enhance the experience of all parties.
- The wrong support person who has not understood their role, dominates the parties in the mediation process, or accuses the other party and ruins communication, could very likely sabotage the process.
- Preparation of support people along with the participants is essential - clear expectation management, attendance throughout the whole process and debriefing after encounters.

HOW TO FOLLOW UP ON RESTORATIVE JUSTICE IN THESE CASES? AND HOW TO CONSIDER A PROCESS AS “SUCCESSFUL”?

In cases of violent extremism and hate crime the preparation of the process is essential as these conflicts affect and involve a plurality of actors beyond the offenders and the direct victims. The Restorative justice process can also affect the community on different levels (in cases of terrorism even affect the whole country). This preparation must include a mapping of the conflict, information on the different stages of the RJ process (many preparation meetings with victims and perpetrators to ensure balance of power and safe encounter for all), face to face encounters (if possible, positive and necessary), follow up and evaluation which will include indicators to measure the success of the process immediately after the encounter, and in the medium and long term.

In the preparation and designing of the restorative justice process and depending on the seriousness of the conflict (time, affected people, number of actors to be included in the process) the practitioners should determine guidelines for when the process should be concluded (calendar) and the timing for the follow up (immediate, medium and long term: after the encounters, after a couple of weeks and months and after one/two years). Time must be combined with other variables that must be kept in mind: people affected (perpetrators and direct victims, secondary victims, community and tertiary victims and the whole society).

Follow up should be done mainly with restorative interviews (radical listening) with those involved in the process. When appropriate, this follow up could also involve their relatives and friends, and the community at different levels. This is relevant if the processes have affected others who were not directly involved, e.g. others around the directly involved parties.

To be considered a successful RJ process, the practitioners have to agree in advance on the indicators to check this in the follow up, and the evaluation at least in two different levels:

- Monitoring and evaluating the satisfaction of the parties involved, and learning about development of the restorative justice competencies, and restorative tools for the future; impact on the secondary victims, relatives and friends (how they feel before and after the RJ process about the conflict, now and in the future).

- Impact in the community in the different levels (level of awareness and public debate, impact in the media or political agenda, exportation to other settings like schools or community centers, new programs as a continuation).

KEY POINTS

- Preparation work with offenders takes a long time if they have not done their personal way of desistance.
- The process should be designed as victim oriented to ensure victims are not used only for reintegration of the offenders but to create safe spaces for victims to avoid secondary victimization.
- Community should be included somehow in all stages. In the last stage, accompanied and trained victims and offenders can become “peace agents” in their communities to ethically dismantle hate speech and violence.
- If face to face encounters happen, immediate accompaniment for offenders and victims is needed in the following days (new questions arise, big emotional impact, need of care).
- Follow up is an opportunity to spread the restorative impact to others (need to be well planned). Evaluation and evidence is the best tool to raise awareness and disseminate the impact of restorative justice to society.

CONCLUSION

This paper offers insights from a group of restorative professionals into the practice of safe and successful restorative justice with people involved with and affected by hate crime and acts of violent extremism. Based largely on practical application, but also academic research, the central conclusion is that restorative justice can be used to address the impact of harm caused by hate crime and violent extremism. There are many practical considerations, but if the fundamental principles of restorative justice are followed, then the flexibility of the process offers people a chance to heal and move forward as a result of a constructive restorative dialogue.

KEY POINTS AND RECOMMENDATIONS

GENERAL CONSIDERATIONS ABOUT RESTORATIVE JUSTICE PROCESSES

1. Restorative justice has the potential to help people to heal, obtain answers to their questions and repair relations and move on in their lives. The decision to participate is an individual choice which can be an option but certainly not a prescription for everyone. The parties should have the right to withdraw from the process at any time.
2. One of the most important challenges that practitioners should be aware of when working with violent extremism and hate is the power imbalance related to identities. In cases where identity is the focus, no party is neutral. The facilitator should be very aware of the lack of neutrality and also explain to participants the intention of multipartiality and the goals of restorative justice. It is of utmost importance to foster mutual recognition of each other as human beings and to create space for this recognition to take place. The facilitator must know about potential blackmailing of victims, for example, who have not alerted others to their status as LGBT+. The facilitators should also know about specific language issues such as which pronouns are preferred and disallow behaviour such as «deadnaming».
3. Reconciliation occurs when the parties have the need for it. Where reconciliation is forced or given attention too early on in the process, the core of the restorative process itself becomes endangered: restoring an unhealthy relationship can reinforce the power imbalance that might have been the reason for the conflict. This can be harmful, and therefore, this requires a lot of patience and time from the facilitator. The ownership of the conflict must remain with the parties, which can often be difficult and challenging, and can cause uncomfortable feelings that the facilitator must handle.
4. The process should be victim-oriented to ensure victims are not taken advantage of for the benefit of the offender's reintegration and to create safe spaces for victims and avoid secondary victimization. Facilitators and professional services need to put faith in the process, but also take care about safeguarding the victim/offender from malicious behavior, whether intentional or not, and harm caused by the request, such as coercive control, further victimisation or retaliation.
5. The RJ process may take a long time so the individuals and services engaging in these processes need to be committed to satisfactory completion without causing further harm. Facilitators must be available for the duration of the process, which can take months and even years.
6. There should always be at least two facilitators present at each meeting to support the parties, support each other, facilitate the process and debrief. Facilitators should

be aware that working on these cases may trigger personal issues and value- or identity based “gut” reactions. The facilitator should recognize their own bias and reflect on their own personal and social identity in cases of violent extremism and hate crime. The facilitator must balance between “shadowing” a specialist and gaining specific views and needs of both parties and seeing the case with a “beginners mind” in order to interpret the situation themselves.

7. Where possible, the recruitment of facilitators in these cases should consider representation of the communities affected by hate or violent extremism.
8. All parties are treated equitably according to need and no preference is given to any participant based on moral judgements the facilitators or society may have about the rights and wrongs of the original act. The facilitators must see past the actions of the offender and see the offender as a human being. Preparation work with offenders takes a long time if they have not worked hard at their own rehabilitation and shown signs of desistance. If offenders are not able to take responsibility for their actions, then the case is not suitable for restorative justice with the victim.
9. There should be a distinction between men, women and children who are returnees in the RJ approach, as they may have had very different experiences which leads to different needs. Children may be highly traumatized and there should always be a risk assessment as to when restorative justice should be provided, especially if children are in rehabilitation or reintegration.

SPECIFIC POINTS FOR RESTORATIVE JUSTICE FACILITATORS

10. There should always be several pre-meetings with both the victim and offender before the face-to-face meeting takes place with both parties.
11. Facilitators should have the right to end the process at any stage if they find that the parties are not suited for restorative justice.
12. Facilitators should set up regular times where they will update participants on the progress of the process, even though nothing new has happened, e.g. a monthly call or text.
13. The venue should be neutral and easily and safely accessible, at a convenient time that the parties and facilitators decide.
14. If an interpreter is used, then the interpreter should be certified as an interpreter, be neutral and not have opinions about the crime or the individuals affected. Family members or anyone close to the victim or offender should not interpret.
15. Every participant should be committed to basic ground rules based on principles of restorative justice and respect these ground rules. The facilitator should manage the parties expectations as to what to expect from restorative justice. Facilitators should explain the process rather than using terms such as restorative justice, which may be foreign and confusing to the parties. A process

called “virtual conferencing” may help facilitators to explain restorative justice. The RJ services should have the right to dismiss the case if it is not suitable and the parties should be aware of this possibility.

16. The safety for all parties involved should be assessed continuously, and if the offender is in custody, this should be done in collaboration with the correctional services.
17. The facilitators should always debrief the meetings and have support among their colleagues and supervisors.
18. A substantial amount of time should be spent on identifying the “right” support person to enhance the experience of all parties, provide support and ensure respect for the process of the parties. While the “wrong” support person who has not understood their role, who dominates the parties in the mediation process or accuses the other party and ruins communication, could sabotage the process.
19. If face-to-face encounters take place, there needs to be immediate communication with all parties in the following days because new questions arise and they will be processing complex emotions and need care.
20. Follow up with all parties is an opportunity to spread the restorative impact to others but needs to be well planned and ideally be part of the process from the beginning, with the consent of all parties. Evaluation and evidence is the best tool to raise awareness and disseminate the impact of restorative justice to society.

COMMUNITY AND PUBLIC CONSIDERATIONS

21. The crimes and offences may have attracted attention from the media, and whole communities and whole countries may be affected. A challenge for the parties may be to balance their personal need for dialogue with the offender or victim versus the fear of stigmatization and condemnation if others find out they are engaging in dialogue. The facilitator should be aware of this and inform the parties about the duty of confidentiality and consent if the parties wish to share information. Take media interest and public approbation into account when conducting restorative justice in these cases to ensure that the confidentiality of all parties is safeguarded.
22. The community should be represented in some way in all stages. In the last stage, accompanied and trained victims and offenders can become “peace agents” in their communities to ethically dismantle hate speech and violence. Equally, do not limit the people who can benefit from the restorative justice process to returnees and people who have committed acts of violent extremism, as it can extend to family members (parents, children-returnees, grandchildren/returnees) and communities. Restorative justice in cases of returnees and violent extremists may also be an opportunity for reintegration into the community or society where they will be released from prison.

TESTIMONY

Restorative encounters between ex-ETA members and victims

Roberto Moreno, Officer Responsible for Justice and Prisoners, Ararteko - Ombudsman for the Basque Country

Basque Country 2011-2012, 14 encounters, two direct victims

Prisoners who had publicly desisted from the separatist organization ETA and violence had expressed both remorse for the harm caused and a desire to contribute to the reparation process. The Victims of Terrorism Support Direction of the Basque Government received the request to contribute to the victims' reparation, and took the initiative to contact the victims.

Restorative encounter: face-to-face interpersonal communication between the ex-ETA member and the direct or indirect victim, in a physically and emotionally safe environment, helped by a restorative justice facilitator.

Conditions of participation:

- No legal consequences for the offender;
- Involvement is voluntary for all;
- Prisoners must accept moral responsibility and reaffirm their commitment to desist from further criminal behavior;
- No guarantees that the encounter will happen;
- Confidentiality is respected;
- No results guaranteed;
- Non-directive style of mediation. Facilitators encourage dialogue and interrupt only when necessary;
- Direct help for victims given by Victims of Terrorism Support Direction;
- If an encounter occurred inside of a prison, collaboration of prison staff was enlisted.

Features of the restorative encounters:

- Developed at the micro-level of restorative processes;
- Independent of the criminal justice system;
- Primarily oriented towards selected victims and offenders. Narratives were the heart and soul of the dialogue during the restorative meetings. Each participant brought their own strengths, qualities, and perspective to the experience;
- High emotional intensity; Facilitators displayed a non-judgmental attitude;

- Extensive preparation of the participants, conducted by professionals, was often necessary. In some cases, there were multiple separate meetings prior to the main meeting;
- Facilitators had multiple phone conversations with individual participants to provide emotional support before the meeting;
- Participants were trained in communication skills and expression of emotions, when deemed necessary by the facilitators;
- Facilitators clarified boundaries of communication to all participants beforehand (e.g., while expressing emotions was encouraged, they emphasized that this was a restorative encounter with specific goals, not an individual therapy session).

Reasons for success

Victims: The meeting helped victims to reflect on their hateful perceptions and become less vengeful toward the offender. Victims were extremely satisfied when they observed positive behavioural change (particularly expressions of remorse) in the offender; Integrating community members and concerns into this process offered hope and guidance to the next generation.

Offenders: This process helped offenders who did not feel they deserved a victim's forgiveness. These prisoners encouraged desistance (de radicalization) in others, delegitimizing violence as a strategy and promoting community healing. The meeting deeply humanized both victim and offender and offered an important contribution for reconciliation in the Basque Country.

TESTIMONY

Restorative encounters with ex-combatants and victims of the armed conflict in 1980's Italy

Emanuela Biffi, Projects & Events Officer at the EFRJ and Graziella Fourez, PhD in Law at the University Saint-Louis of Brussels

The Italian experience of restorative justice and violent extremism (see “Il libro dell’incontro”) has brought together, for almost 15 years, a group of about 60 individuals including:

- the so-called “witnesses” who experienced in first person the terrorist attacks in Italy in the 1980’s (including former members of armed groups; direct and indirect victims; children and family members of both the former members and the victims);
- three facilitators with interdisciplinary professional and activist experiences (including the Jesuit priest Guido Bertagna; the criminology professor Adolfo Ceretti; and the criminal law professor Claudia Mazzucato);
- the so-called “first third parties” who were representatives from civil society, especially young adults and students;
- the so-called “guarantors”, a sort of scientific committee of wise men and women with different professional backgrounds.

This group participated in different types of restorative justice processes, such as:

- Mediation (victim-offender mediation, or mediation between former members of the armed groups only);
- Conferences (involving only the witnesses, or including also the third parties and/or the guarantors);
- Community circles (open to the wider public).

The idea of these restorative encounters started in 2007 with individual meetings. From 2009-2013 the group expanded mostly due to word of mouth, and group members gathered together for residential weeks which included mediations and conferences. In 2013 the group decided to “go public” and write the book “Il libro dell’incontro” to tell their story to those who could not participate live to share their own experiences. Despite the challenges of the pandemic in 2020-2021, the group still meets, currently mostly online.

Each individual committed to basic ground rules of restorative justice processes and of general education and conviviality, such as:

- Respect
- Freedom of participation
- Confidentiality
- Active listening
- Care for others
- Gracefulness
- Seriousness and sobriety
- Balance between time for talking and time for silence
- Punctuality
- Equidistance

The group's dynamics are shaped by sharing narratives (personal narratives as well as narratives from literature, poetry, cinema, arts, and religion), telling the truth (personal stories in a spirit of open heartedness) and having actual encounters (with people as well as with places). These three practices counteract the trauma of historical-political memories by encouraging participants to share more universal and human stories.

The main obstacles faced by the group throughout these years concerned trust issues (among each other and with the facilitators), the effects of past traumas, the impossibility for facilitators to be "impartial" after so much sharing, fatigue and burnout, and media coverage and exposure of the effects of violent extremism.

TESTIMONY

Action research on the engagement of politically motivated prisoners in Northern Ireland

Tim Chapman, Chair of the EFRJ board

The characteristics of politically motivated offenders include: a clear political ideology and strategy, a view of their victims as the enemy and of violence as a justifiable means of achieving political goals, collective rather than individual responsibility, an ability to articulate their views clearly and assertively and a strategically antagonistic position in relation to authority.

They represent an obstacle to engagement in several of the objectives of rehabilitation: consequential thinking, empathy for victims, personal responsibility for offending and cooperation with the system.

We wanted the participants both to speak openly about their personal experiences without fear of judgement and to apply critical thinking to these experiences. Our method was to engage the prisoners in a learning process, which would include posing moral questions. We also offered the participants the opportunity to enroll in training in restorative practices.

The first step was to build a working relationship with the prisoners. The primary responsibility was to establish a space in which participants felt free to communicate openly without fear of condemnation and/or punishment. We stressed that what was said in the group would be confidential. However, if individuals spoke of crimes that had not been prosecuted through the courts, we would be obliged to pass on this information to police. We stressed that we were not seeking intelligence on behalf of the authorities. Critically with politically motivated prisoners, the exercise of power becomes more explicit. We wanted to be as transparent as possible about ourselves, our purpose and our role. To this end, we sought and gained permission to ask difficult questions.

We learnt that to establish respect we needed to deal with disrespect. Each of the facilitators was subject to fairly unsubtle verbal aggression by the prisoners over the first few sessions. It was clear that they were testing our integrity, especially in relation to managing our own judgements and reactions to these attacks and to our commitment to listen and to understand. Eventually, the group settled and each individual maintained a high level of respect throughout the remainder of the programme.

Building on the trust and respect that we generated, we entered into dialogue to deconstruct and analyse the beliefs within a group setting. An ambivalence about almost every aspect of their ideology emerged. These difficult conversations created a healthy frustration, preparing them for the next stage in the programme. We engaged the group in a process of critical thinking about their ideology. This prepared the group to be open to a new approach to conflict. We introduced them to the principles and practices of restorative justice. They were astounded as to how this approach achieved significantly positive results for all parties.

The application of this approach was then extended to other situations, particularly to conflicts within the prison. The focus of restorative justice opened up the group to talk more openly about victimisation. The conversation increasingly included personal rather than collective narratives. The dialogue on victims focused not only on those directly harmed by the participants but also their families, the communities that had witnessed and been affected by the violence and the participants' own families. This led to some individuals speaking of their own victimisation prior to committing extreme violence. This approach succeeded in engaging highly distrustful individuals in difficult conversations that did raise awareness.

We found that given the right approach, these prisoners were open to critical and personal reflection on their ideology and practices. They expressed a wish to redeem themselves with their families and their community. They did not renounce violence but did acknowledge that it was only justified in very specific and limited circumstances.

TESTIMONY

Community-based approaches in Pakistan

Ali Gohar - Bradford United Kingdom, Birth Place Swabi-Peshawar Pakistan

In Pakistan, there are two community-based approaches which can be used to describe how to face individuals and groups motivated by religious fervor and revenge. The first approach is the religious perspective: using religious, peaceful messages (e.g. a person who saves the life of another, saves humanity. Or a person who kills one person harms humanity, and that person will ultimately face the curse of God. The second approach is the revenge focus which requires a culturally appropriate approach that understands and addresses concepts such as shame, honour, and what other people will say or think. These elements motivate a person, or a group to harm others.

In both these religious and culturally appropriate approaches, restorative justice may play a crucial role. From the religious perspective, forgiveness has a high place in Islam. God promises that if someone forgives another, even if he/she is in a position to take revenge, the reward is with God almighty.

Islamic law offers three options for the victim when a crime is committed:

- If the offender is found guilty, then the victim can take revenge by inflicting the same harm he/she suffered;
- Receive blood money (called Khuan Baha) or
- The victim may forgive the offender for the sake of God

In the Jirga system in Pakistan (a tribal council), most of the parties in the reconciliation process choose the third option.

A victim's desire for revenge can be addressed by restorative encounters where the victim and the offender communicate with each other through middle men (as the parties are kept apart until and unless they are fully motivated for reconciliation, as there is danger of more violence if emotions remain high). Once they do meet, the first

approach is mediation. Families and/or tribes sit together and consider different options. Then the facilitators who are Jirga members take away (power of decision making) from both parties and decide the outcome through arbitration. In this stage of the process the facilitators are guided by prevailing customs and traditions. Facilitators reconcile the parties, bring the holy Qur'an, and conclude in the presence of the whole community.

The enemies become brothers, forgive and forget past enmities, and serve as facilitators for other victims and offenders. They often bring newfound empathy to community conflicts. In these two approaches, elements of restorative justice play an important role. Mediation, family group conferences and circles may all take place depending on the needs of the parties. Such practices are common in some parts of the developing world and provide ample opportunities to address hate crime and violent extremism. Religiously and culturally appropriate approaches will be the foundation for any restorative justice movement in such areas of conflict.

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"White Right: Meeting The Enemy" - Deeyah Khan. <https://deeyah.com/blog/white-right-meeting-enemy/>

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United Nation. *VICTIMS of TERRORISM SUPPORT PORTAL*. (n.d.). Spain. 2020. Retrieved June 3, 2021, from <https://www.un.org/victimsofterrorism/en/member-states/spain>

THE AMERICAN PERSPECTIVE ON VIOLENT EXTREMISM AND RESTORATIVE JUSTICE

Note: The following resources may offer insight or information on the American experience of violent extremism, including its origins and more recent efforts to design solutions based on community engagement and restorative justice encounters. The United States has no federally-based organization or strategy to counter violent extremism. Restorative justice, in the form of victim-offender dialogue, is gaining traction in some local areas, although it has long been used to settle conflict in indigenous tribal communities.

Articles

"Addicted to Hate: Understanding the Motives of Former White Supremacists." *RTI*, 30 Aug. 2018. Published under the auspices of RTI, this essay is part of a collection that aims to support violent offenders in making the transition from disengagement to deradicalization.

Bader, Eleanor J. "Former White Supremacists Are Helping Others Disengage from Hate Groups." *Progressive.org*, 20 Jan. 2021. In the aftermath of the January 6, 2021 insurrection in the Capitol, leaders have focused on the complex factors that drive membership in right-wing extremist groups. Christian Picciolini, former white supremacist leader and founder of the deradicalization group Free Radicals, is profiled here.

Bilazarian, Talene. "Countering Violent Extremist Narratives Online: Lessons from Offline Countering Violent Extremism." *Policy & Internet*, 6 May 2019, 10.1002/poi3.204. This *Policy and Internet* article analyzes attempts to counter online extremist groups with counter-extremist narratives used in offline community-based programs.

- Clifford, Bennett. *Radicalization in Custody towards Data-Driven Terrorism Prevention in the United States Federal Correctional System*. Program on Extremism. George Washington University, 2018. This paper explores radicalization and violent extremism in the United States federal correctional system. Noting the “feedback loop” (researchers need programs from which to collect data while practitioners are reluctant to implement programs without data), the author urges authorities to implement a pilot intervention program in the federal correctional system.
- Dean, Christopher. “The Role of Identity in Committing Acts of Violent Extremism – and in Desisting from Them.” *Criminal Behaviour and Mental Health*, vol. 27, no. 4, Oct. 2017, pp. 281–285, 10.1002/cbm.2048. Theoretical underpinnings of identity-based extremism are explored.
- Hu, Jane C. “Former Neo-Nazis Use Empathy to Deradicalize Extremists.” *Quartz*, 9 Nov. 2018. Profile of Shannon Martinez, co-founder (with Christian Picciolini) of the Free Radicals project to stop the spread of white supremacist ideology and violent extremism.
- Ingram, Haroro J. “Confronting America’s Violent Extremists: A Terrorism Prevention Strategy for the Homeland.” Middle East Program. Foreign Policy Research Institute. November 26, 2018. The author suggests a series of practical approaches and specific steps to develop a terrorism prevention strategy.
- Kaplan, Ivy. “An inside Look at the First US Domestic Deradicalization Program.” *The Defense Post*, 12 Feb. 2019. Published by the independent media group The Defense Post, this piece offers a brief, insightful look at the motives behind white supremacist domestic terrorist groups. Author Ivy Kaplan notes that the American prison system has no deradicalization program, which means that violent extremist groups have proliferated among inmates.
- Komorosky, Dawna, and O’Neal, Keri K. “The Development of Empathy and Prosocial Behavior through Humane Education, Restorative Justice, and Animal-Assisted Programs.” *Contemporary Justice Review*, vol. 18, no. 4, 2 Oct. 2015, pp. 395–406, 10.1080/10282580.2015.1093684. Accessed 6 Sept. 2019. This policy paper explores the social, cultural, and psychological benefits of teaching restorative justice in the prison setting.
- Narea, Nicole. “Labeling Groups like the Proud Boys ‘Domestic Terrorists’ Won’t Fix Anything.” *Vox*, 19 Feb. 2021. This piece takes a counterintuitive approach in suggesting that designating groups like The Proud Boys domestic terrorists might ignite rather than quell violent divisions.
- Patel, Nirali. “Public Policy Panelists Talk Domestic Violent Extremism Three Months after the Capitol Riots.” *The Michigan Daily*, 30 Mar. 2021. Hosted by The Gerald R. Ford School of Public Policy at the University of Michigan, this panel featured guests including New York Times Magazine journalist Janet Reitman and Chief

Strategy Officer of the Global Project Against Hate and Extremism Heidi Beirich as they explored the factors that led to the January 6 insurrection.

Scrivens, Ryan, et al. "Combating Violent Extremism: Voices of Former Right-Wing Extremists." *Studies in Conflict & Terrorism*, 11 Nov. 2019, pp. 1–21. The authors urge a multidimensional response to violent extremism, with the participation of offenders, victims, and community members.

Sliva, Shannon M. "A Tale of Two States: How U.S. State Legislatures Consider Restorative Justice Policies." *Contemporary Justice Review*, vol. 20, no. 2, 3 Apr. 2017, pp. 255–273, 10.1080/10282580.2017.1307111. Accessed 17 Aug. 2020. This paper considers the arguments in favor of adopting restorative justice programs for juveniles in the state legislatures of Colorado and Texas. Over the years, such programs have been developed, then weakened or eliminated by opposing lawmakers, and sometimes reinstated after several years.

Toews, Barb. "Toward a Restorative Justice Pedagogy: Reflections on Teaching Restorative Justice in Correctional Facilities." *Contemporary Justice Review*, vol. 16, no. 1, Mar. 2013, pp. 6–27, 10.1080/10282580.2013.769308. The author describes her own experience teaching restorative justice in partnership with The Inside-Out Prison Exchange Program, which facilitated collaboration between adult inmates and college students outside prison.

Winslade, John. "Can Restorative Justice Promote Social Justice?" *Contemporary Justice Review*, vol. 22, no. 3, 3 July 2019, pp. 280–289, 10.1080/10282580.2019.1644173. This paper argues for the implementation of restorative justice programs in order to facilitate social justice inside and outside prison walls.

Books

Mcaleer, Tony. *The Cure for Hate : A Former White Supremacist's Journey from Violent Extremism to Radical Compassion*. Vancouver, Bc, Arsenal Pulp Press, 2019. This memoir attests to the welcome power of compassion the author received from those he once hated.

Picciolini, Christian, and Malcolm W Nance. *Breaking Hate : Confronting the New Culture of Extremism*. New York, Hachette Books, 2020. Picciolini's newest book is being produced by MSNBC as a documentary series. The book explores how white nationalist ideology has entered American political discourse, aided by former President Trump who emboldened Neo-Nazi groups during his administration.

Picciolini, Christian, and Joan Jett. *White American Youth : My Descent into America's Most Violent Hate Movement -- and How I Got Out*. New York, Hachette Books, 2017. Picciolini's first book traces his own journey from disaffected youth to

social justice activist. His description of how the white nationalist movements in the United States recruit law enforcement to join their ranks is noteworthy.

Swanson, Cheryl G. *Restorative Justice in a Prison Community: Or Everything I Didn't Learn in Kindergarten I Learned in Prison*. Lanham, Lexington Books, 2010.

Weaving interviews and questionnaires, the author explores the lives of inmates in a restorative justice dorm in an Alabama prison.

Films and Television

Healing from Hate: Battle for the Soul of a Nation. Big Tent Productions, 2021. Dir. By Peter Hutchison. Based on the 2018 book by Michael Kimmel, this documentary explores the major causes of white supremacist doctrine and hate, and features in-depth testimonials from former extremist leaders including Christian Picciolini.

Homegrown Hate: The War Among Us. ABC News, 2020. The documentary, hosted by Linsey Davis, investigates hate & white supremacy in America.

The Redemption Project. CNN Productions, 2019. This series is hosted by Van Jones, an attorney, journalist, and social justice advocate. Throughout the six episodes, Van Jones offered viewers a rare glimpse into the victim-offender mediation process and interviewed all parties before and after their encounters.

Welcome to Leith. No Weather and Sundial Pictures, 2015. Dir. by Michael Beach Nichols, Christopher K. Walker. This documentary feature explores what happens when a noted white supremacist moves into the town of Leith, North Dakota, prompting the residents to join forces in opposition to his bid for municipal control. .

White Noise. The Atlantic, 2020. Dir. by Daniel Lombroso. This American documentary film covers three figures in the alt-right movement: Richard B. Spencer, Mike Cernovich, and Lauren Southern.

Policy Reports

“Ideological Motivations of Terrorism in The United States.” *National Consortium for the Study of Terrorism and Responses to Terrorism*. November 2017. www.start.umd.edu/pubs/START. This background report by START (National Consortium for the Study of Terrorism and Responses to Terrorism) traces the ideological and historical origins of violent extremism in the post-9/11 United States.

TED Talks

“Finding My People and Healing from White Supremacy | Mandy Lee | TEDx HopewellValleySchools.” *www.youtube.com*, www.youtube.com/watch?v=CrBOWg-leEQ. Accessed 10 May 2021. This stirring testimonial offers a unique offender’s perspective on the process of deradicalization.

“My Descent into America’s Neo-Nazi Movement & How I Got out | Christian Picciolini | TEDxMileHigh.” *YouTube*, 20 Dec. 2017, www.youtube.com/watch?v=SSH5EY-W5oM&t=3s. In his signature testimonial, Picciolini speaks at length of the “potholes”, or gaps in nurturing, that led him to violent extremism, and of the people he met whose radical compassion sparked his own healing.

“Why I Talk to White Supremacists | Vidhya Ramalingam | TEDxLondonWomen.” *www.youtube.com*, www.youtube.com/watch?v=Otv0WVgHc3U. December 2019. The daughter of Indian immigrants who attended white nationalist rallies in Sweden in an attempt to understand why people gravitate to hate groups, Vidhya Ramalingam found her own way to take on violent extremism.

Websites

The Insight Prison Project. (www.insightprisonproject.org). The *Insight Prison Project* was founded in 1997 in California for 14 male inmates at San Quentin Prison. Over the years the program expanded to include thousands of people in and out of prison throughout the state. IPP’s main program is the 18-month long *Victim/Offender Education Group* (VOEG), a class that was designed by licensed mental health therapists in collaboration with survivors of violent crimes and people incarcerated for previously violent behavior. IPP provides highly trained facilitators and creates a space with VOEG that allows victims and incarcerated people an opportunity to work together. This process, according to the website, “dramatically aids in the healing process for everyone involved, and enhances public safety by greatly reducing recidivism.”



RESTORATIVE JUSTICE IN CASES OF VIOLENT EXTREMISM AND HATE CRIMES

This practice guide addresses restorative justice practitioners with a set of key questions relevant to identify risks and challenges when proposing restorative justice in cases of violent extremism and hate crime. It also includes testimonies with the main key-lessons learnt from restorative experiences and research in the field.

This practice guide has been published in June 2021, edited by Joakim Hope Soltveit (Norway), Lucy Jaffe (UK) and Cheryl Lubin (USA). It is the result of a collaborative project between the members of the Working Group on Violent Extremism of the European Forum for Restorative Justice.

