



Terre des hommes
Helping children worldwide.



Co-funded by
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CHILD-CENTRED TOOLKIT ON RESTORATIVE JUSTICE FOR MEDIA PROFESSIONALS



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 EUROPEAN
FORUM FOR
RESTORATIVE
JUSTICE



REPUBLIC OF ESTONIA
SOCIAL INSURANCE BOARD

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The toolkit has been developed within Terre des hommes i-RESTORE 2.0 project
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Disclaimer

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INTRODUCTION TO THE TOOLKIT

About the implementing organization

Terre des hommes (Tdh) is the leading Swiss organization for children's aid. Through Tdh's protection, children and youth on the move, access to justice and emergency relief programmes, Tdh provides assistance to over four million children and their families in more than 40 countries each year through innovative and sustainable solutions. In Europe, Tdh works with children who are affected by migration, who come in contact with the justice system as victims, witnesses or offenders, and who need general protection measures including from the risk of abuse, trafficking and exploitation.

About the project

This toolkit was prepared within the framework of Tdh's project entitled i-Restore 2.0: Accessible Quality Restorative Justice Processes for Children in Contact with the Law co-funded by the Justice Programme of the European Union.

The overall objective of i-RESTORE 2.0 is to enhance accessibility to high-quality restorative justice processes for child victims and children suspected and/or accused of crime in Europe.

As part of the project, Tdh focuses on the promotion of child-centred restorative justice. Along this line, the toolkit aims to equip media professionals to better understand the concept and importance of child-centred restorative justice. Additionally, another aim is that media professionals will be able to cover cases related to child-centred restorative justice in a wider scale contributing to an extensive recognition and support of restorative justice within the general public.

The main target audience of this toolkit is media professionals working both in the traditional media outlets as well as on modern social media platforms.

RESTORATIVE JUSTICE

Contextualizing

In today's society, there is a general dissatisfaction with the operation of criminal justice system. It is also critiqued that the institutions established to deal with conflicts moved far from the environment in which those originally arose¹. It implies that legal remedies and the entire legal procedures are rather distant from the victims, offenders, and their environment.

Restorative justice approaches justice services from a significantly different angle. Historically, restorative justice is related to ancient and indigenous practices employed in Native American, First Nation Canadian, African, Asian, Celtic, Hebrew, Arab and many other cultures². Tdh's report also draws attention to the fact that restorative approaches were a part of justice practices already in ancient times such as in Greece and the island of Crete³. In the modern time, restorative justice can be linked to the 1970s as a form of mediation or reconciliation between victims and offenders⁴.

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Defining restorative justice

“Restorative justice is an evolving response to crime that **respects the dignity and equality of each person**, builds **understanding**, and promotes **social harmony** through the **healing of victims, offenders, and communities**.

This approach enables those affected by crime **to share openly** their **feelings** and **experiences** and aims at addressing their needs on a

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⁽¹⁾ Katalin Gonczol (2007). The philosophy of restorative justice. Available at: <https://szakikkkadatbazis.hu/doc/7768396>

⁽²⁾ International Institute for Restorative Practices (2013). Defining Restorative. Available at: <https://centre.upeace.org/wp-content/uploads/2019/02/6-defining-restorative.pdf>

⁽³⁾ Annemieke Wolthuis and Ioanna Stentoumi (2023). Restorative Justice Practices for Children in Contact with the Law in The Netherlands & Greece. Available at: https://tdh.gr/sites/default/files/2023-04/Report%20-%20Restorative%20Justice%20Practices%20for%20children%20in%20contact%20with%20the%20law%20in%20The%20Netherlands%20%26%20Greece%20-%202023_o.pdf

⁽⁴⁾ International Institute for Restorative Practices (2013). Defining Restorative. Available at: <https://centre.upeace.org/wp-content/uploads/2019/02/6-defining-restorative.pdf>

voluntary basis.

Also provides an opportunity for **victims to obtain reparation, feel safer** and seek closure; allows **offenders to gain insight into the causes and effects** of their behaviour and to **take responsibility** in a meaningful way; and enables **communities to understand the underlying causes of crime**, to promote community wellbeing and to prevent crime.

Restorative justice gives rise to a range of measures that are flexible in their adaptation to established criminal justice systems and that complement those systems, taking into account legal, social and cultural circumstances.

It recognizes that the use of restorative justice does not prejudice the right of States to prosecute alleged offenders”⁵.

Accordingly, the most important elements of restorative justice are as follows:

- Element 1: **respect for all parties**, building understanding and social harmony
- Element 2: provide **opportunity for all three parties** (victim, offender, and communities) to recover. Ensure that **all parties share their feelings**, experiences, and fears. It is also preferred that the victim directly communicates with the offender. However, it is not always the case, as with practices like shuttle-mediation or restorative circles with unrelated victims and offenders of similar types of crime.
- Element 3: **all parties respectively benefit from the process** of restorative practices. The victim obtains reparation, the offender better understands the harm caused and its consequences and the community better understand the roots of crime.
- Element 4: restorative justice strives to **repair the relationship** between the perpetrator and the victim, to reduce the harm caused to the victim and the offended community, and to resolve the conflict manifested in the crime.

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Via this approach, “punishment” will be perceived differently. Restorative justice processes reflect the understanding that crime and other acts of wrongdoing do not only violate laws, but most importantly also cause harm to people, communities, and relationships. Via restorative justice, the unnecessary and inappropriate retaliatory element is reduced, and more focus is placed on the use of restitution as compensation for losses. At the

GOALS OF RESTORATIVE JUSTICE

Put key decisions into the hands of those most harmed by crime.

Make justice more healing and ideally more transformative

Prevention: reduce the likelihood of future offences.

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⁽⁵⁾ UN-Economic and Social Council (2002). Basic principles on the use of restorative justice programmes in criminal matters. Available at: <https://www.un.org/en/ecosoc/docs/2002/resolution%202002-12.pdf>



Restorative Justice

same time the rationality of the punishment increases, namely for the offender, the victim, and the affected community together. Last but not least, restorative justice, offers victims and their supporters (community) an opportunity to talk directly with offenders.

Restorative justice and children

Restorative justice can also be applied in cases of children in conflict with the law. This is called child-centred restorative justice. The European Forum for Restorative Justice describes restorative justice as follows with special focus on children. «*Restorative justice is an approach of addressing harm or the risk of harm through engaging all those affected in coming to a common understanding and agreement on how the harm or wrongdoing can be repaired and justice achieved. Restorative justice is a communication process and an approach to justice in which the child's right to be heard is actively implemented. Restorative justice takes children seriously, creating a safe space for them to take responsibility and involving them in all*

matters that concern them. Its basic principles are voluntariness, confidentiality, and impartiality of the facilitators. The aim is to create the possibility for the harm doer and the one who is harmed to meet or to share information in order to see if (some) things can be restored and if they can make plans for the future.»⁶ It is pivotal to note that restorative practices for youth should be done in a child-friendly way involving specially trained facilitators and paying attention to power imbalances and safety in preparations, during and after the meetings.

In order to better understand the importance of child-centred restorative justice, it is pivotal to gain more insights into the matter of child justice. According to the UN Convention on the Rights of the Child and the UN Committee on the Rights of the Child in its new General Comment 24 on children's rights in the child justice system the following points are emphasized:

- Children should learn from their mistakes
 - The best interests of the child and child-friendly procedures are a primary focus
 - Minimum Age of Criminal Responsibility (MACR) should be 14 (CRC General Comment 24)
 - Special attention should be paid to development, personal responsibility, and evolving capacities of children
 - Diversion is to be used where possible, i.e. avoiding the criminal process
 - Re-integration of the child back into society is the main goal
 - Detention is only used as a measure of last resort
- Attention, protection, and care for victims, especially children, are critical⁷

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Additionally, there are several publications/reports that have reflected on the importance of child-friendly justice. The Council of Europe (CoE) adopted a guideline in 2010 to improve access to justice for children, including their treatment while in contact with justice processes and professionals. The Office of the Special Representative of the Secretary General on Violence Against Children has promoted restorative justice with children in its report published in 2013. It has argued to move from a punitive model to a more restorative one, particularly for children. Furthermore, the Council of Europe Recommendation on Restorative Justice and the revised United Nations Office on Drugs and Crime (UNODC) Handbook on Restorative Justice Programmes both pronouncedly stated the rights of children participating in a restorative programme or mediation⁸. Lastly, there are various international instruments (UN Principles of Restorative Practices, the revised Council of Europe Recommendation on restorative justice in criminal matters, recommendations on child friendly procedures, and the binding EU Victims Directive) that promote the use of restorative practices, also when youth are involved.

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(6) European Forum for Restorative Justice (Accessed 13, May 2024). Restorative Justice and Child Justice. Available at: <https://www.euforumrj.org/en/restorative-justice-and-child-justice>

(7) European Forum For Restorative Justice (Accessed 14, May 2024). Restorative Justice and Child Justice. Available at: <https://www.euforumrj.org/en/restorative-justice-and-child-justice>

(8) Annemieke Wolthuis, Emanuela Biffi, Malini Laxminarayan (2020). Restorative Justice in Cases Involving Child Victims. Available at: https://childhub.org/sites/default/files/library/attachments/european_research_report_irestore_en_101220.pdf

All the above specified points, further provide ground for using restorative justice practices to solving conflicts involving children. On the other hand, it is greatly important to understand that children are the future adults who build our societies. Thus, providing opportunities for them to recognize what is right and wrong, what the difference is between the two, what the mistakes are, how those can be repaired, and second chances granted are our responsibility. They need to be supported by various means such as child-centred restorative justice.

The European Forum for Restorative Justice also points out that, young people (offenders and victims) are satisfied with restorative justice processes and very often they would recommend it to others. The only crucial condition is that restorative justice must be offered and implemented in a child-friendly way by trained practitioners when young people are involved⁹.

Furthermore, it cannot be neglected that school-age children spend a significant part of their time in educational institutions. This is an environment, where youth can face - among other things - challenges, conflicts and even experience victimisation of unlawful practices including crime and harassment. Nowadays schools tend to turn into buildings where electronic searches, locked doors, armed police, surveillance cameras, patrolled cafeterias, and weighty rule books can be observed. According to the Rethinking Schools¹⁰, educators still approach perceived students' misbehaviour with punishment. This goes hand in hand with the reinforcement of zero-tolerance policies in schools that put school resources toward policing and push-out instead of toward teaching and support. While restorative justice aims to understand the roots of misbehaviour¹¹, to strengthen safe and supportive schools, improve school climate, address conflict, and create positive school culture¹².

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 (9) Ibid.

(10) It is a preeminent publisher of social justice education materials in the United States. Their quarterly magazine has subscribers in all 50 states in the US, all 10 Canadian provinces, and around the world. Their books are used in teacher education programs, by social organizations and teachers' unions, and by classroom teachers everywhere.

(11) Rethinking Schools. (Accessed 14, May 2024). Restorative Justice. Available at: <https://rethinking-schools.org/articles/restorative-justice/>

(12) Santa Clara County Office of Education (2022). Restorative Practices: A Toolkit for Educators. Available at: <https://www.sccoe.org/yhw/Documents/YHW%20Restorative%20Justice%20Toolkit-%20FINAL.pdf>



Restorative principles

As mentioned above restorative justice aims for reparation, healing, and prevention instead of the traditional approach of punishment in justice services. This oppositional approach can also be observed in the general public.

...“they (people) see restorative justice as something soft and they rather consider punishment effective. Also, it has something to do with the political culture in the country.”

Not only the general public is critical of restorative justice, but also legal professionals who believe that mediation is a loss of their job assuming if a person participates in mediation, she/he will not go to the court¹⁴. This reasoning is not always valid. Many restorative justice services in Europe run in tandem with/alongside court proceedings and do not replace them. Only when cases are ‘diverted’ from the criminal justice system by implementing restorative justice programs are court proceedings ended/not initiated.

All in all, the general public is not indeed supportive neither knowledgeable about restorative justice and rather prefer legal punishment. However, there are pivotal principles and values that can be used by media professionals to help the general public to change their mindset about restorative justice.

What are principles of restorative justice that can change such societal attitudes? What values does it have? How can these values be useful for media professionals?

GENERAL VALUES OF RESTORATIVE JUSTICE

1. Restorative justice works within the boundaries and protections of human rights and the rule of law.
2. It does not discriminate on the basis of gender, race, religion, ethnicity or sexuality.
3. It supports the active participation of people within democratic societies as active and equal citizens¹⁵.

Specific principles of restorative justice are as follows:

1. **Respect** – among all participants in a restorative justice process.
2. **Inclusiveness** – consensus and full participation of those affected by the incident.
3. **Accountability** – the person responsible for the harm, takes responsibility for his/her harmful behaviour.

⁽¹³⁾ Interview with the Communication Expert at Tdh Estonia (2024)

⁽¹⁴⁾ Interview with the Project Coordinator from Tdh Hellas (2024)

⁽¹⁵⁾ European Forum For Restorative Justice (Accessed 15, May 2024). Values of Restorative Justice. Available at: <https://www.euforumrj.org/en/values-restorative-justice>

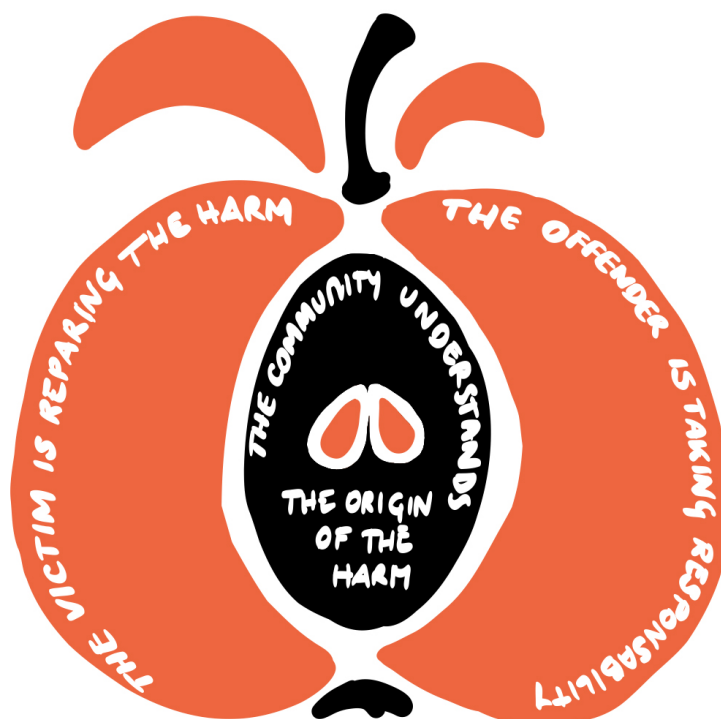
4. **Reparation** – restorative consequences that repair the harm, determined through consensus.
5. **Restoration** – through this process, the needs of the person responsible for the harm and the community are addressed¹⁶.

There are further specific key values of restorative justice identified by the European Forum for Restorative Justice such as **justice, solidarity, respect for the dignity of people** and **truth**.

All these principles and values are precious, democratic, sophisticated as well as progressive and cannot be compared to the general wish of punishment or retaliation. Along these principles better and more understanding societies can be built together with an aim to repair the connection and heal the damage. Simple punishment does not necessarily satisfy the victims and their communities and neither does it restore their losses/damages. Furthermore, the offender will not be granted an opportunity to be fully reintegrated and to directly talk with the victim. Media professionals are suggested to incorporate these values into their work and use them as a basis for argument or information provision to form public opinion about restorative justice.

Justice, solidarity, respect, and truth will not shame people and societies! Instead, it will help to mutually understand each other and restore the harm!

Restorative Justice effects



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(16) Ibid.

Restorative practices

Restorative justice has developed over the time and evolved differently depending on the country/local context, policy environment, needs and national jurisdictions. There are various restorative practices. Some dominant practices are described below, whereas all forms are used in different ways across countries (not always formalised in the criminal justice system) and not only limited to the aforementioned countries.

One of the most common practices is **mediation**, where the victim and the offender meet and discuss while a trained mediator is present.

In the Netherlands, there is a juvenile diversionary programme run by the organisation Halt which is subsidised by the Ministry of Justice and Security. Halt provides opportunity to young people who are charged with a criminal offense to avoid a criminal record by complying with a negotiated agreement. Via Halt's intervention the consciousness of the offender is raised about the offence(s) committed and also for the victim and society. Youth between twelve and eighteen years old can be referred to Halt for these specific mediation services¹⁷.

Another form is **restorative conferencing**, which issued in the United Kingdom, New Zealand and Australia. At this type of restorative practice, not only the victim and the offender meet, but also family members, friends or other parties are present to discuss the crime and its effects.

Restorative circles are quite similar to restorative conferencing. The main difference is that other members of the community, indirectly affected by the committed crime, also participate. This type of restorative practice is predominantly used in the United States and Canada, derived from Canadian aboriginal cultures¹⁸.

It is pivotal to note that restorative practices pay attention to building **social capital** and achieve social discipline through participatory learning and decision-making.

Social capital is greatly important or even a precondition from the perspective of responding effectively to wrongdoing and restore social order. In other words, social capital is connection among individuals, basis of mutual trust, communication, and mutual learning.

Via the use of restorative practices crime, violence and bullying can be reduced. Human behavior improved, civil society strengthened, effective leadership established, relationships restored and harm repaired.

These are decisive elements or potential effects of restorative practices that should be promoted by media professionals. It implies

(17) Annemieke Wolthuis and Ioanna Stentoumi (2023). Restorative Justice Practices for Children in Contact with the Law in The Netherlands & Greece. Available at: https://tdh.gr/sites/default/files/2023-04/Report%20-%20Restorative%20Justice%20Practices%20for%20children%20in%20contact%20with%20the%20law%20in%20The%20Netherlands%20%26%20Greece%20-%202023_o.pdf

(18) Cecilia Popa (2020). Restorative Justice in Cases involving Child Victims in Romania. Available at: https://www.euforumrj.org/sites/default/files/2021-05/romanian_research_report_irestore_en_101220.pdf

that there is a practice that benefits all actors (offender, victim, and the community), brings with itself social change in individual relations and societal development. Media professionals should consider the added value of these elements as well as what the news value of these factors are.

In today's society crime and violence are part of daily life. In such circumstances a practice that is proven on reducing crime, violence and bullying can attract the attention of a wider public. As well as such practices can be popular among people if the public is informed about these, and such models are widely promoted by the media. This is a win-win situation both for the journalists who cover restorative practices in various media outlets as well as for the general public that can implement restorative practices benefitting them on the individual and community level.

Restorative practices in schools

Punitive and exclusionary disciplinary practices have adverse effects on school-aged youth. The main goal of **zero-tolerance discipline policies** in schools has always been to enhance school safety and develop a comfortable and positive school climate. However, zero-tolerance discipline has brought with itself many unintentional effects.

There is a relation between the punitive and exclusionary practices and increased problematic student behavior, decrease in students' sense of wellbeing, emotional safety and school performance. All in all, it can be stated that the effect of zero-tolerance discipline policies further deepened problematic behaviors of students and could not realize the main aim of school safety and improving school climate. Thus, experts needed to develop a new and largely different innovative school discipline strategy.

The focus of this **new discipline strategy** has been on **community building**. More precisely to build positive and trusting relationships among students, teachers, administrators, and caregivers.

Experts envisioned to achieve good results by explicitly teaching expected behaviours to students. Students who follow the thought behaviours are encouraged and their efforts are acknowledged. Also, opportunities are provided for feedback and pro-social skill building.

The main idea is to **build converging communities** in schools by developing trusting and lasting connections among all stakeholders. It is also envisioned that once the entire school is infused with the idea of restorative justice, then it will be easier to build a supportive and caring school environment. In other words, restorative practices in schools need to follow a development process wherefrom prevention practices intense interventions can be achieved.

School wide prevention practices: This is the first step of successful restorative practices realized in schools. The main idea is to develop positive relationships, social-emotional understanding, and skills, identifying common values, and promoting a sense of belonging in the school community.

These can be realized by various activities such as relational practices and classroom routines.

Managing difficulties: This is the phase when the most significant part of the work realized. Or it can also be called the section of

practical mediation. It can be realized by various restorative practices such as restorative conference, conversation, peer mediation etc.

Intense intervention: The main aim is to rebuild relationships and repair harm. Restorative conferences and intervention circles can be used to realize the aim of this phase.

Restorative Justice effects in society and school



RESTORATIVE JUSTICE AND THE MEDIA PROFESSIONALS

Limited knowledge on restorative justice and the role of the media (What and How)

Restorative justice experts from Tdh Netherlands, Greece, Estonia, and Romania unanimously stated that the level of knowledge of media professionals and the general public about restorative justice is expressly low. Ordinary citizens usually do not know the meaning of restorative justice. Media professionals are likewise not knowledgeable about the term and its main aims. Only those media professionals who work on related fields to restorative justice such as law are somewhat familiar with the concept. Furthermore, those experts who have some level of knowledge about restorative justice sometimes articulate critiques against the method especially if it is related to children. The communication expert of Tdh Greece pointed out that people share quite a sensitive approach to the method and question if this is a good practice for children, whether it (restorative justice practices) does even more damage to children or not. To sum it up, it can be stated that media professionals are not familiar with restorative justice unless they have a specialization that is related to the field. The general public neither knows about the term even though it has great impact on individuals and communities.

Additionally, youth are not knowledgeable about their rights nor about restorative justice. The same can be stated for young offenders which is also problematic from a supplementary perspective. For instance, young offenders can be treated as adults after their arrest by the police and may be charged as such by prosecutors. Both the offenders and the victims are not aware enough about their rights, including their rights to be heard and represented and how their respective situation can benefit from restorative justice and mediation¹⁹.

What can media do? What results can media achieve by promoting restorative justice?

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(19) Annemieke Wolthuis and Ioanna Stentoumi (2023). Restorative Justice Practices for Children in Contact with the Law in The Netherlands & Greece. Available at: https://tdh.gr/sites/default/files/2023-04/Report%20-%20Restorative%20Justice%20Practices%20for%20children%20in%20contact%20with%20the%20law%20in%20The%20Netherlands%20%26%20Greece%20-%202023_o.pdf

Considering all the above-mentioned knowledge limitations and the original/traditional role of media, - which is informing the public -, it is quite straightforward what media should do regarding the matter of restorative justice as follows.

1. Providing information and raising awareness

Target audience: the general public

Action to take: media professionals should take initiative and use their media outlets to inform citizens about the definition, method, values and effects of restorative justice. In the previous sections the terminology, restorative practices, values, and main benefits have been described. Furthermore, if there is a policy on restorative justice in a given country, media professionals should also inform the public about the policy and its implications.

How: These details can be described in traditional media outlets such as a written article (both online or printed media) or can be used as part of a TV/radio program hand in hand with an individual story (storytelling). It is important to properly select the means of media where these messages are communicated to the target audience. In case of general public, traditional media outlets are preferred to use such as TV, radio, online and written newspaper. Also, it is advised to develop social media posts or videos on Facebook. It is pivotal to note that Facebook is not the platform of youth anymore rather a social media platform used by citizens in general. Thus, Facebook provides an opportunity to media professionals to reach out to the general public in a wide range.

Potential effect: As a result, people would gain more insights into the term and policy – if any- and further disseminate the information within their direct environment. The values of restorative justice would reach the public benefitting them in the long-term especially in conflictual situations.

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2. Providing information and raising awareness

Target audience: policy makers and other stakeholders/experts

Action to take: Media professionals should also target policy makers and other stakeholder/experts in order to raise awareness on the benefits and positive effects of restorative justice and to advocate for sustainable changes. In case there is no state policy on restorative justice, then media professionals in collaboration with restorative justice experts and NGOs should advocate for sustainability, funding, and introducing a policy. On the other hand, there are countries where state policies regulate the use of restorative justice such as in Estonia. The fact that there is an in-place policy, media professionals have an opportunity to report on its effects and the most prominent cases solved by restorative justice.

How: Professional articles, video reports including individual stories (story-telling), written expert reports, campaigns can be used for realizing these actions. Since the target audience are policy makers and experts both traditional media outlets and social media can be good choices. For instance, LinkedIn is a platform of professionals, that can accommodate video, and

written materials on a matter as well as a campaign on social issues can be initiated.

Potential effect: In case there is in-place policy, by these actions, policy makers would receive feedback on the respective policy and opportunity would be granted to revise or re-work the policy to better reflect the needs of youth/citizens.

In case there is no policy yet, policy makers would have a chance to introduce a policy because of knowing what benefits restorative justice can bring to the citizens. At the same time by the introduction of a policy, funding-related concerns/limitations would be solved as well as human resources allocated to the operation of the policy regulations.

3. Providing information and raising awareness

Target audience: young people

Action to take: Media professionals should reach out to young people to inform them about their rights in general and especially in related situations when being in conflict with the law. Young people should also be notified about restorative justice and how it can help them.

How: The access to youth is through social media platforms. Media professionals should develop “funny, catchy and clever” short videos on TikTok or similarly popular platforms with subtitles. Subtitles would be needed to reach youth from different countries. When designing and developing video materials targeting youth, always involve on voluntary basis a group of young people between the age of 15-20 years old who can consult the media professionals about the content. This implies that media professionals need to collaborate with a group of young people and ask their inputs and comments on the content²⁰.

Another popular platform among youth is Instagram. Media professionals with the help of the above-mentioned youth consultants should develop Insta stories, reels, or posts about the positive effect of restorative justice among youth and children. Additionally, pictures should be designed reflecting the values of restorative justice.

Last but not least, the tool of individual story telling could be definitely an effective way of reaching out to youth and providing information for them. Nowadays, it is “fancy” among youth to live stream about various life situations. Media professionals are advised to live stream individual stories of youth where they provide an account of their experiences with restorative justice and how their difficult life situations have been solved. Such individual accounts need to be moderated by a trained mediator, guardians of youth to be present as well as consent needed from the individuals or from their guardian.

Potential effect: One of the main results is youth's knowledge about their rights and restorative justice is increased. Via the modern social media platforms restorative justice can be popularized among the youth or as a method that is

(20) Interview with the Communication Expert at Tdh Estonia (2024).

acknowledged among them and legitimate to use instead of legal punishments and stigmatization. In other words, youth will be more familiar with the principles and values of restorative justice that can help their moral development and sense of belonging, togetherness, and respect.

Making restorative justice interesting to the wider public

Media professionals and the media itself are willing to cover such news stories that are interesting to the public attracting the attention of the crowd. Nowadays news about crime, physical abuse, theft, police interventions, death and many other similar elements are popular among the general audience. The question is how to make child-centred restorative justice attractive to the public that would also motivate media professionals to cover it in the media.

The first precondition is media professionals need to be aware of restorative justice, what its values are and what media professionals can expect as stories from restorative practices that might be interesting to the wider audience. **In other words, media professionals need to understand what they write about and how it can attract the attention of people.** Therefore, it is greatly important to media professionals to get more familiar with the first section of this toolkit that explains the term and methods of restorative justice.

Second, **media professionals need to deeply understand the values and principles of restorative justice** and to identify how those can be promoted or “sold” to the audience. Understanding the climate and emotional environment people are surrounded with, it is the right timing to address the audience with progressive, positive, and empowering news. Currently, people listen to news about war, crime, murder, and threat etc. The number of positive news stories is significantly low; however, it is also the matter of demand. All in all, media professionals need to consider **the right timing and actuality of reporting on a specific case or matter.** Today, when news reports are mostly about concerning matters, covering news related to positive values could be an asset. Additionally, in today's societies, children in conflictual situations (bullying, difficulties in school environment) or in conflict with the law are not a rarely occurring phenomenon. Thus, it is topical to cover cases related to child-centred restorative justice.

Third, **the principles of restorative justice** are such moral values that are widely known and accepted by people in most democratic countries. Therefore, people can identify themselves with those values and support it. **Justice, solidarity, respect, truth, inclusiveness,** and restoration are key values of restorative justice along which people can be reached and addressed on a large scale. People by nature are interested in values that they also believe in and share. Considering these relations, if media professionals frame news, articles, reports, etc. based on the values specified above, it can contribute to attracting the attention of the audience. In other words, an article related to restorative justice can be framed along the principle of justice or truth being pivotal to all people.

Media professionals have the power and opportunity to make values «fancy/attractive» again that are important to all. Write about the truth, about the justice and solidarity and open up the eyes of people on values that are part of their lives!

Fourth, **specific examples** that further strengthen the importance of restorative justice as well as **establish news value** to cases. As mentioned above, in the Netherlands there is a juvenile diversionary programme known as Halt.

The interventions of the Halt are based on pedagogical methods. This is a well-functioning program that is also proven by the number of youth being referred to it by the police each year, approximately 15,000 minors. Youth being in conflict with the law, get the chance to fulfil an alternative sanction and to avoid traditional prosecution by the Public Prosecution Service. Therefore, these young people avoid getting a criminal record. It is also pivotal to highlight that Halt includes restorative justice elements, such as apologising to the victim by letter or in a conversation which can also include financial restitution.

As described, youth agreeing to alternative sanctions and participating in restorative practices, have an option to avoid being criminalized. Such practices are not well-known nor well-recognized in many European countries. Due to its unique nature the special practice has quite high news value, making it worthy of coverage in various media outlets.

Audiences are usually curious and open to new and well-functioning stories/practices, thus such examples will attract much attention from people. To make it even more attractive, media professionals should invite individuals who have participated in those processes to provide their personal account of the experience (storytelling).

Another example from the Dutch criminal justice system demonstrates how seriously considered victim-offender mediation in criminal cases is in the Netherlands. The agreement during the mediation process is a written document signed by both parties. Even more interestingly, the authenticated document is added to the criminal file. The Public Prosecutor and/or the Judge takes the agreement into account, when making a final decision on the criminal case or in the judgment ²¹.

The practice of having a written agreement part of the criminal file and the judge considering its content during the final decision is again a unique exercise. It again further proves its own high level of news value that is worth to cover by media professionals.

Additionally, there are **other specific examples** of child-centred restorative justice that **brings it closer to the public including children**. These examples are **indeed lifelike or realistic** addressing conflicts/issues of youth that can be relevant for almost all. For instance, students who are in conflict with each other (i.e., bullying) in schools attend in peer-to-peer mediation in Greece.

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(21) Annemieke Wolthuis and Ioanna Stentoumi (2023). Restorative Justice Practices for Children in Contact with the Law in The Netherlands & Greece. Available at: https://tdh.gr/sites/default/files/2023-04/Report%20-%20Restorative%20Justice%20Practices%20for%20children%20in%20contact%20with%20the%20law%20in%20The%20Netherlands%20%26%20Greece%20-%202023_o.pdf

During the mediation process affected children have the opportunity to understand each other's point of views and bring them closer to each other. According to the Tdh Greece report findings it has been found that «80 to 90% of pupils who have been part of the peer-to-peer mediation reported that after mediation they did not come into conflict with their peers again²²».

Another example from Greece is the Youth Parliament, an initiative by the Children's Ombudswoman, which allows children to be consulted on different issues that concern them. This practice gives a voice to children in practice.

Last but not last, there are also examples when youth are in conflict with the law and restorative justice plays a significant role in the entire legal and reintegration procedure. When it comes to minors within this topic, the treatment of minors does not aim to punish, but to educate and support them in their social inclusion and to prevent them from committing other criminal acts.

Additional practices to make restorative justice attractive to the public

It has been mentioned above that restorative justice is not well-known by the wider public neither youth/children are completely aware of their rights and restorative justice as such. The following specific activities can further promote and make restorative justice attractive to the public as well as for youth/children.

For the wider public

Media professionals are advised to organize and **conduct interviews with experts, restorative justice specialists and restorative justice related programme/project managers**. The main aim is to ask interviewees about their point of view and/or solutions and turn the main findings of the interviews into an **informative, positive, good account based on their expertise**. Media professionals need to pay specific attention to the formulation of these accounts and ensure that it **easy to understand for the audience**.

For youth/children

Media professionals are advised to organize and **conduct interviews with Child Advisory Board (CAB) youth or children** who are willing to talk about their experience related to restorative justice. The aim is that youth/**children's understanding and views/solutions would be promoted and further disseminated to other children**. The accounts of youth/children will contribute to **increasing the awareness and knowledge of youth/children** about their rights and how restorative justice can be for their help. These accounts or extracts of the accounts can be distributed on social media such as on TikTok, Instagram or other popular platforms. For instance, statements, specific parts of the video (if the interview video recorded) could be shared on social media (if consent is provided for sharing).

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(22) Effie PAPAIOANNOU, Martha CHATZOPOULOU, Dimitra MOUSTAKA and Cecilia POPA (2020). Restorative Justice in Cases involving Child Victims in Greece. Available at: https://childhub.org/sites/default/files/library/attachments/Report%20Greece_iRestore_3feb%20high-res%20%20%281%29%20%281%29.pdf

What CABs are?

Child Advisory Boards have also been created through the i-RESTORE project in each target country to integrate children's views in the implementation of activities. They bring together children and young people who are interested in the justice system or might have been involved with it. Tdh train them on the concepts of restorative justice, consult them on project activities and materials, and empower them to become child advocates.

CABs are one of the mechanisms used for promoting participation of children as a collective. These Boards are set up in such a way that they provide safe spaces for children to express their voices on matters affecting them, their lives, or the lives of their peers, increase their knowledge and skills, and to meaningfully contribute to decision-making processes within projects or initiatives at various levels.

Media professionals are also advised to **consider and follow the below good conduct principles** as there is a sensitive relation between media and the interviewed child victims.

Consent: get the consent of the parents if the child is minor or get his/her consent if he/she is over 18 years old.

Connection: first, the journalist should connect with the child such as introducing him/herself, having a dialogue and try to establish a rather comfortable and relaxed circumstance that will contribute to the success of the interview. After all these preliminary steps the interview can be started.

Well informed: the media professional should ensure that he/she has sufficient information about the child victim in prior to the interview conducted.

Preparation: the media professional should prepare the child before the interview, such as notifying the interviewee about the topics, the exact place of the interview and how the interview will look like. Also, the media professional might send the interviewee some questions before the actual interview. All these details also contribute to a more comfortable feeling of the interviewee.

Avoid re-traumatisation: re-telling the story may manifest as a re-traumatisation. Thus, media professionals should avoid re-traumatisation of the child, which may occur by asking significant number of details about the case. To ensure that children are not re-traumatised the media professional better prefer not asking many details.

Confidentiality: the child is assured about confidentiality of his/her identity if he/she does not want his/her name to be revealed.

Trust: the entire conversation between the media professional and the interviewee is based on trust. The media personell trusts that

the interviewee says the truth, and the interviewed person trusts that the journalist will not distort what he/she states. The child victim will be assured that he/she can trust the media professional, and he/she are safe to say the truth.

Checking the final draft: the media professional is advised to send the draft article to the interviewee before publication. It is pivotal because the stated information can be checked if those are correct, if the statements/inputs of the interviewee are properly interpreted in the article and also dates, numerical data can be double-checked.

Transparency: the entire process must be transparent in order to gain the trust of the interviewee. The interviewed person should be informed about the context and what will happen with the information he/she shares from the moment they convey until it is published. The media professional must be honest and notify the interviewed person that the article may be modified by the editor, and he/she has no control on the final version.

Respect emotional safety: the media professional needs to pay attention to respecting child's need for emotional safety. The following examples better illustrate its practicality.

«If you don't want to talk about this, let me know!», «If you feel I misunderstood you, correct me!», «If you don't want me to make this info public, tell me!»

Media professionals also need to be prepared for difficult situations may occurring during an interview such as the child starts crying, talks about something not related to the topic, keeps silent and does not want to continue. In these or similar cases the media professional must respect the feelings of the interviewee and the need for privacy.

Ideal behaviour: the media professional needs to be empathetic, careful, respectful, supportive to the victim, calm, and a trustful person. «First be a human being, then a journalist.»

Further considerations:

The goal is to inform the public in an authentic manner without harming the interviewed child.

Interventions of the media can be perceived as intrusive, insensitive, and sensational, which may increase child-victim's pain. However, documentation is not equal to invading private life of people.

Interviewees might went through traumatic event/s. Thus, media professionals need to find the most appropriate way to gather as much information as possible as well as provide as many details as possible about that interview.

Vulnerable people have specific needs such as emotional needs, the need for mental or psychical comfort, and emotional safety.

What language to use

A significant responsibility rests on the shoulders of media professionals when reporting on a case, writing an article or any publication. This is namely the *damage media can do with regards to misinforming the public on crime and justice, and to the problematic exposure of crime victims and offenders*²³ as well as selecting the wrong, harmful language. Thus, it is greatly important to media

professionals what language to which target audience they use. In case terminologies and specific expressions are wrongly used, further damage can be done against people even unintentionally. However, the responsibility still stays with the media professionals as their role is to apply the proper language. In order to avoid misleading language especially restorative justice related expressions and terms, Tdh Romania developed a glossary for media professionals presented below. Media professionals are advised to use the glossary when covering restorative justice in media.

Glossary

Restorative justice

Restorative justice is an approach aimed at repairing the damage caused by a crime and /or conflict and healing the trauma through active participation of those directly and indirectly affected, such as family, friends, etc.

Restorative practices

Methods through which relations between people are repaired, following a conflict, through active participation of those affected. Types of interventions: victim – offender mediation, restorative conference, restorative circles

Child-centred justice

Procedures that prioritise children's needs for emotional protection, education, safety.

Child-friendly justice

The procedures are explained to children in a simple language, easy to understand. Hearings take place in a friendly room, decorated with pictures from children's world/ teenagers' world. Children may be accompanied by parents, friends, relatives. Children's voice is heard, their emotional needs are taken into account.

Children in conflict with the law

Children who broke the law (suspected, accused children, ...)

Children in contact with the law

Children involved in criminal procedures, heard in court, investigated, etc. E.g.: *Child suspected, accused or convicted of a crime*
Child offender *Child-victim* *Child witness*

Child offender

We shall not use the term „child perpetrator”, but child offender.

Minors and youth deprived of liberty

Children who is under adulthood or legal age (generally under 18 years old, but might vary in certain countries) and young people (usually between 18- and 26-years, but might differ in other countries) from whom educational measure such as admission to a detention centre or educational centre has been decided.

Educational Centre Detention Centre (difference between them)

- In an Educational Centre, admission is ordered for a period between 1 and 3 years,
- In a Detention Centre, admission is ordered for a period between 2 and 5 years, except the case when the punishment decided by law is 20 years or more. In this case, admission is ordered for a period between 5 and 15 years.

Usually, in detention centres are hosted children and youth who have committed serious crimes.

Child vs. Minor

Distinction is made between children who committed a crime and children included in the child protection system.

Justice professionals use the term «minors» when speaking about children who committed crimes, and «child victims» or «children from child protection system», when speaking of the other children.

Child Advisory Board (CAB)

A team of young volunteers (children or teenagers) who participate in Tdh project activities, give feedback, are involved in promotion of children rights and opinions, are the voice of all children of their age.

Child empowerment

Promoting and encouraging children

Justice professionals

Lawyers, prosecutors, probation officers, judges ...

Not only the specific restorative justice related terms, but also the general language used plays a significant role on the impact of media products.

Tdh Consortium members unanimously stated that the language to be used by media professionals depends on the target audience. However, even if the target audience is children media professionals should not overuse childish language.

Language needs to be simple, impartial, straightforward, reader-friendly, and understandable. It is pivotal not only from the perspective of the target audience and information transferring, but also from the principle of inclusivity. This implies that by the simple language media professionals can include anyone into the understanding of restorative justice so no one is excluded. Furthermore, even if the audience is children or ordinary citizens (not related experts) the term restorative justice needs to be used and explained. The more the term is mentioned the higher the possibility people learn it.

Tdh Romania experts mentioned that they found it greatly important to explain media professionals why it is problematic to use the term “perpetrator”, and instead the term “offender” needs to be utilized. The main message of the switch is that children who committed an offence should not be stigmatised as well as strong and harsh terms should be avoided.

Sustainable structures

In order for media professionals to regularly report on restorative justice, restorative practices, and related cases, they need continuous information flow.

To ensure that always the most up-to-date information to media professionals information sources and channels need to be established.

Most of the Tdh consortium members reported that they have developed good relations with media professionals. This is an illustration how media professionals and the source of information are channelled to each other.

Restorative justice professionals, NGOs and other respective stakeholders should develop mutual connections with media professionals for organizational or individual level agreement/cooperation. However, in order to work more effectively sustainable structures, need to be developed. For instance, intermediary agencies should be established between the first-hand information holders (RJ organizations/NGOs and experts) and media professionals. This agency would connect the information holders on a daily basis requesting information from them to be shared with the media professionals. This agency would also be responsible to search the web for related content on restorative justice and transfer the information to the media professionals.

In case public policy is introduced in a country on restorative justice, then the policy should also regulate the establishment of intermediary agencies aiming to serve media professionals with first-hand information to be published on various media outlets.



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