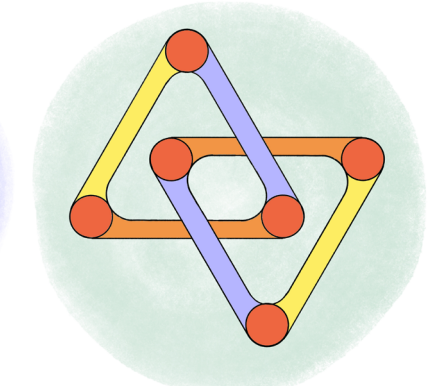
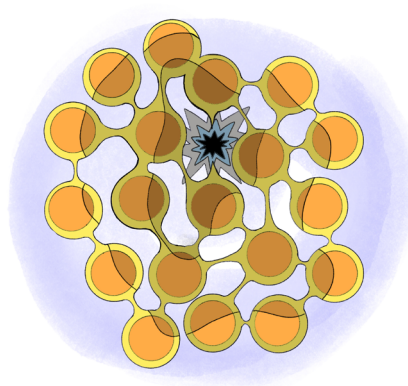
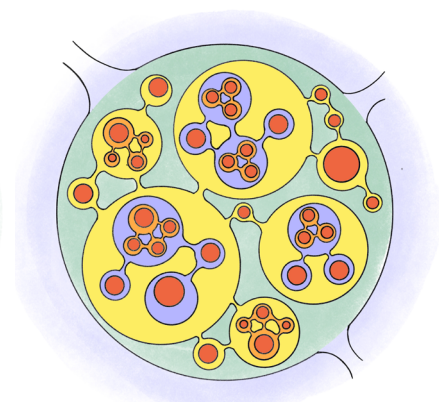
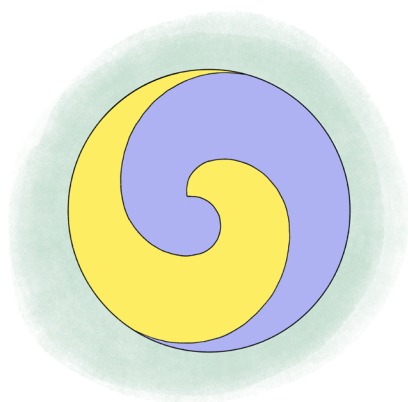


SOFT AND PRACTICAL GUIDE FOR TWINNING ARRANGEMENTS ON RESTORATIVE JUSTICE FOR CHILDREN



The Guide was developed within i-RESTORE 2.0 project co-founded by the European Union.

Disclaimer

The Soft and Practical Guide for Twinning Arrangements on Restorative Justice for Children represents the view of the authors only and is their sole responsibility. The European Commission does not accept any responsibility for the use that may be made of the information it contains.

Designed by Viktória Kaslik dr, in collaboration with the consortium members of i-RESTORE 2.0.

Commissioned by Terre des hommes (Tdh) Hungary.

viktoriakaslik.com

Graphic design by Martina Eddone.

Commissioned by Terre des hommes (Tdh) Hungary.

martinaeddone.myportfolio.com



REPUBLIC OF ESTONIA
SOCIAL INSURANCE BOARD



Table of content

Executive summary	4
Contextualisation	5
i-restore 2.0	5
Consortium members	8
Coordinating bodies	9
Part I – The role fo the guide	11
Practical and soft guidance	11
Methodology behind the Guide	11
The guide's aim	11
What are twinning arrangements	12
Twinning arrangemets an infrastructure for restorative justice for children	12
Part II – Soft and practical guide	20
Process-based recommendations	20
Sustainability-based recommendations	37
Communication-related recommendations	45
Budgeting-based recommendations	46
Closing remarks	48

EXECUTIVE SUMMARY

The present Guide aims to invite, inspire, and encourage colleagues of the justice sector to implement a project structure called «twinning arrangement». Twinning arrangement is a relatively young international public administration tool, which is under evolution, meaning that every new practical application gathers substantial experiences and may hide rich know-how. Twinning arrangement as a project structure was piloted within the field of restorative justice for children for the first time during the i-RESTORE 2.0 program, bringing many takeaways and important procedural, design, and organizational observations.

*The Guide consists of **two main parts**. In a first parts, it aims to show why twining arrangement fits from a philosophical perspective to restorative justice, whereas in the second part, the Guide gives recommendations on how to design a twining arrangement.*

*This Guide aims to provide **practical**, hands-on, and tangible directions, and recommendations based on examples, including personal opinions and reports of the project members. In this regard, the Guide aimed to be well-grounded, and transparent, while in the meantime it intends to be **soft**: on the one hand mirroring the idea that each project differs and always needs finetuning, adjusting; on the other hand, it wishes to stay humble and to reflect its pilot nature.*

Twinning arrangement is overall a particularly suitable structure on many levels in the area of restorative justice for children. Therefore, it is utmost wished that this Guide is read, used, commented on, debated, and further developed in the future by colleagues in the justice field.

CONTEXTUALISATION

The present Guide was prepared as part of i-RESTORE 2.0, a project funded by the European Commission, aiming to deepen restorative justice practices for children within the European Union's network. Twinning arrangement is an international public administration tool, aiming to create, and deepen cross-border horizontal relations along specific fields of interest, while also resulting in institutional and/or operational capacity building, improvement, and development. The literature and history of twinning arrangements are young, therefore it is constantly being shaped by every new practical implementation. Twinning arrangements were found to be an especially supportive tool in the i-RESTORE 2.0 project, where it was applied in the case of restorative justice for children.

The aim of this Guide is to introduce the specific twinning arrangement implemented as part of i-RESTORE 2.0 and through practical recommendations make it easier for other European countries to engage in similar cross-border cooperation to support the development of restorative justice for children.

5

i-RESTORE 2.0

The overall objective of i-RESTORE 2.0 is to enhance the accessibility of high-quality restorative justice processes for child victims and children suspected and/or accused of crime in Europe. The project aimed to promote “accessibility of restorative justice” and did not have the ambition to include the actual delivery of restorative justice practices. This consideration has multiple reasons behind it. From one side, restorative process are entirely voluntary, therefore compulsory delivery *per definitionem* is not applicable. Secondly, restorative practices and legislation vary from implementing country to implementing country and some instances fall strictly under the jurisdiction of the State.

The main approach of the project lay in setting up cross-border twinning arrangements between EU countries, to increase accessibility of restorative processes and to increase the support for child victims and children suspected or accused of crime. The purpose of the twinning arrangements was to give practitioners from different EU countries the opportunity to build personal relationships, to become active «knowledge providers», to learn from each other generally about restorative justice designed for child participation, and specifically about good practices, tools and approaches to implement in their own contexts.

i-RESTORE 2.0 is a successor of the project “i-RESTORE - Protecting Child Victims through Restorative Justice” (EC project 847345, Sept 2018 - Nov 2021) with project members from Romania, Greece, the Netherlands, and Albania. After i-RESTORE, it was concluded that the development of restorative justice models have to be more precisely tailored to children’s needs and active participation, in order to ensure that these models are effectively accessible for them. To do so, the twinning arrangement, as a promising tool, was identified and proposed. As the essence of the structure is to create pairs, where the participants’ expertise and weaknesses are complementary to each other, in the second phase, the participating members had to be rethought. Eventually, two countries with strong expertise in restorative justice (Estonia and the Netherlands) and two countries with strong expertise in children’s participation in justice matters were chosen and paired up (Greece and Romania).

According to the Council of Europe (CoE) Recommendation CM/Rec (2018) concerning restorative justice in criminal matters, adopted on 3 October 2018, *«restorative justice should be a generally available service. The type, seriousness or geographical location of the offense should not, in themselves, and in the absence of other considerations, preclude restorative justice from being offered to victims and offenders.»*¹ To advocate for this, European Forum on Restorative Justice (EFRJ) and Terre des hommes (TdH) published in November 2020 a joint position paper to influence the EU Strategy on the Rights of the Child, in

¹ Available at: [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016808e35f5%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016808e35f5%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})

which they particularly recommended to: «*Ensure the accessibility and availability of restorative justice programs at all stages of criminal justice proceedings including diversion and aftercare*» and «*Raise awareness among child justice actors and community members on the benefits of restorative justice for children.*»² Article 12 of 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 (Victims' Rights Directive) has provided restorative justice in Europe with a more solid position and a clear victim orientation.³ In June 2020, the EC adopted its first-ever EU Strategy on Victims' Rights (2020-2025) that recognizes the role of restorative justice to achieve the first objective of the Strategy itself, namely empowering victims of crime. The Directive considers children as vulnerable victims who, as such, «*should benefit from the specific protection, advocacy and specific services reserved for children as direct or indirect victims, and shall be subject to individual assessment.*»⁴

Although explicit reference of the Directive 2016/800/EU on procedural safeguards for children who are suspects or accused persons in criminal proceedings (Procedural Rights Directive) to restorative justice is missing among the measures mentioned (non-custodial measures and alternative to detention), Article 20 provides that «*Member States shall encourage initiatives enabling those providing children with support and restorative justice services to receive adequate training to a level appropriate to their contact with children and observe professional standards to ensure such services are provided in an impartial, respectful and professional manner.*»⁵

² European Forum of Restorative Justice and Terre des Hommes: Joint Position Paper EU Strategy on the rights of the child (2021-2024). Accessible at: https://www.euforumrj.org/sites/default/files/2020-08/EFJR-Tdh%20Contribution%20to%20EC%20strategy%20Rights%20of%20the%20Child%202021-2024_o.pdf

³ Available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>

⁴ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0258>

⁵ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016L0800>

i-RESTORE 2.0 Consortium members

i-RESTORE 2.0 brought together a strong team of 7 high-level expert organizations, with a combination of complementary expertise in restorative justice, child justice, and child participation.

Terre des hommes Romania (Tdh Romania) is the lead applicant. Tdh Romania is a recognised child protection organization with expertise in child participation and empowerment. It runs several access-to-justice programs to enhance procedural safeguards for children and to support the rehabilitation of children in detention, child victims, and children suspected and/or accused of a crime. In this project, Tdh Romania leads the overall project, together with co-leading partners for specific work packages. Tdh Romania was a partner in i-RESTORE phase 1. It engaged with members of the Child Advisory Board to develop child-friendly material on restorative justice, and lead the co-design processes with children. Tdh Romania was the twin for Estonia.

Restorative Justice Netherlands (RJN) is the leading expert organization in restorative justice in the Netherlands. RJN was a partner in i-RESTORE phase 1. In this project, RJN co-designed the twinning arrangement in partnership with Greece and brought its progressive knowledge, practices, and research on restorative justice to the consortium. It led the implementation of the activities in the Netherlands, including facilitating mutual learning activities, inviting local experts and practitioners as well as influential key actors from their policy working group network to i-RESTORE 2.0, involving children and young people through Child Advisory Boards in improving practice and providing overall guidance for setting up the activities of the twinning arrangements.

Terre des hommes Hellas (Tdh Hellas) has a solid experience in working with vulnerable groups of children, such as migrant children and children from poor socio-economic backgrounds. It has developed an expertise with child advisory boards as a participating member in i-RESTORE phase 1. In this project, Tdh Hellas was mainly in charge of advocacy, awareness raising, and mutual learning activities for Greek policymakers. It coordinated the twinning arrangement with RJN and supported the identification of Greek

professionals to take part in the project. Tdh Hellas engaged with Child Advisory Boards and schools to co-create and develop child-friendly material on restorative justice, information material for families and guidelines for professionals.

The Social Insurance Board (SIB) is an Estonian governmental organization that provides a range of services for children, young people, the elderly, and people with disability. SIB runs closed institutions for children as well as provides therapeutic services. Since 2007 SIB has offered mediation through victim support workers (penal cases). In 2018, SIB started to raise awareness about restorative justice amongst the practitioners through training. Since 2020, SIB has trained over 70 mediators. SIB joined the i-RESTORE 2.0 consortium to share its knowledge on restorative justice and victim support, further develop the skills and knowledge of facilitators in Estonia, and learn from project partners on child participation methodologies. SIB guided the development of the digital assessment tool and shared its promising practices, including initiating mediations online and coordinating the twinning arrangement jointly with Romania.

HALT, is a government-supported foundation in the Netherlands that directly works with children and youth in conflict with the law. HALT's main responsibility is to carry out diversionary measures for young people in conflict with the law through a pedagogical approach with restorative elements to support children in learning from mistakes, and give them the opportunity to repair the harm they may have caused. The youngsters learn how they can make different choices in the future and in this way prevent a criminal record. HALT among others supported the consortium to identify practitioners to participate in training activities, provided guidance to define the twinning arrangements, helped to identify participants for the Child Advisory Boards, and guided the implementation of the piloting of the child-led digital assessment tool for restorative justice.

i-RESTORE 2.0. Coordinating bodies

European Forum for Restorative Justice (EFRJ) is an international network organization connecting members active in the field of restorative justice as practitioners, academics, and policymakers throughout Europe and beyond. The EFRJ is based in Belgium. The EFRJ contributed

their expertise on restorative justice and provided technical guidance in the design of capacity-building programs (training/training the trainers) and advocacy initiatives; the twinning arrangements and mutual learning activities; in the identification of restorative justice experts for project activities and the dissemination of the projects results through the organization's restorative blog. EFRJ was an i-RESTORE phase 1 partner.

Terre des Hommes (Tdh Hungary) serves as the regional office for operations of Tdh in Europe focusing on advocacy and documentation of the situation of vulnerable children and youth across the region. Tdh Hungary has vast and recognized expertise in promoting access to justice for children worldwide and is managing the www.justicewithchildren.org and www.childhub.org platforms, unique online learning and community of practice platforms for multidisciplinary professionals from the judiciary and child protection fields. In this project, Tdh Hungary was in charge of providing technical support for the design of capacity-building programs, advocacy initiatives, and awareness-raising campaigns co-led by children. It gave overall methodological guidance for child empowerment and contributed to mutual learning exchanges by identifying and connecting child justice experts.

THE ROLE OF THE GUIDE

Practical and soft guidance

Twinning Arrangement (hereinafter: TA) is a tool, that is constantly developing within the realm of international public administration, both within European and other international organisational contexts. This entails that every newly implemented arrangement is a contribution to the field of public administration. Every new arrangement is a new trial, constant research producing new lessons learned, new best practices, and new revelations of what could have been done better. With this in mind, the Guide intends to give hands-on suggestions for future aspirants. It aims to follow a soft approach, referring to the core nature of twinning, which is changing and modular. The suggestions of this Guide need to be interpreted in the specific context of the participating organizations, countries, and people.

Methodology behind the Guide

11

The Guide was based on:

- In-depth knowledge of restorative justice within the European socio-legal context; research on its children-related particularities;
- Research of the i-RESTORE 2.0 design, its outputs, and reports including minutes of the Regional Advocacy Event held in Bucharest (Romania) in May 2023;
- General desk research on the concept of TA, followed by the examination of the particular twinning through questionnaires, interviews with relevant stakeholders, and direct and active participation in an advocacy event held in Athens (Greece), May 2024.

The guide's aim

This Guide aims to take policy-makers, justice professionals, governmental officials by the hand and guide them through the steps of designing and implementing TA, especially in the case of restorative justice for children as applied in the context of the European Union.

What are twinning arrangements?

TA is an international public administration tool aiming to create and deepen cross-border, horizontal ties along specific fields of interest, through institutional or/and operational capacity-building, improvement, and development.

TA first appeared in the European context after World War II in the form of 'town or municipal twinning'. Starting from 1998, TA took a new shape when the European Commission (EC) started to support the accession process of new member states to the European Union in the form of expertise secondment from member states to candidate states with a combination of other instruments like training, assistance, and missions.¹

Literature on TA in the previous decades has been developing and is considered to be an innovative tool in the discourse of international public administration. It has been applied by many international development aid organisations, like the World Bank.²

The definition, field of usage, design, and modes of implementation of TA vary and are developed by each new field or new partner setup..

Twinning arrangements, as a supportive infrastructure for restorative justice for children

The following section aims to unpack the essence of restorative justice and to introduce why TA is a particularly interesting structure which not only matches the needs of restorative justice's development, but also further supports and informs it. It is observed that there is a strong analogy between the essence of restorative justice for children and the basic nature of TA: both are based on the idea of **participation**, **horizontality**, and **circularity**. In the following sections, these three elements intend to guide the reader's way of thinking.

¹ European Commission: Twinning Manual, 2017 ([Twinning_manual_2017_update_2022_EN.pdf \(europa.eu\)](#))

² Fumika Ouchi: Twinning as a Method for Institutional Development: A Desk Review, Commissioned by: The World Bank ([Twinning as a method for institutional development: a desk review \(worldbank.org\)](#))

RESTORATIVE JUSTICE: ROOTS AND DIFFERENT FORMS

Restorative justice is an alternative to criminal justice, encouraging the shift from punishment-based justice towards reconciliation, reparation of harm, and restoration of equilibrium after a harm caused. Restorative justice is rooted in tribal, indigenous, and ancient cultural practices. By the Western jurisprudence, it was first observed and learnt from First Nation tribes in North America, and the Māori in New Zealand. In Europe, ancient restorative forms were, among others, observed in Greece, on the Island of Crete.³ Moreover, restorative practices are present in MENA countries as an integrated part of community self-regulation processes. Research within Western contexts is ongoing, and aims to learn from indigenous cultures about restorative practices, the behind these practices, while asking how these can be implemented in the contemporary Western, Roman law-rooted socio-legal culture.

Today it is endorsed by the European Union, and other international legislative bodies through soft approaches like directives and recommendations. Softness means, that it leaves space for the individual member states to comprehend their own cultural roots and context, and to find the most suitable national solutions for implementing restorative philosophies. It appears in the Victim's Right Directive (2012) of the European Union,⁴ introducing the obligation for the Member States to inform victims as to the availability of restorative justice services, introducing the facilitation of referrals to these services, and providing safeguards for victims of crime for restorative justice.⁵

Restorative justice references appeared in a more advanced manner in the recommendation issued by Council of Europe (CoE) concerning restorative justice in criminal matters,

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 Available at: <https://eur-lex.europa.eu/legal-content/EN/TEXT/PDF/?uri=CELEX:32012L0029>

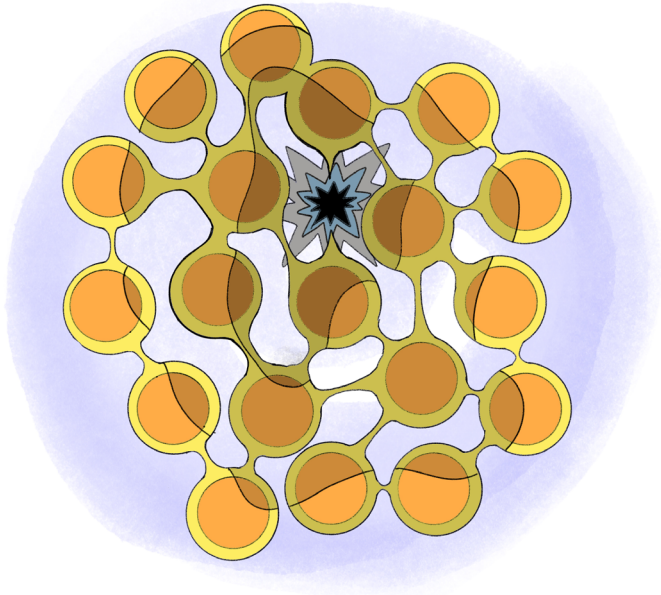
⁵ European Forum of Restorative Justice: International instruments. Available at: <https://www.euforumrj.org/en/international-instruments>

whereas **the Venice Declaration**⁶ (2021) further elaborates on the relevance of restorative justice, and urges the CoE to provide support for the member states in designing and implementing their restorative justice practices.

It can be noticed that restorative justice is continuing to **gradually challenge** the core contemporary, Western (legal) philosophies, and concepts of justice. Such phenomena are rather urgent in the case of children in contact with the contemporary European punitive justice system. A penal infrastructure that wasn't designed with, let alone for children and young people. As a consequence, it still fails to be an infrastructure that aims to serve children's best interests. Efforts towards addressing, researching, and raising awareness of children's perspective on the institutional lacuna, and implementing change in the European judicial system are present. Restorative justice can be considered as one of the leading streams of such transformational forces. It provides flexibility and space to accommodate child-centred procedural designs, and it leads to better reintegration and reduced recidivism, which constitutes an essential part of the concept of the best interest of children. Moreover, through participation in restorative justice, children learn to gain agency, which is crucial in transitioning into adulthood.

The questions of what restorative justice is, what practices it consists of, which fields it embraces are largely dependent on each member state's own approach to it, on its **socio-legal culture**, with a highlight on their criminal legislation within. It has to be informed by and embedded into the member states' own understanding and practices. The philosophy of restorative justice therefore is evolving and developing within the European Union in different forms and paces, varying from member state to member state. Consequently, in each member state restorative justice has a rich culture, unique solutions, and specialized knowledge, whereas the philosophical and conceptual considerations are shared beyond borders, providing a common denominator and shared understanding. Most of the cases, it appears in the form of victim-offender mediation, yet restorative justice consists of multiple other practices like

⁶ Available at: <https://rm.coe.int/venice-ministerial-declaration-eng-4-12-2021/1680a4df79>



(family-)group conferencing and sentencing circles, where the community also participates in restoring the harm.

15

RESTORATIVE JUSTICE AND PARTICIPATION

The power of restorative justice - among others - is creating strong communities. As a result of restorative processes, the participants gain more control over the procedure they are part of, eventually creating more **personal and collective agency**. Restorative justice argues that social injustice does not lie between two respective individuals, rather its locus must be searched in the **collective fabric**: in the functioning and dynamics of the collective net behind the individuals. It acknowledges an invisible collective dynamic shaping, presiding over the individual, and aims to target these dynamics through voluntary and equal level participation of all individuals involved with their community behind as support. Transformation therefore is happening on an individual level (micro level) and simultaneously on the level of their communities (meso level), and eventually it effecting change in society at large (macro level).

*«The concept of justice being a **circle** is the manifestation of the idea that our justice process focused on healing and*

community inclusion, which also suggests that the political structure of pre-colonial Aboriginal societies was designed to position power collectively in the hands of the people.»⁷

As a result of restorative approaches, communities' self-governing powers are becoming more and more established, and slowly such restorative communities may (re)claim the experience of justice: they become the co-designers of the community norms, they define the procedures in case of crossing these norms, and what delivering justice means for them. They gradually shift towards a more **horizontal socio-legal setting**, where conflict is handled within the community rather than relying on external power like the state-centred judicial system. This feature leads to a far-reaching question affecting the otherwise fragmented contemporary social ties and contributes to reshaping the ideas we hold on to concerning the form and functioning of contemporary socio-legal architectures.

The restorative process aims in general to reveal more contextuality and sees the parties not as mere individuals, but members of a specific part of society. It acknowledges the importance of being part of a certain community as individuals, which entails the internalisation of a set of values, patterns, and that causality is also rooted in this collective realm and background. Therefore, resolution of a conflict cannot be achieved through the separation from society, but through **integration and involvement of the community** itself before, during and after criminal procedure. In the case of children, this latter aspect cannot be emphasized enough.

Restorative justice today is primarily associated with the sector of classical criminal justice. However, **as a philosophy** and practice, restorative justice is present and gradually spreading in many member states also in micro-communities like in neighbourhoods, schools (peer mediators), in youth care, health care, and within institutions. For example, in the Netherlands, *«In almost 300 cities in the country, neighbourhood mediation is now being*

⁷ John George Hansen: Decolonizing Indigenous Restorative Justice is Possible. Available at: https://www.researchgate.net/publication/315780501_Decolonizing_Indigenous_Restorative_Justice_is_Possible

delivered as a voluntary service.»⁸ Moreover, in recent years restorative justice appeared in the case of environmental harm⁹, including in its scope cases when a party is a non-human being. When thinking about the rights of future generations, children and climate justice, such an opening is especially relevant.

RESTORATIVE JUSTICE FOR CHILDREN

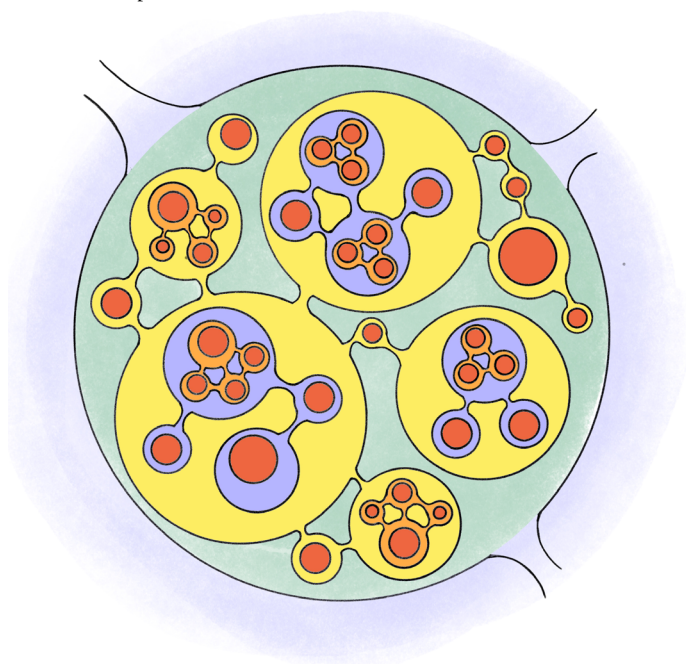
Meanwhile, restorative justice is also endorsed within child-friendly justice discourses, research and practices.

According to Thematic Area 4 on Child-Friendly Justice of the European Union (EU) Strategy on the Rights of the Child (2020-24), the European Commission (EC) recommends

⁸ Annemieke Wolthuis, Jacques Claessen, Gert Jan Slump and Anneke van Hoek: Dutch developments: restorative justice in legislation and in practice. Available at: https://www.restorativejustice.nl/user/file/07.dutchdevelopments_wolthuisclaessenslumpvanhoek.pdf

⁹ European Forum for Restorative Justice: Working Group on Environmental Restorative Justice. Available at: <https://www.euforumrj.org/en/working-group-environmental-restorative-justice>

Societal landscape: micro, meso, macro levels.



that Member States «*develop robust alternatives to judicial action: from alternatives to detention to the use of restorative justice and mediation*» and «*contribute to the training of justice professionals on the rights of the child and child-friendly justice*». Similarly, the recommendations formulated by the 2020 EC Forum on the Rights of the Child specifically refer to «*[bringing in] community-based, peer-to-peer models for diversion and alternatives to detention and restorative justice models*».

Children's access to restorative justice has numerous benefits on multiple levels and layers of life from micro, through meso to macro levels of the societal landscape: it affects the life of children in contact with the law by giving them the chance to learn to take responsibility, to reconcile, whereas child victims are supported to process the consequences of the harm caused and not to carry them into adulthood. On a meso level, through dialogue, horizontal meetings, and practice of engagement in a safe process children acquire skills to resolve conflicts in a direct manner and own conflict, resulting in active participation in interpersonal conflicts, relations, and community matters, parallelly decreasing the burden on institutional frameworks.

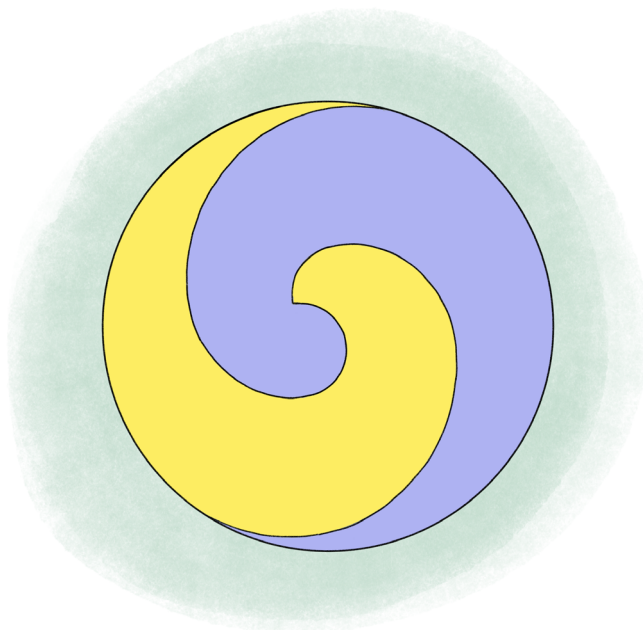
THE PHILOSOPHY OF TWINNING ARRANGEMENT

HORIZONTALITY AND CIRCULARITY

The essence of *TA* is realized through horizontal connections between the participating members. *TA* is the amalgam of invisible and visible lines connecting the participants. It is a network, spreading horizontally between multiple layers of policy and legal hierarchy: from courts, and civil society members through probation offices, prosecutors, prison institutions, judges, mediation centers...etc. It also creates possibilities between stakeholders who would not necessarily meet nor work together.

Circularity is another very important symbol of both philosophies behind restorative justice and *TA*. The parties come together and make a circle: signifying an ancient space and form of ritual, where abstract notions like balance, justice, and peace can be reached. A circle which is a perfect whole, equal to all its points consisting of it.

The members of *TA* have underlined the feeling and the symbol to be used for *TA*: it creates continuous loops of exchange, flow of information, and a closer collegiality between the members.



DIRECTNESS + DEEP INSTITUTIONAL TISSUES

TA provides a direct access to the partner organisation's tissues, creating the possibility to forge solid bonds. Through TA, the colleagues step into direct contact. There is no mediating institutional body in between them, they directly experience, observe, decode information, and decide how and which practices could be implemented in their own organisation. It was reported that the **more specialized participants are involved**, the more specificities they can point out as differences, vulnerabilities, and as good practices. As they work in a similar institutional framework, they can directly bring these learnings into their own framework and translate them into their context.

The less translation happens, the more efficient the learning is. Otherwise the chances of being lost in translation are higher. TA therefore provides a framework with the minimum translation by relying on the direct participation of colleagues in the respective public sphere.

Directness is another analogy between TA and restorative justice. Restorative justice also relies on direct communication, if thinking about mediation, where the traditional

legal apparatus steps back and leaves room for direct communication with the parties.

TA is a suitable tool for the development of restorative justice for children in the European Union. It responds well to the different forms that restorative justice takes in the member states; it is a supportive structure for restorative justice when it comes to sharing it with and learning from other countries, and for the multitude of approaches the member states apply in case of the best interest of the children in access to child-friendly justice.

SOFT AND PRACTICAL GUIDE

Process-based recommendations

DESIGN + IMPLEMENTATION

CHOOSING THE TWINS

Choosing the right pairs to be twins is a decision based on preliminary research and has to be well-founded, solid, and elaborated already for the funding application.

In the case of the funding procedure for i-RESTORE 2.0, the proposal for the European Commission JUST program was based on the preliminary research based on the learnings of i-RESTORE (1st phase) and the needs assessment conducted for the proposal. As a result, the right pairs were selected.

The following elements had to be preliminary identified for a successful grant application:

- The twin partners: the reasons for choosing, their strengths, and leverage for exchange;
- Description of the *twinning arrangement* as an innovative methodology;
- Tasks, deliverables (set-up, Rapid Needs Assessment, developed guidelines and activities, physical meetings);
- Milestones;
- Estimated budget;

*«TWIN – Mutual Learning is at the heart of i-RESTORE 2.0. It is built around a twinning arrangement to encourage experience sharing among European practitioners. Two partners have extensive **experience with child participation methodologies** in different settings (Romania & Greece), and two partners have **well-established expertise in restorative justice**, including with children (The Netherlands & Estonia). Together they will be able to identify*

opportunities, risks, and mitigating factors for offering restorative justice to children.»¹

*«A **high degree of flexibility** will be given to the twinned organizations to define the scope of their arrangement and co-design their twinning roadmap by proposing what they would like to include in it.»²*

Regarding the draft proposal, it is advised to add:

- The '**flexibility reference**'. Explicitly name in the project proposal that there is space left for change and adoption for the emerging circumstances,
- The '**complementarity reference**': Define and establish twinning pairs where each member has something to offer to the other. This way avoiding issues stemming from unequal positions is more likely.

RAPID NEEDS ASSESSMENT (RNA)

After funding is secured, as a first step, a so-called Rapid Needs Assessment was conducted. RNA has multiple aims. At the beginning of the project, it serves as a comparison format, which creates **a foundation for the project** as a whole. It serves as **a research material for the design** of the twinning. While, during the project, it can be considered as a point of departure, as a **reference point** to return to.

The RNA has been the first phase of the project where the twinning pairs had to work closely. Regarding its methodology, it was developed by the consortium, and decided that each expert would conduct the RNA in their own country. Therefore, each expert interviewed key stakeholders in their respective country and drafted a country report. As a last step, Annemieke Wolthuis (RJN) and Cecilia Popa (coordinator at the time from A2J in Romania) merged and synthesized these pairs into one final document per pair.

During the assessment, each professional scans through their field of expertise and country with a different filter than usual: keeping in mind the forthcoming TA; the combination

¹ Quote from the project proposal submitted.

² Ibid.

of fields it focuses on; the weaknesses and strengths regarding these; what they expect to gain as knowledge and what they can offer. Conducting the RNA brought new insights and perspectives to the professionals.

Creating a well-founded system of communication throughout the whole TA is one of the essentials. The RNA also offers an opportunity to start building this up, experimenting with forms of communication with the partner.

Regarding RNA, it is advised to:

- Invite specialists, and experts to the assessment who are actively involved on a practical level in the respective justice/child protection field of the respective country, and who know the tissues of the field by heart;
- Stay in the overlap: invite those specialists, and experts to the assessment, who will be integral parts of the forthcoming TA;
- Include justice professionals with experience in policy-making, as their unique expertise supports the preparation of the rapid needs assessment document;
- Create possibilities to communicate with expert partners also during the preparation of the document. For example, make a joint synthesis as the last chapter of the RNA, a summary written jointly by the two experts as a reflection on the state of play. Otherwise, the RNA will result in a document assembled from two separate pieces without any common thread, reflection, or synthesis, thus also missing another opportunity for collaboration.

23

THE ROADMAP

The Roadmap means the overall design of a TA, prepared and co-designed by the twinning members themselves, based on the RNA. In case of i-RESTORE 2.0 it consisted of an evaluation of weaknesses and strengths from both countries and an action plan (planned activities, target groups, timeline).

General considerations

A high degree of flexibility was given to the twinned organizations to define the scope of their arrangement and co-design their twinning roadmap by proposing what they would like to include in it. The following could be raised as options:

- Thematic webinars, to bring together practitioners from Europe in focused discussions which will be facilitated by international practitioners sharing promising practices;
- Thematic newsletters, co-written to share with EU practitioners learnings from the study visits, insights from experts, and project results;
- Regional thematic seminars for practitioners, to present promising practices and share learnings;
- Multiple instruments training;
- Advisory and consultation services;
- Study visits (as this has been the most popular choice in this TA, we analyze the study visits in a separate chapter below);
- Short/long term courses;
- E-learning;
- Library upgrade;
- Designing new tech for learning;
- Online platform for knowledge sharing, reports, and visual archives shown for the consortium members;
- Online platforms for external communication, with curated and hosting;
- Advocacy events.

24

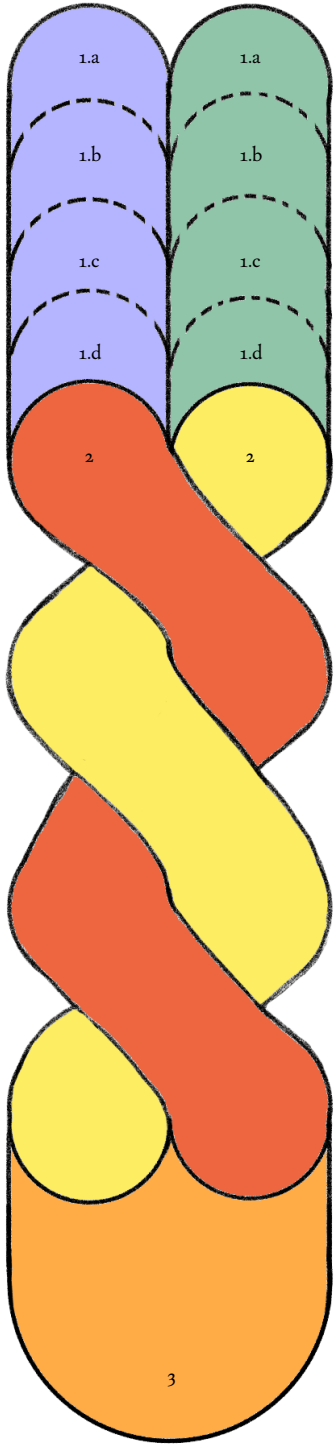
«The detailed action plan can be found in the Roadmap for Twinning Arrangement. It was drafted with input from all the project staff involved in drafting the RNA and organizing the TA in the twinned countries. The activities were chosen based on their usefulness and their feasibility depending on each country's context.» Tdh Hellas

«The Action plan was based on what we decided as a consortium and what we discussed with the Greek colleagues. The action plan is being worked out with all stakeholders.» RJN

Regarding the Roadmap, it is advised to:

- create a step-by-step work plan, to direct the focus and manageability of the project. According to the insights of i-RESTORE 2.0, the Roadmap functions as the Guide, together with the support provided by project coordinators. It was a good base to always return to, moreover, this is the document that serves as a guide for members who might join the project along the way. This must be able to serve as a platform the participants can consult and use to get up-to-date on the project timelines;

Twinning arrangement
timeline
(2 countries)



1.a Preliminary research

1.b Contracting

1.c RNA

1.d Roadmap

2. TWINNING

3. Closing event

- Design, finalize, and introduce the final reporting structure of the whole TA. As certain indicators should be set for the TA, and as these must be tracked and monitored on an ongoing basis, the parties can save a lot of time, and energy if the reporting templates and questionnaires are pre-made. The subsequent roadmap therefore must guide how and when to fill these. *«It would have been useful to have the format on how to write the results of the visit before the twinning started.»* RJN;
- Develop a methodology of involving children and youth participants in the design of the Roadmap. For example: the design of the timeline, forms of meetings, visits, communication, and targets of the activities ought to be centred around child and youth participation;
- Combine some of the suggested face-to-face activities also with online encounters, in order to optimize costs.

TARGET AUDIENCE

In the project a general good practice was started with defining the target group: the group of professionals to be invited. In general, the project members thought that the invited professionals were from a diverse range of backgrounds which helped the TA to be multilevel and reach many fields. *«A good practice is always to make sure that there are different types of professionals involved, including both professionals from the field and the ones in a more managerial position to ensure that different voices and opinions will be heard.»* Tdh Hellas

«The Dutch team was multidisciplinary and we managed to visit a variety of different organizations: court, probation, mediation organization, Child ombudsman, and two youth-related projects. Since they have less experience with mediation in criminal cases we managed to show them what is happening in the NL with diversion, mediation in criminal cases, and outside criminal cases. We also showed them youth work at a probation place and invited a trainer from the peaceable school project.» RJN

However, it was noticed during and after the implementation, that the target group identification in the Roadmap could already reach precision in terms of suggestions, concrete persons, and professionals. This cannot be emphasized enough: the subsequent roadmap, the programs, the study visits, and the whole cooperation are largely

designed around the specific experts, and specialists participating in the programs. If the target audience is clearly and precisely defined already in a Roadmap, it serves as a very strong foundation and meeting point for both members. Otherwise, in case of a poor definition of target audiences, stakeholders will be involved from a broader scale, risking the lack of shared language, shared interests, common ground and failing to communicate efficiently, undermining the TA's purpose and overall quality.

«Depending on the groups we invited to take part we made the programmes for the visit. We had to define the aim of the study visit assess participants' needs, and see how many professionals are interested in participating. Then we had to work on the logistics, traveling, accommodation, and dinner. Then we had to organize the program and contact several actors to ensure their availability.» Tdh Hellas

Being more concrete and precise in the child and youth-related target groups is essential. It has occurred in one of the twinings in the case of the Child Advisory Board, where only one member state delegated young adults, whereas the other delegated children. It created a mixed group, where age was a barrier in finding shared issues, shared language and shared platform in general.

27

Regarding the Roadmap, especially in defining the target audience, it is advised to:

- Identify very precisely (with proposed names) the different target audiences, and the stakeholders to be involved during the TA;
- Invest extra design steps to the action plan points regarding children, such as detailed consent forms for children and parents/legal guardians, logistics arrangements for chaperones if necessary;
- Consider to create a separate platform for children (Child Advisory Board) and for young adults (Youth Forum);
- Design the study visits, and children's meetings beforehand in the Roadmap, and paying mind to child-friendly approaches with regard to time, location, space, and form of gathering, and facilitation;
- Invite more specialists from different fields. For example, consortium members of i-RESTORE 2.0 witnessed that it was the specialists during the study visits who - in their niche field of expertise - can spot new, differ

ent, exciting, or inspiring details. Moreover, specialists are the ones who - upon returning to their field - can bring these insights into their institutional realm and therefore instigate change.

BODIES CREATED DURING THE PROJECT & THEIR INVOLVEMENT IN THE TWINNING ARRANGEMENT

CAB - CHILD ADVISORY BOARD

The aim of creating CABs was to increase the degree of child participation and co-creation and to facilitate connections between the youths throughout the duration of the project. Tdh establishes CABs in almost all of its projects to ensure meaningful child participation. Although the CAB set-up is not linked per se to the TA, it is a central part of the whole project's governance, it is worth mentioning them here as CABs had a role in the TA.

Members of the CABs from all 4 target countries were interacting through the CAB-trajectory in different digital/ audio-visual ways i.e. a digital meeting, 'challenges' or questions from one CABs to the other, also through study visits, for example 2 members of the Dutch CAB participated in the study visit to Greece. The CABs were assigned important roles during the Closing Event where they were invited to be the hosts, to hold workshops through which they could convey their own, specific understanding on what restorative ways of thinking are.

The CABs consisted of children and youth participants in touch with the criminal system and probation services.

Setting up CABs is a gate to involve children in TA. It is highly advised to give central attention to the CABs throughout the whole project. It is the platform where children can be truly involved in the process and leave an impact on the outcomes. According to the experiences gathered, the participation of children and the setup of CABs was properly designed to the process, yet, in order to truly gain a central position in the project, the consortium has to make it a central element already in the Roadmap.

Regarding children, and youth involvement, it is advised to:

- Bear in mind from the very beginning - from research, through the design and implementation - that CABs need a different functioning than other boards of justice professionals. This boils down to special considerations, different agenda items, and also language: CABs need their way of communicating which needs different support, care, and organisation;
- Organize CABs and other meetings of justice professionals mainly separately during the program, so the agenda items, language, and space of their meeting can be designed to their needs. It is advised to organize at least one joint meeting with all the consortium members present, preferably at the end of the project, where CAB members have already become familiar with their group, the subject matter, and had the time to create their own views and language;
- Specify the age of children participating from each member state in the CABs;
- Create a separate Youth Forum consisting of young people planning their careers: who are aiming to enter the justice system as professionals in the future. It is a great learning opportunity, with exciting and inspiring insights. They can get a much closer look at the system, meet professionals, ask questions and also add their contributions already at this stage to the system.

29

AWARENESS CIRCLES

During the program, so-called Awareness Circles were conducted in schools with the participation of students, teachers, parents, and other specialists in each country. They aimed to introduce the concept of restorative justice in its broadest sense, its functions and its applicability in schools to the participants. During the twinning meetings, their experiences were shared.

The learnings from these gatherings were gathered together into a joint '**Awareness Circle Storybook**' for all 4 target countries.

POLICY WORKING GROUPS

During the program, so-called Awareness Circles were conducted in schools with the participation of students, teachers, parents, and other specialists in each country. They aimed to introduce the concept of restorative justice

in its broadest sense, its functions and its applicability in schools to the participants. During the twinning meetings, their experiences were shared.

COORDINATING BODIES

There were two types of coordination during the TA.

There has been a **Lead Coordinator** of the project (TDH Romania) who was responsible for - besides being a coordinator in their own TA - coordinating and organizing the online meetings of the consortium, the opening event (Bucharest), and co-organising the closing event (Brussels).

Two partners were involved as responsible for **coordinating specific tasks** assigned to them. From Belgium, the European Forum of Restorative Justice (EFRJ) was involved in supporting the project with expertise relating to restorative justice. On the side, Tdh Hungary was involved in supporting the funding procedure, the design of i-RESTORE 2.0 (bringing expertise from i-RESTORE 1.0), and towards the end: during the times of reporting, reflection, and making the deliverables.

Having so-called external, non-implementing parties as coordinators had multiple advantages. For example, in the case of EFRJ, a very specific expertise was brought to the project on restorative justice. Non-implementing partners can provide a more neutral, more distant and overarching perspective for the project. On the other hand, the non-implementing partners - due to the distance - have to invest substantial effort to understand what is happening on the field during the project.

Regarding the project coordination, it is advised to:

- Design the reporting procedure, templates, and their timeline in the Roadmap already, to provide a framework so reflection and reporting can happen freshly, immediately after the experiences, study visits...etc;
- provide suitable time for the consortium members to schedule and plan: *«Since we are a big organization with lots of things happening, we need more structured plans, to know things more ahead to have time to get answers and consents, etc.»* Estonia, SIB;
- design a strong, stable coordination team with clearly defined competencies and tasks;

- design more consortium meetings where (if) the parallel running twinings can see into each other processes during the implementation;
- consider hiring coaches, mentors or facilitators for these roles;
- include the non-implementing parties from the start to ensure that they are familiar with the implementation and can provide external support and thematic input when needed.

TECHNICAL ADVISORY BOARD (TAB)

A Technical Advisory Board was created for i-RESTORE 2.0 to provide advice on the setup of the project as a whole. The TAB was not specific only to TA, however, it played an important advisory role in the development of the TA.

Their mission included additional research of literature and practices of TA in general, to conduct additional research on the potential pairings for this TA, and to provide the necessary support for the specific design for the TA. The TAB consisted of external independent professionals only for this specific assignment.

31

OUTCOMES

STUDY VISITS

During i-RESTORE 2.0 the study visits were the major learning platforms through which TA was materialized. One study visit took place in each twinning country. The participating professionals had the opportunity to visit key stakeholders and services related to restorative justice and child protection, and witnessed firsthand how the legislation is implemented in practice. In the following, we introduce the stakeholders and the activities involved in the study visits as a form of inspiration.

«The study visit was successful, and the participants left with very good impressions. The commonalities and differences between the institutions dealing with children's rights, juvenile law, and restorative justice in both countries were discussed and ways were sought to build on the experience of the visits in both countries to make access to justice more child-friendly.» RJN

GREECE

- Meeting in Kethea Strofi - therapeutic community for adolescent drug users aged 13-21 and their families;
- Meeting with Deputy Ombudsperson for Children's Rights;
- Meeting with Prisons of Peace, a non-profit that aims to reduce violence and promote peaceful conflict resolution among people in detention;
- Meeting in The Home Project – a non-profit organisation for unaccompanied children;
- Meeting in the Athenian Centre for Mediation with a Mediator and trainer of mediators: The Athens Mediation Centre “Prometheus”;
- Meeting in the Juvenile Court of Athens with representatives from the Juvenile Probation of Athens, Juvenile Probation of Piraeus, Juvenile Judges from the courts of Athens and Piraeus, as well as children who had been in contact with the law.

NETHERLANDS

- At the Halt office (diversionary measure) we were welcomed by the director Janet ten Hoope and by Anne-mieke Wolthuis from Restorative Justice Nederland. Here we met several experts in the field of restorative youth justice for example: Rianne de Back, head of youth at the office of the public prosecutor's youth probation office; Nathalie de la Cousine, director from the extrajudicial mediation organization and Hans Nijhout from the association of mediators for criminal cases;
- Visit to an office of the William Schrikker Group, a youth probation service: presentation on juvenile rehabilitation and on the practice of working with young adults, and particularly those with cognitive and intellectual disability (18-23);
- Meeting a trainer/coordinator of the Peaceable schools;
- Visit to Court of Rotterdam with the mediation officer Alfred Bernard of the mediation bureau of the court and meeting with youth judge Amanda Nijs in one of the Courtrooms and discussion;
- Visit to Heilige Boontjes: a cafe run by ex-detainees and vulnerable youngsters.

ESTONIA

- Meeting at Saku Gymnasium. The Romanian delegation was welcomed by Mr Keit Fomotskin, the director of the educational institution, together with Ms

Martina Kallaste and Ms Marju-riina Laugen, social pedagogues responsible for mediating relations between pupils, teachers and parents, using restorative justice approaches. They discussed the application of RJ in schools, and the overview of the awareness circles Teisipäev 20.02;

- Meeting at Ida- Harju Police Department with the senior commissioner Mari-Liis Mölder. In the first part of the meeting, the hosts presented some general information on the structure and work of the Police Station, with a focus on the use of volunteers from the community who act as police assistants;
- Seminar at the Ministry of Justice;
- Meeting with Annika Vanatoa at the Prosecutors Office;
- Meeting with the head of service of Lastemaja (Children's House) Merit Korbe.

ROMANIA

- Meeting with Romanian judge Raul Alexandru Nestor - an overview of how juvenile court proceedings are conducted in Romania + whether and how the restorative justice approach is currently enshrined in Romanian law;
- Meeting with the National Prison Administration - presentation was given on how juveniles are placed in prisons and what the current situation is regarding juveniles in custody;
- Presentation of Terre des Hommes office;
- Meeting with two police officers from the School Safety Directorate, a new institution in Romania administered by the Police;
- Meeting with specialists in child participation at the Resilience and Innovation Centre in Bucharest;
- Two CAB members were part of the study visit.

33

Regarding the organization of study visits, it is advised to:

- save time for a joint and designated meeting to discuss any preliminary factors, logistics, the course of actions and to agree on other overarching questions, prior to starting to organize the detailed study visits;
- invite more specialists from different fields. Consortium members of i-RESTORE 2.0 witnessed that it was the specialist during the study visits who - in their niche field of expertise - can spot new, different, exciting, or inspiring details. Moreover, specialists are the ones

who, upon returning, can bring these insights into their institutional realm and instigate further change;

- consider special design solutions for children and youth participants;
- stay open to alternative ideas. For example, in the Netherlands, during the visit in Rotterdam the team visited Heilige Boontjes, a cafe run by ex-detainees and vulnerable youngsters;
- rethink the documentation of the study visits. Documentation is part of the research and of the subsequent reporting. Choosing interesting forms of documentation allows the project to be shared with the public;
- write/fill in the report forms at the time of the study visits;
- as an organizer/coordinator - **stay open** during the preparatory meetings and during the study visit at the partner and **be flexible** with the Roadmap regarding designed programs if new ideas emerge. It is advised to **stay curious and attentive** to the needs surfacing and emerging during the visits and be willing to make changes in the planned, upcoming study visit accordingly.

ONLINE MEETINGS

The partners met in person during the kick-off meeting at the start of the project, in the regional advocacy events, and when the study visits took place. The online meetings were numerous. The usual practice was to have a consortium meeting with all the partners and ad hoc meetings for different project deliverables with the partners directly involved in particular tasks.

Regarding the online ways of communication, it is advised to:

- agree, plan, schedule, and design in the Roadmap the occasion, frequency, role, and platforms of the online meetings. As the study visits got the most attention during this particular TA - also as the most inspiring, and eye-opening encounters were happening in the physical proximity - the online possibilities were less explored;
- investigate if online community practices can be used for knowledge sharing, interviews, creative modes of engaging between specialists, using games or crea

tive platforms when it comes to the design of CABs and Youth Forums;

PLASTICITY OF TA DESIGN

Based on the experiences of project coordinators, one key element of a successful TA is to let the design be plastic: being adaptable, letting it change during its implementation phase, and **be shaped also by unforeseen and emerging circumstances.**

This can be broken down into the following aspects (while reinforcing some points mentioned just above):

- **Stay curious.** Many coordinators and participants referred to it as an essential to preserve an open mind and to stay curious. Participation in TA is a form of research: all participants are in the researcher's mindset of inquiring, observing, asking, listening, and being open to being affected and changed by the findings. Such an attitude - including the freshness it brings - is also a reason why all members reported a general satisfaction of being part of the TA: that they would participate in future TA, and are open to the continuation of this specific TA. **Overall, TA requires a learning method and research mindset, which is a very refreshing mode of working in the sometimes bureaucratic everyday.**
- **To not be limited by RNA/Roadmaps.** While the findings of the RNA, and the subsequent Roadmap ought to be serving as an overall guide of the TA, it is essential to stay open and curious all along the process. Worth noting, that while the RNA and Roadmap are born from preliminary research, the study visits are the momentums where the participants **dig deep into the tissue of the other organizations** and get access to first-hand information about restorative justice and children's rights.
- **Be ready to be mirrored.** It was noticed that TA serves as a sort of self-reflection exercise, a process of learning about the participants' own system through the eyes of the other. All members reported surprises and unexpected new insights. Interestingly, it was not only about the other. The study visits also

provided a mirror to the host: they realized aspects of their programs which they considered to be basic, fundamental, and evident, that they never realized certain achievements and the good side of their work. In another way: participation in a TA put their everyday practices into a different light, may distribute the constant focus on what is lacking towards achievements and good practices, therefore opening a new way of thinking about the already existing infrastructures and thereby identifying new opportunities.

- *«The exchange with the Greek group and their enthusiasm about our RJ practice was inspiring too. It also showed us that we are doing mostly good work.»* RJN

*«The unexpected positive feedback came from the professionals in the Netherlands during their Study Visit in Greece. Whereas restorative justice is not as much implemented in Greece as in the Netherlands and more steps need to be taken, especially given the lack of resources and infrastructure, the professionals from the Dutch justice system mentioned that the system in Greece is less sterile thus cooperation between actors prevails.»*Tdh Hellas

- **Be present and attentive.** The active participation in study visits as a coordinator was highlighted. Based on the experiences, the Roadmap is a set of ideas which can be altered by lots of unexpected factors unfolding during a study visit. This may affect the roadmap and already envisioned programs. Being present creates an opportunity to add new elements, new ideas to the program, or to invite professionals who were not initially planned. Moreover, the plans do change, and are even advised to change, when finalizing the participant lists of the study visits. Finetuning and **adjusting the program** to the participating professional's profile results in a **more fertile exchange with longer-term, deeper change potentials**. For example, during the visit of the Romanian delegation to Estonia, it was noticed that the Estonian partners have an exceptional interest in Romanian child safeguarding policies, larger than expected before. Romanian partners therefore took the chance and modified the study visit of the Estonian delegation to Romania in a manner that better satisfies the newly observed needs. Also, in the planning, Estonia proposed to bring a formal Police

Officer to the study visit at the moment working at SIB. As a response, Romania organized a meeting with the Safety School department of the Romanian Police Institute. The meeting was very enriching, with many takeaways and new perspectives, as such a department does not exist in the Estonian Police.

- **Stress-factors.** It has been noted that looking at the TA as a plastic entity needs a lot of agility from the side of colleagues, mainly in the coordination teams. Such an attitude comes with great advantages, yet a lot of stressing factors due to change, which needs to be managed, and calculated. Such characteristics of the coordinator's tasks shall be acknowledged, highlighted, and remunerated accordingly.

«The biggest challenge was to arrange different in-person activities while taking into consideration the schedule of the participants i.e. professionals with excessive workload, with different schedules and different levels of responsibility. The lack of flexibility especially from some participants from the public sector due to increased casework added another layer of complexity. And of course, the challenge is always to combine the strong as well as the weak points of each country's system in order to design activities that will have a positive impact and will offer meaningful support to the professionals involved based on their needs.» Tdh Hellas

Undoubtedly, the plastic nature of TA affects most project coordinators. According to the evaluations made by project coordinators of i-RESTORE 2.0, they were challenged by many last-minute changes that required them to be flexible, agile, and responsive.

«In more practical terms, the organizer of such arrangements should always give plenty of time to the participants to respond about their availability while simultaneously being prepared for several types of unforeseen circumstances (such as emergencies, unexpected drop-outs, strikes, or other events that might affect the general public, etc.).» Tdh Hellas

- **Make space for surprises.** While plasticity has its challenging side, it was proven that the more the consortium team and the coordinators stayed flexible, the more meaningful the activities and the overall cooperation

became. An example is *in promptu* involvement of Lucia O. Petrescu from the National Administration of Penitentiaries of Romania to the project. Her presence was not initially calculated but was raised as an idea while developing the program for Estonian study visits. After participating, she was also invited to Athens, Greece for the regional advocacy event held in May 2024 to share her learnings, and she reported being very impressed by the Estonian practices in prisons. According to her they learnt new methodologies of communication among prisoners which she intends to put forward in her institution to be applied. In addition, she proposed to invite trainers of Tdh Romania into Romanian prisons and to recognize the overall importance of restorative justice, so as to initiate awareness raising on a general national level on restorative justice.

Sustainability-based recommendations

Sustainability is a central factor when it comes to *TA* as methodology, either before and also after application. Therefore, this Guide offers a separate chapter to elaborate on what sustainability means in the case of the *TA* of i-RESTORE 2.0.

PERSONAL IS THE INSTITUTIONAL

TA owns an **elastic structure**: the form it takes depends on what form it has on the colleagues involved. It is largely built on the constellation of colleagues involved. Its content, influence and the marks it leaves depend moreover on the justice field colleagues who participate in it, as well as their specific interests, perspectives, and observations.

According to the colleagues involved, the biggest take-away of *TA*, is the personal contacts they developed during the arrangement. All answers highlighted the personal meetings in physical proximity, and the added value of going beyond the functioning of the justice system, and meeting the culture and background of their twin.

TA creates space to include personal encounters, discovery of deeper layers of culture, society, and history to the procedure of crafting our justice frameworks.

TA creates collegial, interpersonal connections. It leaves the building blocks for further connection, dialogue,

self-organized learning, and reaching out, which goes beyond the timeframe of the funded project era. The projects therefore are **sustained through personal connections**.

Yet, this is where the polarity lies. As the project builds on personal learning, it creates a certain level of vulnerability. In i-RESTORE 2.0 for example, there have been examples where a change of personnel resulted in unplanned situations which required on-the-spot answers.

For example, from the team of Tdh Romania the change of project manager occurred. The transitioning period happened in a not ideal moment from the point of view of the project, which created delay and stagnation, while causing difficulty for the new colleague on reporting at the end of the project.

*This therefore raises the following questions: questions are therefore raised: **How can the design of TA can prepare for a change in the TA team? How can the TA be integrated within the larger institutional framework and produce a lasting effect through fostering strong interpersonal ties?***

39

1. WEAVING DIFFERENT LEVELS OF HIERARCHY AND DISCIPLINES

During the TA of i-RESTORE 2.0 multiple levels of stakeholders with different backgrounds from a diverse range of disciplines were invited to participate in the study visits. This solution allowed professionals to meet with thoughts and information which are beyond their regular national networking events. Many members reported that they were able to build new connections also within their own policy network. For example, in the Netherlands, the police were difficult to get on board before, while during the TA it was observed that they were getting more involved. As a consequence, the overall policy network of RJN grew.

It was also observed that TA engagements strengthen action plans on the national level. For example, in the Netherlands, it is due to update the Dutch guidelines on youth criminal procedure, as it needs to be investigated in all cases if mediation is possible. It was great support from the Dutch Youth Prosecution Office, Rianne de Back could attend the advocacy event in Athens, Greece.

«Due to the policy network at national level there is a commitment made by a multidisciplinary group of youth justice professionals, also at direction level who want to improve RJ for children and adolescents. It creates a 'joint force'. We know easier how to reach each other. Also bringing some of them to the field trip (twinning visit) and two to the advocacy event in Bucharest and 3 to the advocacy event in Greece increased this national cooperation.» RJN

Members reported that a pool of multiple levels of stakeholders was created during the TA, which resulted in meetings and **connecting deeper within their own national policy network**. These occasions provided space to share with other professionals creative, inquiring moments, conversations, which they would not have shared otherwise. It was moreover highlighted, that the nature of these events (personal and creative) also offered different channels than usual, and more inspiring than sometimes ordinary frames allow.

«The TA information was shared within the national policy network that was established at the beginning of the project i-RESTORE 2.0. This contributed to increasing knowledge among a multidisciplinary group of youth justice and RJ professionals. The group consists of directors, a judge, a public prosecutor, a lawyer, mediators, and other expert professionals in the field.» Tdh Hellas

«In Greece, there were different levels of collaboration, including a policy working group with participants from different public institutions (juvenile courts for example), collaboration with public schools for the Awareness Raising Circles and the Child Advisory Board sessions, etc. A lot of the participants in the Training and the ToT were professionals from the public sector (juvenile probation officers, social workers from the child victim and child protection services, etc) and the majority of the participants of the Study Visit in the Netherlands were juvenile probation officers from the Juvenile Courts of Athens and Piraeus. It should be mentioned that the Greek TAB member is also from the public sector.» Tdh Hellas

Creating a diverse pool of experts, inviting multiple-level stakeholders, and justice professionals having access to institutional propositions, policy-making, and advocacy is an important element of TA. This way the learnings of

study visits, the inspiring methods, potential solutions, and shared goals can be initiated on different levels, and eventually be **inserted into the national legal apparatus**.

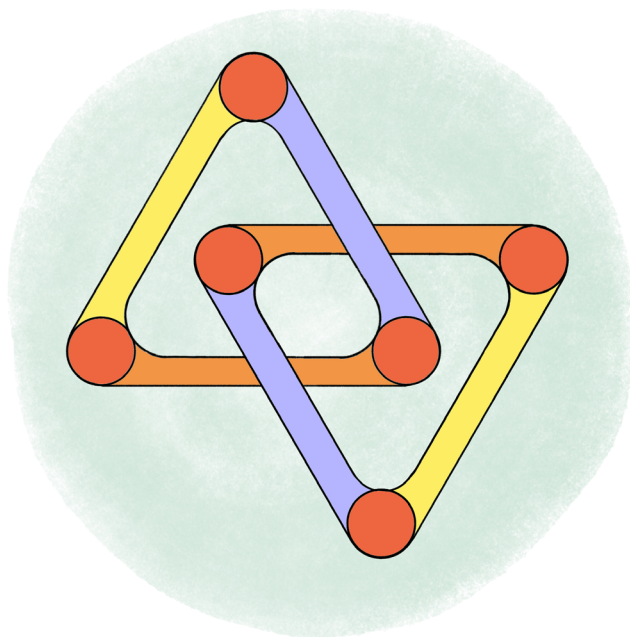
A pool of these experts can also be useful **to track the impact of the TA** in numbers. A good example is when in Greece the number of training requests from the members increased after participation in the project:

«There has been an increased interest in restorative justice both from public actors and private professionals, an argument which can also be supported by the increased requests that we receive for training in restorative justice and restorative justice skills. All of the project's activities were a step towards changing the perspective regarding restorative justice and shifting the mentality from retribution to reconciliation.» Tdh Hellas

2. TRANSLATION

What do we mean under translation and why TA is a promising tool in a European Union context for restorative justice for children?

Weaving different levels of hierarchy and disciplines



TA can be an innovative methodology as it shows an alternative model of institutional change: instead of vertical effects (top-down, bottom-up) it creates horizontal movements, in side-to-side directions. It connects the justice professionals, civilians, and bureaucratic members on a horizontal level, and creates exchange and dialogue. It transfers knowledge, information, and seeds for change therefore in a different manner than top-down approach. The fact, that exchange happens directly also between specialists of different member states, makes it possible to implement, and directly translate the learnings into their systems more efficiently, which is a great advantage of TA.

«There were differences especially due to different codes and procedural rights in every country, for example in the Netherlands the principle non-reformation in peius does not apply in criminal courts which results in fewer appeals, whereas in Greece is one of the fundamental principles of the penal law. However, all the differences did not pose a difficulty in understanding but instead sparked fruitful conversations.» Tdh Hellas

This element of translating the best possible way experiences, new insights, and inspiring methodologies is a cornerstone of a TA, especially in cases where different legal, cultural, social, and other infrastructural backgrounds meet.

«We also take with us the knowledge to engage in greater collaboration in assisting children and young people with NGOs and non-profit organizations in Estonia.» SIB

As important elements of not getting lost in translations, it is advised to:

- Acknowledge the fact of differences and the need for translation;
- Provide time and enough space for clarifying questions; *«Sometimes we had to listen very carefully. It is hard to get a full understanding of a whole system well, but there was enough time for questions.»* RJN
- Acknowledge the important role of specialists and inviting plenty of them. According to conclusions made by TDH Romania, it has been the specialist who - within their respectable field - could sharply detect differences, and novelty and brought very valuable discussion

into the project. Specialists are also the ones, who, while returning to their home country, have the capacity and knowledge on how to lead the process of translating the new ideas the best fitting way into their own country's system.

Important learnings especially on child-related aspects:

«That they lock up fewer youngsters under 18 and that their probation officers have more time and give them chances to make a few more mistakes. Here after the first time, a second chance is sometimes given, but it does not continue.» RJN

«Such initiatives help to broaden the perspectives of professionals working with children and young people, and to use examples from other countries, applying them to their work when identifying gaps and difficulties. It is important to maintain communication between these professionals after the training visits have been completed.» RJN

«To listen more to the child, not in the RJ process since we do it but overall communication in the system etc, to be more inclusive.» RJN

«Three months before release, children are transferred to another department, the so-called «open prison, » where the regime is more lenient - A notable advancement is the implementation of the restorative justice approach within four prison institutions, facilitated by the i-Restore 2.0 project. Psychologists, detention system staff, and social workers have undergone training in this approach.» SIB observations in the study visit to Romania.

43

3. JOINT MEMORANDUM AND POST-CARE

From the perspective of the question of sustainability, the period of project closure is crucial. These are the times when the participating parties of the TA can reflect, identify best practices, and also on what could work differently in the future. It is also the period for forging intentions on how to keep on collaborating and prolonging the connections started during the TA.

«You are in the loop, it is needed to have a good chunk of

time left for shared reflections, not only in isolation with templates, but with conversations, which feed after the final reports, and plans. This has to happen before the closure, not enough to have these conversations at a closing event.» RJN

«That takes effort, and a next project would help, but the right ingredients are there: building on the social contacts made. We know how to find each other.» RJN

Another tool through which the personal and the institutional is connected are the application of **memorandum**, where the parties from the two sides engaged to continue the collaboration in the future, also after the official closure of the respective TA.

«It is noteworthy that as one of the objectives of the Policy Working Group is to create a Memorandum of Understanding with relevant national partners with the aim at pursuing collaboration beyond project duration in the four participating twinning countries, the Juvenile Probation Services of Athens already agreed on signing one with Tdh Hellas to properly establish a collaboration to promote restorative and child-friendly justice and the same interest has been expressed from the Juvenile Probation Services of Thessaloniki.» Tdh Hellas

4. PERSONELLE-CARE

A stable, committed, appreciated personnel helps the engagement to a TA which sometimes overarches years and continues to be circulating in the system after the official closure of the project.

The question of fluctuation is not an easy challenge. However, within the field of public services it is less threatening than in the private sector. Yet, seeing the benefits of TA, where the backbone is the people and only secondly the infrastructural arrangements, it can be more responsible to ask: ***How can the circle of colleagues participating at TA stay stable also in the post-twinning arrangement era?***

COMMON PROBLEMATIC & SHARED TACTICS

Another powerful takeaway that the members of i-RESTORE 2.0 have discovered, was the power stemming from the identified shared and common struggles. Coming with a grain of surprise, the members said that despite the

legal and infrastructural differences in restorative justice for children, they were able to identify shared and many times almost equivalent issues. They identified for example that a shared societal problem arises when it comes to **resistance of institutions**, including the education sector towards welcoming mediation and training around it.

According to their reflections, this momentum gave a lot of empowerment, while exploring the contexts, circumstances, and **root causes** followed by thinking together about possible solutions.

Brainstorming was a driving force of many encounters. For example, in Athens, Greece in May 2024 the Advocacy Event it was noticed that it differs how the member states approach the procedural questions of compensation for material and emotional harm: in the Netherlands emotional and material harm come together under one procedure, whereas in Greece monetary compensation is usually separated in civil procedures, and mediation is focused about feelings and relations. Monetary compensation appears in mediation only until being a symbolic amount. As soon it takes a substantial amount, monetary compensation is delegated to civil procedure. The consortium members then started to reflect on the benefits and disadvantages, and to conceptualise ideas on a multiple-step mediation program where criminal mediation is followed by civil mediation.

Moreover, the TA between Greece and the Netherlands provided space for reflection on the difference of the age of criminal liability, while unpacking the contextual, societal, infrastructural, cultural, and philosophical layers of the question. In the Netherlands, the entry age of the justice system for child offenders is fixed by the law at the age of 12. This can be low, and consequently, more young people are involved into legal proceedings and end up institutionalized.

«The Dutch participants were impressed by the community feeling of the Greek practices compared to more individualistic approaches in the Netherlands. That there are only approximately 35 children under 18 in youth prisons in Greece is also an eye-opener. Why do we lock up so many more children (approximately 700)? And also, that the probation goes for a longer commitment with the children, also when they make several mistakes. To stand next to them instead of just deciding.» RJN

Besides understanding the layered, multi-step approach of the legal infrastructure around the criminal liability of Greece, the Dutch partners also revealed that the Greek cultural environment provides a more communal net to a juvenile and children in contact with the law. After returning from the study visit in Greece, RJN noted as an agenda point for the future: *«More attention for the community aspect, also meaning involving the network around a child. So, more focus on the use of conferencing in child justice and prevention work.»* RJN

Lastly, as a potential agenda and action point for the future in case of the Dutch partners, the TA has provided the reassurance that in times of design and implementation there is a support network of Greek colleagues for whom Dutch colleagues can personally turn to.

«The pleasure of learning together and also investing in social connections with professionals from other countries. It also creates a different lens to your practice, laws, and policies.» RJN

Communication-related recommendations

In the case of a TA, the members had the freedom to determine and design their own, specific ways of communicating, at the time of designing the Roadmap.

«The partners met in person in the kick-off meeting at the start of the project, in the regional advocacy event last year, and then again in the study visits that took place. The online meetings were numerous. The usual practice was to have a consortium meeting with all the partners and ad hoc meetings for different deliverables with the partners directly involved in this deliverable.» Tdh Hellas

«The consortium meets regularly online, but for the twinning arrangements there was an open channel of communication between the two project teams, mostly through email, Teams calls, and WhatsApp, as often as needed to ensure that everything runs smoothly.» Tdh Hellas

In i-RESTORE 2.0 the two twins worked separately: and organized the study visits, online meetings, and all forms of

communication, including the reporting phase almost entirely separately. The exception was the opening event, an advocacy event, and a closing event where all parties have been present. The parties noticed that the information they had have access to about the process, and findings of the other twin is not sufficient, they realized and voiced the need to learn from the other setup, member states, and their design solutions.

Generally, in terms of communication, it is advised to:

- Research - during the design of the Roadmap - all the available means of communication;
- Take into consideration the occasion and purpose of potential online meetings;
- Agree on the platforms and on a draft schedule.

In case of simultaneously running twinnings, it is further advised to:

- **At the beginning:** organize a joint meeting to share draft designs, and draft Roadmaps, to exchange strategies and techniques;
- **During the process:** organize more cross-twin meetings, events online or otherwise, to learn and to be informed about the processes of the others;
- **At the end:** create occasions for joint reflection, digestion, and reporting.

47

Budgeting-based recommendations

«Regarding the costs, they have been carefully planned and forecasted since the proposal stage so there was no issue. Of course, inflation has affected the costs of the activities but with careful planning and thorough logistic processes, this risk can be, if not avoided, then at least reduced.» Tdh Hellas

The budget was shared and allocated equally to all project members. Each member state has been therefore responsible for creating a budget structure with specific budget lines.

Regarding the budget design, it is advised to:

- Keep in mind that the change in colleagues involved in the TA affects budget design;
- Plan and allocate as much as possible fixed personnel to be participating from the beginning of the project. Consequently, when it comes to bookings of travel - and flight tickets in particular - it is easier to respect the funding body's otherwise strict budgeting guidelines;
- To adjust the budget proportionally to each country's economic conditions. Some countries have lower costs, while others are more expensive, particularly concerning travel and subsistence expenses. The planning and logistical arrangements should be meticulously organized in advance. Each country should consider the number of participants when making these arrangements to ensure the budget is as accurate as possible, as certain countries or organizations may require more funding for such activities than others. It is essential to plan with precision from the outset, keeping in mind that inflation may vary over time;

Closing remarks

As a constantly developing tool in the hands of public administration, twinning arrangements are malleable forms that with creativity can be moulded to the interests and main needs of the project in question. It is a structure, that marries and connects professionals, and positions, leading to strong professional bonding through personal exchanges. Therefore, it qualifies to be a tool which shortens bureaucratic channels of communication.

This tool is built directly on the people working in state infrastructure, it initiates change through personal connections which get integrated as further steps into the stable, standing infrastructures. When applying this tool, certain vulnerabilities come with it which has to be calculated and needs flexibility, creativity during implementation phase.

Nevertheless, it provides a possibility to adjust the project to the unforeseeable, emerging, and relevant needs of the partners. It creates space for more insights, and shared thinking which can lead to a deeper understanding of certain phenomena, to tailored responses to real needs, joint understandings, and shared imaginations. It creates space to include children in the process through different methodologies (like in i-RESTORE 2.0 the system of CABs) through which the viewpoint of children is effectively shaping the project. Lastly, *TA* makes space for specialized restorative justice practices to be studied by the other partner and encourages the states to use what they learned and to translate these in line with their own cultural, legal, historical, and political traditions. Lastly, *TA* also creates the possibility for members to learn about themselves: to be mirrored and to value, and to cherish their specialized techniques, practices, and responses.



Co-funded by
the European Union



Terre des hommes
Helping children worldwide.



REPUBLIC OF ESTONIA
SOCIAL INSURANCE BOARD

Halt. rin



EUROPEAN
FORUM FOR
RESTORATIVE
JUSTICE