



Implementing restorative principles and practices in Finnish prisons

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Development of restorative practices in Finnish prison context

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1. Restorative dialogue in serious crimes between the offender and the victim or relatives of the victim in case of homicide

 2. Restorative dialogue between the offender and his or her family members

 3. Mediation between offenders

 4. Increasing the number of restorative wards in Finnish prisons – most challenging

Statistical data about restorative dialogue (ReDi) in serious crimes in the years 2013-2022

Total amount of initiatives until the end of 2022 was over 200

Annually in last years initiatives are received on average 30

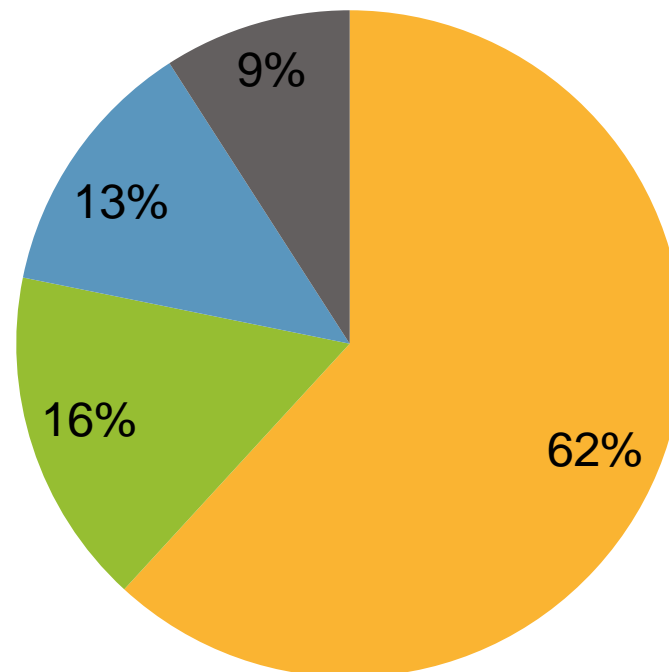
- About 50% advance to the face-to-face meeting or indirect encounter.
- About 90 % of the initiatives are received from the offenders and about 10 % from the victim party.

ReDi (def.): a process which gives possibility for the parties of the serious violent crime to discuss after the final judgment about the consequences of the crime in order to decrease the human sufferings and increase well-being of both parties in the presence of and guided by two professionals.



The proportions of crimes as a percentage of the initiatives of the years 2017-2018

- Homicides
- Attempted manslaughter
- Aggravated assault
- Sexual offences



In years 2019-22 the proportion of sexual crimes has increased to about a quarter of the initiatives.

The Process of Restorative Dialogue (ReDi)

RISE and two Mediation Offices under Finnish Institute for Health and Welfare
implement in cooperation



PHASE 1	PHASE 2	PHASE 3	PHASE 4
INITIATIVE	PREPARATION	ENCOUNTER	FOLLOW-UP
Evaluation of suitability	Preparatory meetings	With one-to-one discussions before and after	Identifying impacts
<ul style="list-style-type: none">- motivations, goals, expectation, human resources meeting the referring participant contacting the other participant(s)	specifying goals and expectations identifying benefits and risks surveying how the participants relate to the offence, other participant(s) and following encounter(s)	one-to-one discussion before the encounter creating safe and confidential atmosphere one-to-one discussion after the encounter	the significance of the encounter: 1)physical 2)psychological 3)social 2 weeks and 3 months after the encounter

Starting point of RJ in Finnish Prisons

- *Mediation in Serious Crimes 2013–2018* by The Criminal Care Support Foundation. I was project manager and there were two facilitators or coordinators working with me. The main task of this project was to form a reliable process which we called **victim-centered offender sensitive dialogue**. This is quite different of the mediation process of minor violent crimes which has been done in Finland legally and before trial. This dialogue can be arranged 1) between the parties of serious crime or 2) between the convicted and his or her family member.
- This was a new way of working so we had to inform the prison staff, prisoners and victim organizations and also the public as much as it was possible.

Increasing awareness widely – overcoming prejudices

- In the first years we had quite few initiatives because of different prejudices especially from the victim side. So we had to make clear that participation in this REDI process will not shorten the sentence or would not have any other effects for carrying out the sentence. In addition this is not a forgiveness process – although it might be. So we had to make clear what this RJ means in serious cases.
- After the first face to face dialogues we - together with some of the relatives of the victims- told about their experiences to members of the victim organisations. Offenders told to some other prisoners. So little by little other people in same situation ventured to participate in REDI process. Relatives of the victim usually wanted to see the offender eye to eye in order to get answers to their questions but with some we used method of shuttle mediation.
- Public media was also interested in this kind of new way of working in the context of serious violent crimes and helped us by interviewing the parties and by publishing these interviews.

Increasing awareness in prison context

- We informed the directors and prison staff especially in closed prisons and experts in central administration. At this phase very useful material was for us:

The information pack (2016) Restorative justice in custodial settings by Restorative Justice Council

->They became inspired. e.g. these points were highlighted : After increasing restorative processes it is possible that

- 1) The prisons come more human and effective - dynamic safety and social order increases.
- 2) Restorative processes foster the rehabilitation of prisoners and social change.
- 3) Well-being of the staff increases in the prison.

→ We got permission from the management to begin restorative dialogue and other restorative practices in every unit of Rise if there are suitable prisoners

Strategical goals of Prison and Probation Service of Finland

- To increase systematic and goal-oriented work that is made in interaction with the prisoner, with the aim of increasing the prisoner's capacity for a crime-free lifestyle.
- To have more (statistical and individual) effectiveness of the rehabilitative programs for prisoners convicted of serious violent crimes
- To increase dynamic safe and trauma sensitiveness

-> In the goals of RISE had been to begin emphasize those kind of goals which can be promoted exactly by restorative approach and restorative practices.

We developed a restorative program in order to increase awareness among prisoners in four closed prisons

Main contents:

1. What is restorativeness? Restorative principles and values; Department's core values are formed together with the group members; Various restorative practices are presented.
2. Restorative justice and responsibility, transformative conflict theory, the needs of the victims and their loved ones, the needs of the perpetrators and their family members. Exercises.
3. Conflict resolution. The connections between feelings and needs. Exercises.
4. Benefits of mediation and Restorative dialogue; apologizing and forgiving
5. Watching and discussing the documentary film "Eye to Eye" or other possible videos.
6. The process of mediation and ReDi, visits by experience specialists.
7. Orientation to a crime-free life style; e.g. writing a letter.

Thesis about our restorative group program:

Hyvärinen O. & Jaalivaara R. (2015) Mediation of Serious Crime –Project – inmates’ experiences of the orientation session

- The results show that all participants experienced the sessions as useful. It was also discovered that the orientation is the most functional when carried out as group sessions. The results revealed that the changes in participants’ thoughts were generally related to the consequences of the crime, taking responsibility of the crime and empathy towards the victim.
- ”(...) That’s when I start thinking about how widely it has affected, not only the victim who has lost his life, but also the victim’s close circle.”

Other different preparation work

- The needs and attitudes of the prisoners and relatives of the victims towards restorative dialogue and restorative practices were studied by different surveys or inquiries. According to one inquiry:
It was hoped that RJ-practises would not be only a short information but as part of the permanent rehabilitation activities in the prison so they do not have to be afraid of being stigmatized if they participate in that kind of practices.
- We trained restorative coordinators (1-2) in every prison and Community Sanctions Offices – on basis of voluntary.
- We founded one restorative ward in Kylmäkoski prison and trained the staff of that ward. It is important that the whole staff in the ward share these values and act on them.

Restorative unit or department in three closed prisons (Kylmäkoski 2016 - Riihimäki 2020 – Hämeenlinna, 2023 autumn)

- **Main goal is to create a culture of respect and dignity and where conflicts are resolved by restorative methods;** other important values: good human relationships, empowerment, inclusiveness, openness, trust, honesty, equality, repair, healing, empathy, safety, dialogue. -> most important values are drawn up with the prisoners and staff.
- Other goals for prisoners:
 1. Prisoners understand the effects of their crimes and learn to develop empathy towards those whom they have hurt;
 2. Prisoners get a chance to reimburse their earlier crimes symbolically or by doing e.g. volunteering work,
 3. Prisoners develop their social skills.

Experiences from the restorative department of Kylmäkoski prison

- It has been learned how to resolve conflicts
- The environment support and encourage learning and executing the programmes,
- It is easy to be and learn when all in this group have same purposes and aims, the environment support my own decision,
- "When I compare for the other programs in prison these are very sensitive and you take responsibility for others You really have to think your own crime and the effects or damage it has had on others."
- It is easy to speak to the officials of the department, when I need to; in other departments it is not so easy to talk to officials when something is bothering my mind.

Restorative goals of Prison and Probation Service of Finland

- To increase restorative departments and restorative work in Finnish prisons; e.g. to increase respecting, appreciative and conciliation culture
- To increase awareness and use of restorative practices among the prisoners and customers
- To increase participation in restorative dialogue in serious crimes.

These restorative goals are official and quite new.

Challenges in widening RJ practises in prison context and restorative dialogue in serious crimes

ReDi: Scarce resources, lack of permanent funding, management ambiguity ("home base") and it falls between views that emphasize the position of the victim and on the other hand the position of the perpetrator -> prejudices from different directions

Prison context: traditional punishment oriented prison culture, anti-rehabilitative subculture of prisoners; prisoners <> guards

Some important principles

- Going forward step by step
- Making awareness what ReDi really means
 - > it may not be a forgiving process
 - > it does not affect the sentence
- Commitment to the values (staff and prisoners)

The purpose of human life is to serve, and to show compassion and the will to help others

Albert Schweitzer

