

# Key Findings from Expert Interviews: The Case of Germany

„Implementing Peacemaking Circles in Europe“  
A Project Funded by the European Commission's  
Criminal Justice Program

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# Outline

- What did we *learn* from the implementation of VOM or conferencing?
- What are existing *case selection* and referral criteria for VOM? And do we need new ones for Peacecircles?
- Which *legal, practical* and *context* factors are relevant for the implementation of Peacecircles?
- *Who* should we include in Peacecircles?
- What are potential *risks* or obstacles for implementing Peacecircles?
- What are potential *options* and venues for implementing PM-Circles?

## WHAT DID WE LEARN FROM IMPLEMENTING VOM?

- Transparency is Key: Clear Terms and Goals
- Networking and Publicity
- Knowing Stakeholders and Making Contact
- Knowing Competing Interests/Groups and Making Contact

## PERSISTING PROBLEMS WITH VOM

- Largely underestimated as being “**soft**” on crime or an “easy way out” for the offender.
- Became curtailed and **limited** after implementation.
- Important decision-makers often do **not consider** VOM as an option (police, prosecutors, judges, lawyers).
- Alleged conflict between the goal to **respond quickly** and the fact that good conflict resolution takes time.
- VOM agreements are not **legally binding**.
- If victim gets advice from victim aid organizations or lawyers they tend to not want to participate in VOM.

## *Legal, Practical and Context* Factors Relevant for Implementation

- VOM agreements are not *legally binding*, which in turn “weakens” mediation organizations.
- VOM is more time-consuming than standard sanctions, Circles may take even *longer*.
- Decision-makers work under high *time pressure* and have high caseloads and often do not think of VOM as an option.
- Growing tendency of victims to hire *lawyers*?

# Peacecircle Participants

## Include:

- Peers
- Neighbours
- Victim Aid
- Community
- Youth Service Organizations
- School Counselor

## Don't include:

- Lawyers
- Police Officers
- Judges
- Clericals
- Community Initiatives
- “Fan Base”

## POTENTIAL RISKS OR OBSTACLES FOR IMPLEMENTING PEACECIRCLES

- There is a recurring trend towards *deterrence*.
- Peace circles may be perceived as too *exotic*.
- German culture highly values *privacy*.
- Higher *risk to confidentiality* due to the inclusion of more people.
- Lacking *sense of community* in bigger cities.





## POTENTIAL OPTIONS AND VENUES FOR IMPLEMENTING PEACE CIRCLES

- Making *results transparent and public* (without revealing participant's identity).
- Opening people's minds for the "difference" meaning the *benefits of repairing harm* compared to sanctioning.
- Offering *clear case selection criteria* to decision-makers (police, lawyers, victim aid, prosecutors, German Division for the Legal Protection of Minors).
- Promoting VOM/Peacecircles as *crime prevention* raises public awareness for its benefits for society as a whole.