



 *amino*

Advanced training concept
for mediators in
victim-offender mediation

Advanced training concept for mediators in victim-offender mediation

Gabriele Bindel-Kögel/Kari-Maria Karliczek/
Wolfgang Stangl/Sabine Behn/Walter Hammerschick/
Aline-Sophia Hirseland

Berlin 2013



Funded by the Criminal Justice Programme of the European Union.

Imprint

Camino – Werkstatt für Fortbildung, Praxisbegleitung und Forschung
im sozialen Bereich gGmbH
Scharnhorststraße 5
10115 Berlin
Germany
Telephone +49 (0)30 7862984
Fax +49 (0)30 7850091
mail@camino-werkstatt.de
www.camino-werkstatt.de

Contents

Introduction	5
Intentions and objectives of the training concept	5
Overview: the modules	6
The basic modules	6
The advanced modules	7
Implementation	8
Learning and teaching conditions	8
Premises for the workshop	8
Number and qualification of the participants	8
Number and qualification of the teachers	8
Structure of the workshop	9
Time frame	9
Space requirements	9
Organisation	9
The modules	10
The six basic modules	10
Module 1: Introducing and discovering the topic	10
Module 2: The potential of Coping Theory (or rather, Coping Theories) for the practice of victim-offender mediation	10
Module 3: Different types of offence situation and victims' coping strategies	11
Module 4: The case file – starting points for supporting functional coping strategies	11
Module 5: Ensuring that the preliminary conversation takes a favourable form	12
Module 6: Ensuring that the mediation meeting takes a favourable form	13
The advanced modules	14
Module 7: Establishing contact in a favourable way	14
Module 8: Ensuring that the preliminary conversation takes a favourable form	14
Annex	16
Literature	16
Equipment	16

Introduction

The following curriculum is a product of the two-year research project "Victim-offender mediation as victim supporting instrument" funded by the European Union within the context of its Criminal Justice Programme. This project was carried out by Camino – Werkstatt für Fortbildung, Praxisbegleitung und Forschung im sozialen Bereich gGmbH – and IRKS – Institut für Rechts- und Kriminalsoziologie Wien and lasted from June 2013 to July 2013.

In total, 91 victims and mediators were interviewed. Their behaviour during the mediation meeting and the interaction between victims and offenders were monitored by way of participant observation in 34 cases. This means that the present concept can draw on a wealth of profound knowledge, i.e. the victims' experiences regarding the impact of their victimization and their ways of dealing with it as well as the mediators' expertise concerning their means to support the victims.

Intentions and objectives of the training concept

The present advanced training concept covers cases in which a personal mediation meeting of all parties is organized and takes place in a classical setting, bringing together victim, offender and mediator. It is focused on victims who have suffered some kind of violent crime, since these cases can require special coping strategies, which has to be taken into account in practice. Cases of violent crime within the family or among (married) couples have to be excluded, however.

Undertaking a victim-offender mediation offers a variety of possibilities to approach victims depending on their different needs and interests, to accompany them and to support their individual coping processes, i.e. to assist them when it comes to developing functional coping strategies. The training concept is intended to further sensitize mediators involved in victim-offender mediation for the concerns and interests of people who have become victims of violent offences and to further increase their knowledge and competence in the special field of "victims and their coping strategies". The corresponding objectives are accomplished by way of several training modules focused on different sub-topics and methods. There are six basic modules and two supplementary advanced modules intended to further deepen participants' knowledge.

Overview: the modules

The basic modules

Module 1: Introducing and discovering the topic

Module 1 is intended to approach the topic by presenting research results, setting them in relation to the participants' practical experience. The participants get to know each other, describe their expectations and are provided with an overview in terms of content and methods of the workshop.

Module 2: The potential of Coping Theory (or rather, Coping Theories) for the practice of victim-offender mediation

Module 2 is intended to make the participants familiar with the core propositions of Coping Theory (or Coping Theories). This is not an extensive amount of theory, but basic knowledge on how processes of coming to terms or coping with stressful situations develop from a stress researchers' point of view and how these processes can be influenced in a positive way.

Module 3: Different types of offence situation and victims' coping strategies

Module 3 is intended to present participants with different offence situations that can be categorized and result in special requirements for dealing with them and special coping processes on the part of the victim as well as typical expectations regarding victim-offender mediation.

Module 4: The case file – starting points for supporting functional coping strategies

Module 4 is intended to enable participants to see the information available in the case file in the light of the knowledge they have already acquired and to assess it with regard to the clues it can provide regarding possible expectations on the part of the victims. The mediators' expectations regarding the protection of victims' interests are also discussed.

Module 5: Ensuring that the preliminary conversation takes a favourable form

Module 5 is intended to provide participants with information on how to conduct the preliminary conversation in order to encourage victims to pursue their own interests and to enable them to make the best possible use of the mediation meeting. A special focus is laid on recognising and reducing extrinsic motivations.

Module 6: Ensuring that the mediation meeting takes a favourable form

Module 6 is intended to familiarize participants with the typical course a mediation meeting takes, depending on the offence situation and the victim's and offender's interests. Problematic developments can be countered by way of certain favourable behaviour patterns.

The advanced modules

Module 7: Establishing contact in a favourable way

Module 7 is intended to enable participants – on the basis of the acquired knowledge – to recognize which of the victims' motivations should be given priority and how these can be taken into consideration when writing the initial letter to establish contact.

Module 8: Ensuring that the preliminary conversation takes a favourable form

Module 8 is intended to enable participants to avoid unfavourable situations that might put pressure on victims when establishing personal contact and to recognize, take up and foster functional coping strategies on the part of the victims.

Implementation

Learning and teaching conditions

Premises for the workshop

The workshop is based on the principle of "active learning" (Arnold et al. 1999, 125ff.), characterized by a practical approach and the aim to encourage learners to become active on their own. Participants are supposed to contribute by asking their own questions and setting the new content in relation to the issues they "bring along". The workshop aims to create a learning situation enabling participants to learn independently on the basis of their own experience and their expertise resulting from their work in the field of victim-offender mediation. In view of this, most of the methods used, including group discussions, working in small teams, presenting the results to the whole group, enquiries using file cards, giving feedback, the use of pictures as metaphors or role-play, leave participants room for initiative. From a learning theory point of view, the methods vary in order to keep the process interesting. Regarding the different forms of work, the workshop aims to strike a balance between open and structured forms. Presentations are held to provide impulses and theoretical information in a well-structured way, together with further suggestions.

Number and qualification of the participants

The workshop is intended for 12 – 20 participants; they should be mediators working in victim-offender mediation or persons undergoing professional training with the aim of becoming a "mediator in criminal cases".

Number and qualification of the teachers

The workshop is taught by one or two teachers, sociologists who are well acquainted with the results of the European study "Victim-Offender Mediation as a Victim-Supporting Instrument" and hold the corresponding qualifications in adult education.

Structure of the workshop

The workshop comprises six modules, each consisting of several lessons that complement each other. In addition, two supplementary advanced modules can be offered. The different modules and lessons are presented on the following pages.

Time frame

The workshop is taught in three days, each comprising six hours of class. The two supplementary modules comprise six hours of class taught in one day.

Space requirements

One room for about 20 persons is required, plus three rooms for small teams.

Organisation

The workshop is offered by Camino gGmbH. It can be taught as an "indoor" workshop on the premises of another entity or be organized upon the request of a working group for victim-offender mediation on the federal state level (Landesarbeitsgemeinschaft Täter-Opfer-Ausgleich), for instance.

The modules

The six basic modules

Module 1: Introducing and discovering the topic

Lesson 1: Partner interview and presentation to the whole group (60 minutes)

Two participants who did not know each other before interview each other on the following topics: profession, experience regarding victim-offender mediation, expectations with respect to the workshop. Each participant is then given five minutes to present the interviewed, who can add details.

Lesson 2: Enquiry using file cards and input on research results (90 minutes)

Participants write their answers to the following questions on differently coloured file cards: Which needs and interests do victims of serious offences have? What can a victim-offender mediation accomplish? What cannot be accomplished? The cards are then attached to bulletin boards that have been arranged beforehand, experiences are summarized. Some research results regarding the questions are presented by way of input.

Lesson 3: Introducing "objectives, content and methods of the workshop" (30 minutes)

As the participants have been asked what know-how they already have and what they want to learn, the content of the workshop can be presented in a way that takes up their interests. At the same time, false expectations can be corrected, if necessary.

Module 2: The potential of Coping Theory (or rather, Coping Theories) for the practice of victim-offender mediation

Lesson 1: Presentation on "Coping Theory", answering questions (30 minutes)

Essential theories and propositions are summarized, their scope of application discussed and different forms of coping – cognitive, emotional, instrumental – explained as well as the difference between functional and dysfunctional coping strategies.

Lesson 2: Text analysis, working in three or four small teams (45 minutes)

Each team is given one or two relevant texts/essays on the topic of coping and the task of extracting the core propositions relevant for victim-offender mediation.

Lesson 3: Presentation of the results to the whole group and discussion (45 minutes)

Each group is given five minutes to presents its results on a flip chart, followed by a discussion focused on the question of what the findings of the theories can contribute to the practical work with victims in the context of victim-offender mediation.

Lesson 4: Enquiry using file cards and summary of the results (45 minutes)

Participants write down important points, ranking them on differently coloured file cards: What can the perspective of Coping Theory contribute to victim-offender mediation? Limitations and hurdles associated with Coping Theory are noted down on another card.

Lesson 5: Feedback: In how far did participants (not) benefit so far? (15 minutes)**Module 3: Different types of offence situation and victims' coping strategies****Lesson 1:** Presentation on "typical offence situations", answering questions (45 minutes)

Some of the results of the research project "Victim-Offender Mediation as a Victim-Supporting Instrument" are presented and discussed. Few clues regarding motivations are given at this point.

Lesson 2: Case study, working in three or four small teams (45 minutes)

Each team is given four examples of one type of offence situation (described on one page each). Their task consists in finding correlations between the type of offence situation and motivations and recognisable coping strategies on the part of the victims.

Lesson 3: Each team presents one offence situation to the whole group (45 minutes)

Each team is given ten minutes to present its results on a flip chart, completed with pictures used as metaphors where indicated. Other participants can add details.

Lesson 4: Enquiry using file cards and summary of the results (45 minutes)

Which conclusions can be drawn from the case examples that can be useful in victim-offender mediation? The whole group arranges the cards with the help of the teacher, guided by the question whether the conclusions contain any clues as to the different stages of a victim-offender mediation. The cards are attached to four different bulletin boards, each representing a stage of the process.

Module 4: The case file – starting points for supporting functional coping strategies**Lesson 1:** Case study, working in three or four small teams (45 minutes)

Four different pseudonymized case files are given to the teams whose task it is to extract clues regarding the victims' coping strategies and expectations with respect to victim-

offender mediation. These are arranged by stages: favourable/unfavourable behaviour on the part of the mediators when establishing contact, during the initial conversation, during the preliminary meeting and during the mediation meeting.

Lesson 2: Each team presents the clues found to the whole group (45 minutes)

During the ten-minute presentations, special attention is paid to implications for mediators' behaviour during the different stages.

Lesson 3: Presentation: "self-perception and victims' interests" (30 minutes)

The results of the research project "Victim-Offender Mediation as a Victim-Supporting Instrument" with respect to limitations regarding the perception and protection of victims' interests by the mediators are presented and discussed with the whole group.

Lesson 4: Enquiry using file cards and summary of the results (60 minutes)

Which forms of behaviour irritate me on the part of the victims? Which forms of behaviour that would be favourable for the development of functional coping strategies do I find easy or difficult to adopt? The cards are attached to two bulletin boards.

Module 5: Ensuring that the preliminary conversation takes a favourable form

Lesson 1: Enquiry using file cards: What can mediators learn during the preliminary meeting? (30 minutes)

Which questions should be answered in order to enable mediators to ensure that the mediation meeting takes a form fostering victims' coping processes? The cards are arranged by key aspects.

Lesson 2: Caught in between anger, fear and resignation – working in small teams (60 minutes)

Three or four small teams analyse parts of pseudonymized interviews on victims' feelings regarding the encounter with the accused and on the forms of behaviour observed on the part of mediators, looking for ways for mediators to ensure that the preliminary meeting takes a form favourable for the development of functional coping strategies.

Lesson 3: Each team presents its results to the whole group (45 minutes)

Each team is given ten minutes to present its results on a flip chart, completed with pictures used as metaphors where indicated. Other participants can add details.

Lesson 4: Brainstorming on the question of what to do, caught in between constraints and motivations (45 minutes)

A first brainstorming is done on the question of which conditions regarding the victims' environment can give rise to the development of extrinsic motivations. Problematic

conditions are written down on cards and attached to a board, arranged by key aspects. A second brainstorming is done on the question of what can be done in order to influence victims with extrinsic motivations to develop intrinsic ones.

Module 6: Ensuring that the mediation meeting takes a favourable form

Lesson 1: Organising role-play simulating mediation meetings, working in small teams (30 minutes)

One team prepares for a mediation meeting from the mediators' perspective; two different situations are given; two players are chosen and instructed.

One team prepares for a mediation meeting from the victims' perspective; two different situations are given; two players are chosen and instructed.

One team prepares for a mediation meeting from the perspective of the accused; two different situations are given; two players are chosen and instructed.

One team provides observers, preparing for the role-play by dealing with the question which parts of the behaviour of the parties should be examined and how it should be evaluated.

Lesson 2: Role-play simulating two mediation meetings (45 minutes)

Both role-play situations are given 15 – 20 minutes to develop. They are only discussed and analysed after the second one has been concluded.

Lesson 3: Analysis of the role-play involving the whole group (45 minutes)

The "victims", the "accused", the "mediators" and the "observers" are asked to give their comments in this order. Crucial points are written down on cards and attached to a board.

Lesson 4: Conclusion and feedback involving the whole group (60 minutes)

In how far did the participants benefit from the workshop? What could be improved in the future? An evaluation form is filled in and submitted anonymously.

The advanced modules

Module 7: Establishing contact in a favourable way

Lesson 1: Working on the content of the initial letter with the whole group (60 minutes)

Participants present the whole group with example letters they consider particularly bad or particularly appealing, all stemming from their real working experience. Further examples from the research project are presented by the teachers.

Lesson 2: Three or four small teams each formulate an individual letter (45 minutes)

This is done on the basis of the example cases from the pseudonymized files used in module 4 and the knowledge on victims' interests already acquired.

Lesson 3: Each team presents an "ideal" example letter to the whole group (45 minutes)

During the five-minute presentations, special value is attached to the reasons for including the different parts and their possible effects. The whole is followed by a group discussion.

Lesson 4: Presentation: "What exactly is done to motivate victims?" (30 minutes)

The results of the research project "Victim-Offender Mediation as a Victim-Supporting Instrument" regarding the stage of establishing contact are presented and discussed.

Module 8: Ensuring that the preliminary conversation takes a favourable form

Lesson 1: Brainstorming: Establishing contact in a way that favours the development of functional coping strategies (15 minutes)

Short "warm-up" exercise: What has to be borne in mind when establishing contact? Core propositions regarding hurdles and favourable forms of behaviour are collected.

Lesson 2: Organising role-play simulating initial telephone conversations with victims, working in small teams (30 minutes)

One team prepares for telephone conversations with victims from the mediators' perspective; three different offence situations/cases are given. Ideal and failing conversations are planned and three players are chosen and instructed.

One team prepares for initial telephone conversations with mediators from the victims' perspective; three different offence situations/cases are given. Three players are chosen and instructed.

One team provides observers, preparing for the role-play by dealing with the question which parts of the behaviour of the parties should be examined and how it should be evaluated.

Lesson 3: Role-play simulating three telephone conversations with victims (45 minutes)

A movable partition is placed between the players. The observers can see both the "mediator" and the "victim" and write down the observations they make based on a given set of criteria. Each "telephone conversation" lasts 15 minutes. They are only discussed and analysed after the last one has been concluded.

Lesson 4: Analysis involving the whole group (45 minutes)

The "victims", the "mediators" and the "observers" are asked to give their comments in this order. Crucial points are written down on cards and attached to a board.

Lesson 5: Conclusion and feedback involving the whole group (45 minutes)

In how far did the participants benefit from the workshop? What could be improved?

Annex

Literature

Arnold, Rolf/Krämer-Stürzl, Antje/Siebert, Horst (1999): Dozentenleitfaden. Berlin

Knoll, Jörg (1992): Kurs- und Seminarmethoden. Weinheim/Basel

Peyer, Ann/Künzli, Rudolf (1999): Metaphern in der Didaktik. In: Zeitschrift für Pädagogik 2/1999

Siebert, Horst (2008): Konstruktivistisch lehren und lernen. Augsburg

Equipment

Media kit, bulletin boards, flip charts, beamer, notebook, pictures to be used as metaphors

