

## **JANUS - Building on transgression and prison experience to spread threedimensional respect : ex-prisoners become trainers for restorative practices**

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First of all let me tell you how glad I am to be here today with you to share a wonderful -and indeed unexpected- experience. Two years ago I had no reason to think that this could happen. Nor did Joëlle, I believe, although her main field has more to do than mine with restorative practices. Joëlle TIMMERMANS leads a nonprofit organization called "*Le Souffle*" that works in schools, especially on the prevention of violence. She observed the work of one of our groups this year, with the added value that she saw everything from the point of view of the school specialist. Her feed-backs were always very interesting and we are convinced that we have to go on working together to build bridges between our respective fields. I wish to thank her here for her friendly contribution.

I am an advocate who, by the way, never worked in criminal matters and who, since 1998, chose the way of Mediation as a response to my questions about the right answers to conflict. In the year 2001 I founded with some other mediators of various backgrounds a nonprofit organization called N.A.C.R.E. (we - the others - creativity - resources - evolution). NACRE aims at the transversal development of the spirit of mediation in all sectors of society, from families to supermarkets... and prisons.

A couple of months after we started we came in touch with the *counsellor in restorative justice* of a semi-open prison located in Saint-Hubert, in the Ardennes, a french-speaking part of Belgium, suggested we lead a prisoners' expression group on restorative justice. Our official task was to ask the participants which factors in their experience they considered as facilitating or, on the contrary, jeopardizing the implementation of a restorative justice process (\*).

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(\*) Crime always causes - and very often has its roots in - a damage to the relationship between offender and victim, as well as between offender and the community. We therefore consider restorative justice as a multidirectional process of restoring the damaged links. It is based on (1) the assumed accountability, responsibility of the offender (2) the understanding of what happened in the crime and how victim, offender and community were affected by it (3) the overall healing of the harm.

We believe that RJ has two main aspects : 1) repair in all its forms and 2) self-healing-resocialization that enables the offender to reintegrate the community, if possible on a contributive basis, and to avoid reconviction (in this respect, the notion belongs to prevention).

Consulting the convicts was a new experience but we immediately decided to try and go a step further : we started from the assumption that one needs to know the content of a concept to be able to express oneself about it. We therefore proposed that we first sensibilize the participants to this notion and to the dynamics of restorative justice. The authorities accepted our suggestion.

The group operated from December 2001 till June 2002.

The first time André, my colleague and I went to the prison it was very funny. The prisoners who had decided to participate were puzzled, wondering who we were. "*Are you from the Ministry? Do you come to observe us? How is it possible that you are interested in our opinion? Is it a pitfall? Or are you a sect?*" We tried to be transparent and to emphasize the notion of CHANGE which is of course of prime importance in the RJ process : indeed, things were beginning to change as the ministry wanted the prisoners to inform them of their opinions and even of their feelings and this was not dangerous because of the strong confidentiality rule in the group... And slowly the trust grew. I think mainly because we first of all let them express, sometimes very strongly, their sufferings, their rage and revolt...

Our methodology was based on a dual approach :

- on a theoretical level : conceptualizing RJ by different ways (defining key-concepts like offender, victim, harm, justice, repair, restoration, debt etc ; participants reflecting on a series of proposed illustrations or getting a set of modules such as houses, law courts, a school, a house of justice, a prison etc and a set of toy elements to stage the story of an offense ... ).
- "from inside", we built on CONFIDENCE and on the DIRECT IMPLEMENTATION, in the group itself, OF RESTORATIVE JUSTICE VALUES (assuming one's accountability : standing for one's own actions - self-expression - opening to others - self-empowerment - participation - cooperation - mutual respect). For instance, we all (i.e. also the facilitators) had to sign a commitment to be punctual and act confidentially. This was a way of emphasizing from the very beginning the importance of acting responsibly. In the beginning of the group, the participants also drew up themselves the rules governing their working together, with the obvious consequence that they stuck to them. They were their rules, a first choice towards a freedom rooted in their assumed responsibility.

Further, this approach was supportive, not managing. We answered for the framework whereas the way the group and its work developed were the result of events and of the participants' will. If you are interested, I can give you examples later on.

One of the turning points in the group's life was when an ex-prisoner visited us. He is now well-established and well-known in the community as a therapist, author and speaker. His telling his story fostered hope and opened windows on possible futures in the prisoners' minds.

The result of the group's activities was a tremendous evolution of most prisoners. They no longer felt and behaved as if they were nothing but victims. They became aware of the consequences of their deeds as well as of their responsibility in their own life and what they would make of it in future, i.e. they would become ACTORS of their own development. Moreover, most of them further wished to "make peace" with their victims and also to concretely share what they had become aware of.

Because the staff began to trust them, they allowed the participants to continue on the same path by shooting a film on RJ in the prison itself, which they really did themselves with success. This film is currently used as a pedagogical instrument to initiate the reflection on RJ in several contexts.

The project in Saint-Hubert showed that

- trusting people with a damaged inner and outer image enables them to activate hidden resources and to become actors of their lives;
- getting into a logic of healing the harm to others is only possible when you have begun to heal your own damaged self;
- the resocialized offender's experience of transgression and of the prison world gives him genuine credibility as to the real impact of a change to accepting responsibility; he speaks to convicts like a peer and is therefore more likely to be followed.

In spite of all the positive aspects of the experience, I left the RJ group with a slight feeling of guilt or at least wondering about my responsibility. As a matter of fact, we as trainers had induced deep changes in the minds of the prison participants. Through sometimes a very painful process, they woke up, put other glasses on and gave up considering themselves as victims only. Instead, they took on their responsibility for mastering their life. But would they get a space to do so? This is indeed the point : the context had remained exactly the same. It was certainly not ready to integrate their evolution towards emancipation because it was questioning the system and finally jeopardizing its paradigm. Somehow I feared our gift could be poisoned ... and our work useless if discontinued!

I felt it was necessary to help the offenders from the very beginning to transform their time in the custodial setting into a general restoring process of their relationships to themselves, to their victims and to the community. Further, I thought we had to find a way for the community to benefit from the experience and awareness of the ex-prisoners on their path to restorative justice.

That's how JANUS was born. It builds on the extremely difficult life experience of the offenders and the resulting thinking over to spread the message inherent in restorative justice, i.e. another living-together based on three-dimensional respect (for oneself, for the other(s), for the environment). It is a way to change the original handicap into an **asset** to resocialize, by giving to community - or at least to those of its members interested in it - the essence of one's own learning and so helping them to change their mind.

But by the way, do you know JANUS? If not, you may wonder why we chose this figure from Roman mythology.

Janus is commonly depicted with 2 faces, one regarding what is behind and the other looking towards what lies ahead. Looking both backward and forward. Janus builds the future in the present on the past, i.e. is the symbol for learning the lessons of the past experiences - which all are opportunities of understanding (oneself, others, one's surroundings) and of evolution towards a new living-together - to shape a constructive, contributive future. To us the dual-faced image also symbolizes the 2 inseparable aspects of Restorative Justice and of the offender's development : self-healing-resocialization and healing of the harm. Two glances, two faces on a sole neck, representing the decision of the offender to take on his responsibility. Last but not least Janus also expresses the LINK between opposed but nonetheless related realities, the link between opposed settings : inside the prison, outside the prison. This two groups want to exclude or ignore each other but nevertheless remain very close in their humanity, this dual-faced humanity that brings its light and shade play in every of us ...

But let's now go back to the core of the project. By the end of 2002 we started 3 new RJ sensibilizing and training groups with 2 "educational actors" : 1 professional and **1 ex-prisoner**, Xavier, who had taken part in the group in the prison of Saint-Hubert as a prisoner and was by then back in the "outside setting".

These groups were based on a methodology that emphasizes

- the trust in the resources of the participants,
- the direct implementation of RJ values in the group,
- listening to the suffering of the offenders to help them stop focusing on it,
- sharing the experience of the ex-prisoner to stimulate the reflexion on responsibility and the hope for the future,
- underlying common features rather than differences, what gives elan and dignity back to all the participants,
- the intervention of the trainers as facilitators, " resources catalysts" and not experts or leaders;
- the development of individual resources through common work on concrete targets that enables the participants to appropriate the message conveyed by the medium they shaped (film, CD-rom, newspaper, strip cartoon etc).

The prisons that had chosen to trust our proposal were Saint-Hubert (semi-open), Marneffe (semi-open) and Jamioulx (very locked environment).

Again these experiences brought us, i.e. the project, a good way further.

They were not really comfortable experiences but that's probably the reason why they thought us so much.

Unexpectedly, the most difficult group has been Saint-Hubert. There are some explanations for that. We had to cope with big internal staff problems, even if we were not directly concerned. We mistakenly took a lot of things for granted because of the success we had registered in 2002 whereas the participants of the new group lived in the shadow of their predecessors and obviously developed a kind of discouraging complex towards what had been achieved in the previous year. Further, we thought we knew what they wanted and tried to kind of convince them of it. With the counsellor in RJ, we had imagined a wonderful "peer tuition" project but the participants were afraid of it and rejected it. So we had no tangible result in Saint-Hubert this year, no project, but still, we could observe how some participants evolved. One of them, especially, who had taken part in the first group and also participated in the film project. Thanks a meeting with an advocate that we organised for the group, he made a big step forward : he gave up denying, admitted that he had done what he had been condemned for, that his judgment was neither a judicial error nor the result of a system that would condemn people just because they are "capable of" doing thing, i.e. without evidence (which is not the case of the belgian criminal procedure).

Jamioulx has also been hard but for other reasons, related to the specific culture of this prison. There is a very sombre atmosphere in the prison due to its architecture, the overload, overcrowding of prisoners and the strong control on their every movement, much obstruction by many staff members (the setting is hard for them too) and a very hierarchical structure among prisoners, with bullies deciding what is allowed. Even drawing up some working rules together seemed impossible at first! We had to begin again twice with a new group and we probably wouldn't have succeeded without the help of some staff members (especially one of the directors and the counsellor for restorative justice). Because of these special surroundings we had to work there "the other way round", i.e. by suggesting them to choose a specific project before sensibilizing participants to RJ. But it has been a success. There is a group of about 10 persons working hard to produce a prison newspaper aiming at fostering links and spreading the spirit of RJ. As a matter of fact, the participants need support because there are many attempts to discourage them, but we are confident for the future!

As I told you already Marneffe is a semi-open place where moving about is much easier than in Jamioulx. Many prisoners spend the end of their sentence there and the whole prison regime is regarded as a bridge towards the life outside. This doesn't mean that everything is perfect there but still, I think it is easier to mention hope and a constructive future in Marneffe than in Jamioulx. I think people doing time there have more space to think about healing the harm or even building a better custodial everyday life for the next ones. Many participants were already involved in a restorative process, with themselves and sometimes even with their victim and they plan to continue restoring when discharged (not only towards their own victim but more generally towards the community). That's why sensibilizing on a theoretical level seemed less necessary whereas the implementation of RJ values in the group relationships had to be sustained and underlined. Another very important feature in Marneffe was the deep involvement of some staff members (esp. the counsellor in RJ and an extraordinary, very human, custodial assistant) who supported the RJ participants in their project in such a way that they got closer and closer to them.

I told you most of the participants of this group in Marneffe were far on the path of RJ. Yet we lost one of our trendsetters quite unexpected. He had taken an overdose! When hearing that, Xavier was furious. So were most of the participants. They expressed their feeling of betrayal because, for some of them, they didn't know he was an addict and they considered his good behaviour in the group had been deceptive. Others couldn't understand how he could do something like that and, at the same time, share the values that are developed, session after session, in a RJ group. I was very sad and at the same time anxious. I knew his death would definitely unite the group, or destroy it. Fortunately, our immediate work with the participants helped everybody jump over the hurdle towards an increased desire to contribute to the development of a RJ culture that could help avoid such disaster in future. We had listened to and shared their accounts of their sufferings. We had stressed the right of everybody not to be perfect at once even when wishing to restore oneself and belonging to a RJ group and the need for tolerance towards the weak sides of people (and towards one's own weakness!). Abdès remained with us until the end of the group. We had a chair where his name, written by his own hand, was installed every time we met.

The increased energy and motivation we could register in the group were also the result of the prisoners participating in the forum on **Alternative answers to transgression** that we organized last May in Brussels, i.e. outside the prison. It was a fruitful experience for the prisoners of course because they were given the opportunity to teach the community about the life behind walls. It was also beneficial for the participants from the civil society who attended the workshops with them and could state that they are also made of flesh and blood! Obviously, that day was a RE-LINK-ING, restorative event!

The Marneffe group is now finalizing a strip cartoon on RJ. It is also preparing for the end of 2004 a huge 2-day conference on RJ to be held in the prison with external speakers and participants.

Several Marneffe participants already plan to integrate the JANUS project as facilitators once outside. This is good news because we need collaborators. The project is indeed getting bigger and bigger. It seems that the system is really beginning to trust us.

Next October we will start big new prisoner groups in 6 (or 7) prisons, which is fantastic.

We shall work on the basis of a new outline that integrates what we have learned from this year's groups :

- flexibility is definitely vital in such a project; you always need a made-to-measure approach;
- a sustained rhythm without interruptions in working conditions leads to effective RJ dynamics;
- these dynamics are easier to achieve if the participants realise they have a part to play and that they are accountable for their work;
- their motivation depends on their relationship with the project : if it isn't theirs, if they didn't really choose it building on their own resources, they won't stick to it;

- developing RJ spirit is not a linear process - it is essential to keep in mind that we have to cope with a prisoner's internal resistances and even, sometimes, his need to destroy what has just been built to check if it really is worth it;
- bringing in external speakers is a way of nourishing the project and avoiding ruts or the group dynamics running out of steam;
- it is also very important to take all actors in the custodial institution into account, i.e. also the staff members on every level; without their support, achieving RJ in the long term remains a pure utopia; in other words, bringing the RJ revolution to the staff is a priority if we want the prison culture to evolve. As a matter of fact, the project wouldn't be what it already is without the support we got from inside the prisons! We from JANUS have the advantage of coming from outside the custodial system but we definitely need what we call in French "relais" - something like "partners", persons concerned with or involved in - RJ inside the institution;
- working on several projects in parallel brings important cross benefits;
- last but not least, RJ is a global process that must consider the different aspects of a person's relationship to one's universe if it is to be successful.

Our new outline consists of 5 main sequences :

1. SENSIBILIZING - TAKING ON RESPONSIBILITY
2. SELF-HEALING - RESOCIALIZING (part 1)
3. HEALING THE HARM
4. RESOCIALIZING ( part 2)
5. SHARING LEARNINGS AND EXPERIENCE.

Further, and this is a real achievement we are proud of, we shall also begin with

- first , an interprison staff workshop meant to help RJ resource staff members to cope with the difficulties they meet in their working environment because of their involvement in RJ. It will also consider ways to spread the RJ culture of threedimensional respect and
- secondly, a specific staff group in one of the prisons where we shall also work with prisoners in which the participants shall think over the re-emphasis of their function through restorative justice and work on a concrete project they will choose.

The staff groups will be conducted on the same model of "peer tuition", i.e. by 2 facilitators, one of them being a retired staff member interested in RJ. They will also implement the values of restorative justice directly in their group's work.

Finally, we'll lead a piloting team on the whole project.

We hope to get the opportunity to report on these new experiences in Vancouver next year!

To conclude I would like to associate to this intervention all the participants in the JANUS groups, quite especially Xavier DE LA RUBIA, the ex-prisoner who worked with me in the groups this year, the new collaborators ex-prisoners beginning next month in the new groups

as well as the counsellors for RJ and involved staff members in the prisons. They all contribute to the success of our common enterprise and I wish they would be with us today.