

# **On being a mediator in victim-offender mediation: the case of the Greek juvenile justice system**

**KONSTANTINOS I. PANAGOS**

*PhD in Criminology/Penology, School of Law,  
National and Kapodistrian University of Athens, Greece*

## **Prologue**

Restorative justice is a topic of great interest for criminologists and legal scholars during the last decades; it has generated an extensive body of literature and empirical research (Braithwaite 1999; Roach 2000). According to one point, restorative justice constitutes a new paradigm for criminal justice policy. On the other hand, it should be viewed as a wide rubric, which describes various practices (e.g. family group conferencing, sentencing circles, healing circles); these practices should be used in the current criminal justice system, but without being able to entirely replace it (Newburn 2007; Stockdale 2015). From a historical point of view (Gavrielides 2011), the roots of restorative practices can be found in the ancient Greek civilization (Alexiadis 1992) and the ‘*epanorthotikon dikaion*’ (“restorative law”) of Aristotle (Artinopoulou 2010a; 2013; Artinopoulou & Gavrielides 2016). Furthermore, the social control of crime in primitive societies (vendetta or blood feud) can be viewed as “a form of primary restorative justice” (Archimandritou 2007: 425; 2006). The roots of restorative notion can be also found in Maori culture, the indigenous populations in New Zealand (Pratt 1996). However, the term ‘restorative justice’ was first used by Eglash (1958, 1977). Recommendation R. (99) 19 of the Council of Europe regarding mediation in penal issues, as well as the relevant guidelines provided by the United Nations have played a significant role in the promotion of restorative practices in European criminal jus-

tice systems (Ghetti 2005).

Victim-offender mediation (VOM) is widely considered as one of the major forms of restorative justice (Crawford & Newburn 2003; Shapland *et al.* 2006; Arrigo & Schehr 1998). As Aertsen (2004: 18) has put it, mediation belongs in particular to the “methods for putting restorative justice into practice”. Mediation has been introduced in the Greek penal law for juveniles (Law 3189 of 2003), and belongs to educative or reformatory measures imposed to offenders by courts or public prosecutors. According to the Explanatory Report of the aforementioned Law, probation officers or juveniles’ supervisors<sup>1</sup> play the role of mediator. The present paper examines the Greek legal framework related to court-based mediation in light of the restorative justice theory, as well as the guidelines and the recommendations provided by international and European organizations. The first part deals in particular with the definition and the goals of restorative practices, as well as the basic principles on the role of mediator in the process. In the next section, the theoretical principles and the guidelines – recommendations have been used as a general framework for the review of the Greek case (Moore & Mitchell 2009). Since mediators in the Greek juvenile justice system are non-specially trained in mediation, it seems that the legislator has not taken seriously into account some main elements of restorative justice. The same conclusion bears because of the general nature of the supervisors’ tasks, which are mainly offender-focused. All these issues raise concerns regarding the so-called – in socio-legal and criminological studies – ‘legitimation’ of the mediation process (Friedman 1977; Tankebe & Liebling 2013).

### **Theoretical Principles**

#### *1. The goals of restorative justice*

For the contemporary legal thought in western societies, committing an offence or acting in a way that is opposed to the criminal rules

---

<sup>1</sup> Probation officers in the Greek juvenile justice system are called as “supervisors of minors” (Spinellis 2007: 184).

constitutes a violation of state authority and interests. Restorative justice theorists, on the contrary, argue that crime should be viewed as a private conflict among individuals, rather than an offence against the state (Christie 1977; Zehr 1990; van Ness *et al.* 2001; Artinopoulou 2010a; Archimandritou 2006). The most popular definition (Walgrave 2008; Roche 2006) has been suggested by Tony Marshall (1996); his definition belongs to what is known as 'process-based School' (Gavrielides 2007: 44). More specifically, restorative justice has been defined as "a process whereby parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future" (Marshall 1996: 37). According to Gavrielides (2007: 139), restorative justice is "an ethos with practical goals". Zehr (1990: 181) has summarized its goals as follows: "Justice involves the victims, the offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance". In other words, restorative justice "aims to restore the well-being of victims, offender and communities damaged by crime, and to prevent further offending" (Liebmann 2007: 25). Last, according to the United Nations (2006: 6), restorative justice constitutes 'a way of responding to criminal behavior by balancing the needs of the community, the victim and the offender'.

The contemporary version of restorative justice has highly been connected with the integrated criminological theory of reintegrative shaming (Artinopoulou 2010a; Ttofi & Farrington 2008) constructed by John Braithwaite (1989). Since the dawn of civilization, shaming has been functioned as a sufficient means of unofficial social control. However, Braithwaite (1989) made 'shaming' an active and official means of doing justice. Shaming functions as deterrent mechanism against the violation of societal norms and legal rules for those who have a stake in a particular community. Punishment should focus on offenders' acts rather than on their personality. Forgiveness is provided as a 'gift' to the offender, but the latter takes the responsibility for abstaining from offending. Furthermore, Braithwaite has distinguished between 'reintegrative' and 'disintegrative' shaming. The first one takes place in

cases where disapproval of the offence is associated with respect for the offender, forgiveness, and acceptance back into the local community. On the other hand, disintegrative shaming is mainly disrespectful, and excludes the delinquent from the community. Therefore, Braithwaite offered a normative theory in criminological thinking providing guidelines for social control of offending (Kranidioti 2007, 2011).

## 2. Mediation: putting restorative values into practice

The first mediation for juvenile offenders in modern penal history took place in the '70s as an experiment in Canada; it was then that a probation officer convinced a judge that two juvenile offenders convicted of vandalism should directly meet the victims of their offences. As a condition of probation, judge ordered the offenders to pay financial restitution to the victims (Peachey 1989). According to the Council of Europe Recommendation (1999) 19, mediation is 'a process whereby the victim and the offender are enabled, if they freely consent, to participate actively in the resolution of matters arising from the crime through the help of an impartial third party'.<sup>2</sup> An accurate definition has also been given by Wright (1995: 47 as cited by Baldry 1998), who defines mediation as a "process in which victims and offenders communicate with the help of an impartial third party [...] enabling the victim(s) to express their needs and feelings, and offenders to accept and act on their responsibilities".<sup>3</sup> In other words, offenders and victims come willfully together in order to solve the conflict that the crime created to them and society (Alexiadis 2011; Baldry 1998; Beauregard 1998; Cottam 1996; van Ness *et al.* 2001). The significance of the voluntary participation has been clearly clarified in restorative justice philosophy (Eliaerts & Dumortier 2002; Crawford & Newburn 2003;

---

<sup>2</sup> Walgrave (2008: 19) has also included community service performed by the offender in restorative justice practices.

<sup>3</sup> Mediation may also involve an indirect 'meeting' among the offender and the victim. In this case, mediator makes negotiations with each party separately for an agreement about restitution to be achieved. Therefore, indirect mediation does not involve all of the main principles of restorative justice (van Ness *et al.* 2001).

Gavrielides 2007; Zernova 2007). This precondition excludes people who lack the general capacity to give their consent for participation in the process (e.g. juveniles with disabilities), while also means that delinquent should be able to recognize his/her guilt (Lawrence & Hesse 2010). In any case, both victims and offenders should be able to withdraw their consent during the different phases of mediation (Symeonidou-Kastanidou 2013), since respect of 'self-determination' belongs to the basic principles of the process (Feerick 1997).

More analytically, mediation is a dialogue-based process (Umbreit & Bradshaw 1997; Umbreit *et al.* 2004) that provides victims and offenders the opportunity to discuss on the consequences of the offence, and leads to the offender's apology for the harm done (Shapland *et al.* 2006; Shen & Antonopoulos 2013; Dhimi 2012). In fact, the conventional criminal process leaves little room for apology (Bibas & Bier-schbach 2004: 88-90; Bibas 2007); on the other hand, apology constitutes a 'speech act' (Tavuchis 1991: 22) located at the bottom of restorative justice (Strang & Sherman 2003; Dhimi 2012). As Retzinger & Scheff (1996: 317) have put it, "without the core sequence [apology and forgiveness], the path towards settlement is strewn with impediments, whatever settlement is reached does not decrease the tension level in the room and leaves the participants with a feeling of arbitrariness and dissatisfaction". In this frame, apology has been viewed as a "symbolic form of reparation" (Dignan 2005: 136; Daly & Proietti-Scifoni 2011: 217). It entails that the delinquent express his/her sorrow about the outcome of the wrongdoing on the victim and all people affected by the offence (Foley 2016). More specifically, a full apology by the offender consists of: (a) the admission of the responsibility for the behavior and outcomes of the offence, (b) the acknowledgment of the consequences derived from the offence, (c) the expression of regret for the outcome of the offence, (d) offer for reparation the harm caused, and (e) the promise not to repeat the same offence in the future (Dhimi 2012).

Broadly speaking, mediation has been widely considered as an educative practice for youth offenders providing them the chance to realize the effects of their offences to victims and society (Courakis 2012;

Alexiadis 1996; Beauregard 1998). Therefore, juvenile delinquents in restorative justice theory have been considered “as active agents who are, or who should be, accountable for their (mis)behaviour” (Put *et al.* 2012: 83). As Sykes & Matza (1957) have argued, juvenile delinquents use specific techniques in order to justify their deviant activities (‘techniques of neutralization’);<sup>4</sup> due to their direct contact with victimizations’ consequences, mediation process promises the “neutralization of the neutralizations” (Braithwaite 1999; Hoffmann 2011; Hayes 2006). Thus, offenders who take part in mediation have been less likely to reconvict (Bradshaw *et al.* 2006; Mika 1993; Morris 2006; Sherman *et al.* 2015; Nugent & Paddock 1995; Robinson & Shapland 2008). Mediation provides also victims the opportunity to express their thoughts and emotions about the criminal act, as well as their proposals for the restitution of the damage caused. In other words, restorative justice makes victims a central part of the criminal justice process, in contrast to the typical procedure, where they play the role of the witness. Furthermore, forgiveness provides something beneficial for their psychological health (Armour & Umbreit 2006; Morris 2006). Last but not least, the chance that victims have to express their feelings and the impact received by the offence might lead them to stop fearing the offender (Dignan 2005; Hudson 2002; Kilchling & Löschnig-Gspandi 2000; Morris 2002), and consequently limits the risk for secondary victimization (Wemmers & Cyr 2006). These points have probably been the reasons why restorative justice practices have been frequently seen as a victim-focused social reaction to crime (Umbreit 2001).

On the other hand, restorative values are not always possible to become a practical reality, since “victims may remain angry or bitter; offenders may remain unmoved and untouched” (Morris 2002: 599). In these cases, mediation can be viewed as a form of “punitive communication” between the offender and the victim (Duff 2001: 97). Further-

---

<sup>4</sup> According to Sykes & Matza (1957), techniques of neutralization include the following: a) denial of responsibility, b)denial of injury, c)denial of the victim, d) condemnation of the condemners, e) appeal to higher loyalties.

more, restorative justice practices do not provide sufficient procedural safeguards to parties involved as regards some of the fundamental elements of the fair trial (article 6, ECHR), such as the absolute respect of presumption of innocence and the element of proportionality between the offence and the penalty. However, ensuring an absolute respect for procedural rights constitutes a cornerstone of a rule of law based state (Ashworth 2002; Morris 2002; Roach 2000; Umbreit *et al.* 2005). Mediation can be also viewed by offenders just as a means to make their sentence lighter (Smith *et al.* 1988). On the other hand, there have been cases where the victim feels morally 'obligated' to participate in the process, in order to provide the young delinquent the chance to make amends, without however taking into account his/her interests (Baldry 1998; Kilching 2005). The danger for the victim to 'be used as a tool' by the criminal justice agencies in order to achieve the rehabilitation of the offender is always present (Strang 2002: 58), phenomenon that is also known as 'victim marginalization' (Choi *et al.* 2013: 113). The 'instrumentalization of the victim' poses serious risks (Centomani & Dighera 1992: 359; Ghetti 2005), especially in cases of minor participants, who are "more vulnerable to power imbalances, manipulation and victim blaming" (Gal & Moyal 2011: 2).

### *3. The qualifications of the mediator*

#### TRAINING

There is always a third party involved in victim-offender mediation, widely known as 'mediator', 'facilitator' or 'convenor' (Szmania 2006: 111). On an international level, the mediator is usually a social scientist (such as a social worker), a police officer, as well as a member of the local community that the crime took place (Bennett 2006; Stockdale 2015). He/she plays such an important role in mediation that it is recognized that "the quality of the process depends heavily upon the quality of the practitioner" (Cottam 1996: 1543). The starting point of mediators' duties is to assist victims and deviants to discuss on the harm caused by the criminal act (Umbreit & Armour 2011). As far as their role and their required qualifications, there are some main principles found on the

relevant literature and the guidelines adopted by international and European organizations.

In particular, mediators should have received high-quality training on how to carry out the process, and the special needs of all the parties involved (Schijndel 2009; Pabsdorff *et al.* 2011). According to the Recommendation No. R (99) 19 of the Committee of Ministers to member states of the Council of Europe concerning mediation in penal matters, those who carry out the process “should receive initial training before taking up mediation duties as well as in-service training. Their training should aim at providing for a high level of competence, taking into account conflict resolution skills, the specific requirements of working with victims and offenders and basic knowledge of the criminal justice system” (para. 24). As it has been pointed out in the Explanatory Memorandum to the Recommendation, the latter “only specifies a minimum level of requirements referring to the background and personal skills of a potential mediator and the objectives of the training. Member States would be expected to develop more extensive standards and guidelines”. Furthermore, according to the Basic Principles on the use of restorative justice programs in criminal matters provided by the Economic and Social Council of the United Nations (2000), the facilitators “should receive initial training before taking up facilitation duties and should also receive in-service training. The training should aim at providing skills in conflict resolution, taking into account the particular needs of victims and offenders, at providing basic knowledge of the criminal justice system and at providing a thorough knowledge of the operation of the restorative programme in which they will do their work” (para. 20).

#### NEUTRALITY AND ‘LEGITIMATION’: THE BALANCED MODEL OF MEDIATION PROCESS

According to the Economic and Social Council of the United Nations (2000), the term ‘facilitator’ means ‘a fair and impartial third party whose role is to facilitate the participation of victims and offenders in an encounter programme’ (par. 5). Mediators ‘should perform



their duties in an impartial manner, based on the facts of the case and on the needs and wishes of the parties. They should always respect the dignity of the parties and ensure that the parties act with respect towards each other' (para. 18). The same guideline has also been found on the Recommendation adopted by Council of Europe: 'Mediation should be performed in an impartial manner, based on the facts of the case and on the needs and wishes of the parties. The mediator should always respect the dignity of the parties and ensure that the parties act with respect towards each other' (para. 26). Each mediator has the obligation to be neutral towards the victim and the offender (Wemmers & Cyr 2006; Levi 1997; Cohen & Harley 2003-2004; Jackson 1998; Moore 1986). The scope and the function of social control agencies regarding youth delinquency should address the interests and the needs of all parties participating in probation (delinquents, victims, community); no one has to benefit at the price of the others (Umbreit & Coates 2013). Therefore, both theory and international – European organizations have promoted the 'balanced model of restorative justice' (Zinsstag & Chapman 2012).

In criminological and socio-legal thinking, legitimacy has been considered as the "belief that authorities, institutions, and social arrangements are appropriate, proper, and just" (Tyler 2006: 307). Applied to restorative practices, neutrality constitutes a particular idea highly connected with the democratic sense of justice and fairness, and more than serious for the legitimacy of the process (Astor 2007). Therefore, mediators should not take into account their personal experiences, moral principles, beliefs, and perception of life; in this case, neutrality comes at risk (Cottam 1996); In Beauregard's (1998: 1020) words, they have to acquire knowledge on the "use of a caucus to enhance the juvenile offenders' ability to participate effectively". On the other hand, victims' needs should also be taken into account, and it is necessary for mediators to build a relationship of trust with them. Mediators should give them the chance to express the emotions and to understand their position (Wemmers & Cyr 2006; Cottam 1996; Armstrong 2012). The result of the process should empower victims solve their problems cre-

ated by the offence (Choi *et al.* 2010). Generally speaking, mediators are committed to enable each participant in the process to have their needs met. In other words, they are on everybody's side.<sup>5</sup> In this sense, the role of the mediator should be characterized by 'multi-partiality' (Chapman 2015: 32). In a child-centered justice system, it would be plausible to argue that the educative character of the mediation for juvenile offenders may be superior than victims' interests (Messina 2004-05); however, adults who are asked to participate in mediation should be clearly informed by the juvenile justice professionals and consent that they take part in a pedagogical process that it mainly gives emphasis on the rehabilitation of the delinquent (Panagos 2016).

## II. The Greek Juvenile justice System in Light of the Restorative Justice Theory

### 1. Mediation as an reformatory measure for juvenile delinquents

Juvenile offenders' cases are tried by special courts. The Greek penal law has mainly adopted non-custodial measures for the offender, while there is also the possibility for prosecutors to refrain from pressing charges. The current legal framework for youth offenders constitutes an integration of the so-called 'justice model' and the 'welfare model'. The deprivation of offenders' liberty in special correctional institutions constitutes a penal measure of last resort (Law 4322 of 2015). Instead, the legislator has specified a noteworthy number of reformatory measures listed in the Penal Code (article 122), victim-offender mediation included (Courakis 1999, 2004; 2011; 2012; Pitsela 2004; 2011a; 2013a; Spinellis & Tsitsoura 2008; Chaidou 2010; Artinopoulou & Petousi-Douli 2011; Charalampakis 2012; Papadopoulou 2010)<sup>6</sup>

---

<sup>5</sup> According to Chapman (2015: 32): "... practitioners cannot be said to be neutral or impartial. They are not neutral in relation to the harm people cause to others, to the protection of rights, to the value of respecting the feelings, needs and wishes of the parties and to the importance of good relationships. The practitioner is committed to enabling each person to have their needs met".

<sup>6</sup> To give some examples, reformatory measures for juvenile offenders include reprimand of the offender by the judge, the placement of the youth delinquent under the responsible su-

Therefore, the interests of victims in the area of juvenile justice have also been taken into account by the Greek Parliament (Pitsela 2011b; Artinopoulou & Michael 2014). This fact confirms “the restorative nature of juveniles’ treatment” in the Greek juvenile justice (Artinopoulou *et al.* 2012: 7) and gravitates towards the participatory model in criminal justice policy (Zagoura 2012). However, the adoption of mediation by the Greek legislator was made on an unsystematic way, with no prior evidence from pilot studies. In fact, the introduction of this reformatory measure in the juvenile justice system constituted a part of a wider legislative effort to comply with European Union soft law (Papadopoulou 2006).<sup>7</sup> From a socio-legal perspective, thus, mediation in the contemporary Greek law can be viewed as a legal transplant (Papachristou 1999).

More analytically, the so-called “victim–offender mediation for the expression of forgiveness and the extra-judicial arrangement of the consequences of the act in general” has been included in the reformatory measures for juvenile offenders (article 122, para. 1 of the Greek Penal Code). At first glance, the term ‘extra-judicial’ refers to the option of diversion from hearing (Dhmopoulos & Kosmatos 2010). However, mediation should be imposed by Juveniles Court (Stefanidou 2010; Pitsela 2013b). This is not always the case; the article 45 A of the Code of Criminal Procedure (entitled ‘Diversion from prosecution of minor’ or ‘Refrain from criminal prosecution of juveniles’) foresees the possibility that prosecutors have to refrain from pressing charges in cases of petty offences or a misdemeanors, if they judge that the prosecution is not necessary to prevent the juvenile delinquent from further offending. In this case, public prosecutor is permitted to impose the measure of victim-offender mediation. Moreover, mediation can be imposed by the public prosecutor as a restrictive term in the place of pre-trial detention for offenders not less than fifteen years old, in case

---

pervision of his/her parents or guardians or a probation officer, the provision of community service, as well as the compensation of the victim (Courakis 2012; Pitsela 2013).

<sup>7</sup> A few years later, the Greek Parliament voted the Act 3500 of 2006 (ar. 11-14) for addressing some forms of domestic violence (Artinopoulou 2010b).

that the penalty for the offence committed is of more than ten years confinement in a correctional facility (Pitsela 2013a; Giovanoglou 2015). There is no any restriction regarding the offence that mediation is permitted (Pitsela 2013b).<sup>8</sup> Furthermore, it is not clear who is considered as 'victim' in cases of victimless crimes or offences against society as a whole (for instance, serious offences against the environment or damages to public property). Considering the meaning of victimization from a wide perspective, representatives of communities affected by the offence may participate in the process (Symeonidou-Kastanidou 2013).

The Greek State does not provide any other official guidelines or directions about the procedure of mediation, the role, the obligations and the rights of each participant, as well as any other kind of details in general (Giovanoglou & Păroşanu 2015; Lambropoulou 2010). The Explanatory Note of the Law states that supervisors of minors have the abstract duty to carry out the process; however, there is no other direction on how they have to perform this role. This fact should be examined in light of the general criticism exercised on restorative practices, that they do not provide procedural safeguards for the defendants, as well as the victims (e.g. Morris 2006). The courts have mainly imposed the educative measure in cases of property offences, and less severe forms of physical violence (Euaggelatos 2014; Papadopoulou 2010). During the first judicial year after the introduction of mediation in criminal law for juveniles (2003-2004), the measure was imposed in just six cases on a national level. On the other hand, the total amount of the judicial cases that led to the imposition of any educative measure reached the number of 1258 (Papadopoulou 2006). During the last five judicial years (2010-2015), the Athenian Courts for Juveniles imposed the measure 56 times (Mouchimoglou 2016) and the Juveniles' Courts

---

<sup>8</sup> According to Baldry (1998: 732), "there are no specific limitations as to which cases are best suited for mediation". In this frame, it is considered that mediation and restorative practices in general are able to be used in cases of severe crimes, such as attempted homicide, rape and burglary (Cossins 2008; Flaten 1996; McAlinder 2007; Symeonidou-Kastanidou 2013; *contra*: Courakis 2011).

of Thessaloniki imposed mediation 90 times (Karaberi 2016). The low implementation of the measure has been mainly attributed to the lack of a guiding framework regarding the goals and the procedure of the mediation, while also to the insufficient training of juvenile justice professionals (Pitsela & Giagkou 2013).

## *2. Juvenile probation officers as mediators*

### LACK OF SPECIAL TRAINING ON MEDIATING

The Juvenile Probation Service in the Greek criminal justice system was founded in 1939 (Law 2135) and it was mainly consisted of volunteers (Troianou-Loulou 1999; Avdela 2013; Pitsela & Giagkou 2013). Probation Service for Juveniles constitutes nowadays an interdisciplinary Department of the Juvenile Justice that consists of professionals (such as social workers, sociologists, psychologists, and lawyers) under the supervision of the Ministry of Justice, Transparency, and Human Rights. Probation officers have the mission to prepare a social inquiry report in relation to the offenders' moral and mental situation, their family background as well as the environment they live. They officially make proposals to the Court for the most suitable penal treatment of the offender, and they finally supervise the implementation of the measures imposed (Law 378 of 1976, Presidential Decree 49 of 1979, Presidential Decree 36 of 2000; Spinellis 2007; Pitsela 2013a; Lambropoulou 2010; Papadopoulou 2010). As Petoussi & Stavrou (1996: 154) have put it, "supervisors act as defense for the juvenile to the extent that they are responsible for collecting and presenting information on the juveniles' sociopsychological characteristics on which the decision of the juvenile court is based". However, the legal status of the probation officers is not absolutely clear. In penal theory, they have been characterized as an 'investigative body sui generis' since they socially researching. In fact, their position and their role is unique, something that derives from their special duties and services, as well as the pedagogical purpose of the juvenile justice (Pitsela & Giagkou 2013).

In practice, supervisors of minors explore if the offender and the victim have the willingness to take part in the mediator process, and

propose to the Juveniles' Court whether mediation is suitable for each specific case. Supervisors respect the willingness of offenders and victims, something that has been harmonized with one of the most important principles of restorative justice (parties should volunteering participate in the mediation process). In the following, supervisors prepare the offender for the process and they act intermediary between the latter and the victim, explaining the purpose of the mediation to them. Finally, they coordinate the main process (the direct contact or meeting of the delinquent with the victim) in order to remove the misunderstandings and understand each other's side. Supervisors try to ensure that the offender understands the value of the mediation and the benefits, which can be gained from the process, including the importance of the apology to the victim of the offence (Panagos 2012). Despite the significant role of mediators in the process under examination, the juvenile supervisors in Greece have not received any specific training on mediating (Lambropoulou 2010; Artinopoulou *et al.* 2012). Given also the lack of any official guidelines about the procedure of mediation, each supervisor conducts the mediation empirically, according to what he/she feels that is the best in each case. This fact may lead to the conclusion that the Greek reality contrasts the restorative justice theory (Panagos 2012).

#### PROBATION AS AN OFFENDER-FOCUSED TASK

As it has already mentioned, mediators should be neutral between offenders and their victims. Nevertheless, the duties of juvenile probation officers in the Greek criminal justice system could be characterized as mainly 'offender-centered' (Papadopoulou 2010). Artinopoulou *et al.* (2012: 7) have clearly noticed that the role of the probation officers "may be in conflict with their role as mediators". Moreover, the communication between the supervisors and victims is in practice minimal; the only contact they have with the victims (and their guardians) is shortly before the beginning and mainly during the hearing. This fact makes the exploration of their willingness and feelings a difficult issue (Panagos 2012). Besides, the meaningful contact between mediators

and the victim constitutes a basic precondition for the moral satisfaction of the latter (Wemmers & Cyr 2006; Arrigo & Schehr 1998; Umbreit 2001; Pavlish 2005). In other words, mediators have to “establish a sense of trust between the victim and themselves, while remaining neutral and impartial” (Wemmers & Cyr 2006: 123). The aforementioned reality reveals a further gap between theoretical principles and field work. Generally speaking, when the probation officer plays the role of mediator in the juvenile justice system, the latter is considered as “very far from addressing one of the basic principles of a restorative justice approach, that is to guarantee that both the interests of the victim and those of the offender are taken into consideration and that mediators are neutral” (Baldry 1998: 739).<sup>9</sup>

### **Concluding Remarks**

Mediation constitutes an important opportunity provided by the Greek penal law for juveniles. Youth offenders take the opportunity to realize, and restore the harm caused by their offence. However, there is a widespread thought on the position of victims during the process; it is common notice that mediation constitutes mainly a practice focused on offenders’ interests using victims as tools for their rehabilitation (Ghetti 2005; Kilching 2005). The Greek juvenile justice system seems to be no exception to the rule. The legislator has not taken some of the main principles of restorative justice into account, since juvenile probation officers lack of special training, and their daily responsibilities are mainly focused on offenders. There is no doubt that juvenile delinquents need special and protective treatment by the criminal justice agencies because of their immaturity and their general vulnerability; however, there is no justification for not measuring the (juvenile) victims’ needs seriously, especially when the law and the juvenile justice agencies ask them to actively participate in the criminal procedure.

To make some proposals for criminal justice policy making, training of supervisors could be a vital necessity and a sufficient first step. Nev-

---

<sup>9</sup> Baldry (1998) refers to the case of the Italian juvenile justice system.

ertheless, since neutrality is considered to be an essential trait of each mediator, a specialized department should be created within the Greek criminal justice system, manned by well-qualified and neutral mediators, who will not otherwise be connected with the offenders, neither with the victims (Alexiadis 2013; Panagos 2012). Under the current law, the probation officer who plays the role of the mediator in a specific case should not be directly connected with the juvenile delinquent; in other words, mediator should be a different supervisor than the professional who carry out the social research regarding the offender (Panagos 2016). Moreover, a flexible guiding framework should be prepared specifying the goals and the different phases of mediation process, as well as the rights and the duties of parties involved (Giovannoglou 2007; Dumortier 2003)<sup>10</sup>. There is also the necessity of the establishment of a mechanism that will monitor and evaluate restorative practices providing also guidelines on their implementation (Giovannoglou & Păroșanu 2015; Choi *et al.* 2013). The aforementioned suggestions are not either solely victim-centered or solely offender-centered; on the contrary, they are inspired by both offenders' and victims' interests and needs. Mediation should have an educative utility for offenders, and not be a typical, yet meaningful process. The role of the mediator is extremely important in order to reach these goals, and this fact should not be ignored in practice.

## References

- Aertsen I. (2004) *Rebuilding community corrections – Mediation and restorative justice in Europe*. Strasbourg: Council of Europe.
- Alexiadis S. (1992) 'Victim–offender reconciliation schemes in the Greek justice system', In: H. Messmer & H.-W. Otto (eds.), *Restorative Justice on Trial: Pitfalls and potentials of victim–offender mediation – international research perspectives*, Dordrecht: Kluwer Academic, pp. 309-316.

---

<sup>10</sup> As Shapland *et al.* (2011: 52) have argued "it is important that conferences have ground rules for all participants, which should have been introduced to the participants during preparation".



- Alexiadis S. (1996) 'Victim-offender mediation', In: V. Artinopoulou & A. Magganas, *Victimology and Visions of Victimization*, Athens: Nomiki Vivliothiki, pp. 195-204 [in Greek].
- Alexiadis S. (2011) *Criminology*, Athens/Thessaloniki: Sakkoulas [in Greek].
- Alexiadis S. (2013) 'Restorative justice: the pros and the cons', In: A. Pitsela & E. Symeonidou-Kastanidou (eds.), *Restorative Justice in Criminal Matters: Towards a new European perspective*, Athens / Thessaloniki: Sakkoulas, pp. 15-28 [in Greek].
- Archimandritou M. (2006) 'Blood feud in Albania: time past and time present', In: *Histories of Penalty*, Athens/Thessaloniki: Sakkoulas, pp. 167-198.
- Archimandritou M. (2007) *Private Retribution and Law or Anomie – vendetta and law: criminological approach*, Athens/Thessaloniki: Sakkoulas [in Greek].
- Armour M. & Umbreit, M. (2006) 'Victim forgiveness in restorative justice dialogue', *Victim and Offender*, 1(2): 123-140.
- Armstrong J. (2012) 'Factors contributing to victims' satisfaction with restorative justice practice: a qualitative examination', *British Journal of Community Justice* 10(2): 39-54.
- Arrigo B. & Schehr R. (1998) 'Restoring justice for juveniles: a critical analysis of victim-offender mediation', *Justice Quarterly* 15(4): 629-666.
- Artinopoulou V. (2010a) 'Restorative justice: the challenge of contemporary legal systems', Athens: Nomiki Vivliothiki [in Greek].
- Artinopoulou V. (2010b) 'Victim offender mediation in cases of domestic violence – the Greek experience', In: M. Gyokos & K. Lanyi (eds.), *European Best Practices of Restorative Justice in criminal Procedure*. Budapest: Ministry of Justice and Law Enforcement, pp. 177-186.
- Artinopoulou V. & Petousi-Douli V. (2011) 'Legalism and paternalism in Greece – powerful trends in the reification of risk and the treatment of juvenile offenders', In: A. Francois, V. Massin & D. Niget (eds.), *Violences Juveniles sous Expertise(s) XIX-XXI Siecles/Expertise*

- and Juvenile Violence 19th-20th Century*, Louvain: UCL Presses, pp. 157-185.
- Artinopoulou V., Michael I. & Kalviri C. (2012) 'Formal and informal restorative justice practices for juveniles in Greece: difficulties and challenges in practice'. *Youth Voice Journal* 3(1): 5-18.
- Artinopoulou V. (2013) 'The values of restorative justice', In: A. Pitsela & E. Symeonidou-Kastanidou (eds.), *Restorative Justice in Criminal Matters: Towards a new European perspective*, Athens/Thessaloniki: Sakkoulas, pp. 263-272.
- Artinopoulou V. & Michael I. (2014) 'Empowering restorative justice in Greece: one step forward for victims', In: T. Gavrielides (ed.) *A Victim-led Criminal Justice System: Addressing the paradox*, London: IARS, pp. 143-164.
- Artinopoulou V. & Gavrielides T. (2016), 'Aristotle on restorative justice: where restorative justice and human rights meet', In: T. Gavrielides & V. Artinopoulou (eds.) *Reconstructing Restorative Justice Philosophy*, Oxon: Routledge, pp. 25-46.
- Ashworth A. (2002) 'Responsibilities, rights, and restorative justice', *British Journal of Criminology* 42(3): 578-95.
- Astor H. (2007) 'Mediator neutrality: making sense of theory and practice', *Social & Legal Studies* 16(2): 221-39.
- Avdela E. (2013) 'Between voluntary workers and public servants: juvenile probation officers in Greece, 1954-1976', In: A. Dialla & N. Maroniti (eds) *Essays in Honor of Emeritus Professor George B. Dertilis*, Athens: Metaixmio, pp. 27-53.
- Baldry A. (1998) 'Victim-offender mediation in the Italian juvenile justice system: the role of the social worker', *British Journal of Social Work* 28(5): 729-744.
- Bazemore G. & Maloney D. (1994) 'Rehabilitating community service toward restorative service sanctions in a balanced justice system', *Federal Probation* 24(1): 24-36.
- Beauregard S. (1998) 'Court-connected juvenile victim-offender mediation: an appealing alternative for Ohio's juvenile delinquents', *Ohio State Journal on Dispute Resolution* 13(3): 1005-1038.

- Bennett C. (2006) 'Taking the sincerity out of saying sorry: restorative justice as ritual', *Journal of Applied Philosophy* 23(2): 127-143.
- Bibas S. & Bierschbach R. (2004) 'Integrating remorse and apology into criminal procedure', *The Yale Law Journal* 114: 85-148.
- Bibas S. (2007) 'Forgiveness in criminal procedure', *Ohio State Journal of Criminal Law* 4: 329-348.
- Bradshaw W., Roseborough D. & Umbreit M. (2006) 'The effect of victim offender mediation on juvenile recidivism: a meta-analysis', *Conflict Resolution Quarterly* 24(1): 87-98.
- Braithwaite J. (1989) *Crime, Shame, and Reintegration*. Cambridge: Cambridge University Press.
- Braithwaite J. (1999) 'Restorative justice: assessing optimistic and pessimistic accounts', In: M. Tonry (ed.), *Crime and Justice: A review of research*. Chicago: University of Chicago Press, pp. 1-127.
- Braithwaite J. (2002) *Restorative Justice and Responsive Regulation*, Oxford/New York: Oxford University Press.
- Centomani P. & Dighera B. (1992) 'The new juvenile penal procedure code and the reparation-reconciliation process in Italy', In: H. Messmer & H.-W. Otto (eds.), *Restorative Justice on Trial: Pitfalls and potentials of victim-offender mediation – international research perspectives*, Dordrecht: Kluwer Academic, pp. 355-363.
- Chaidou A. (2010) *Juveniles' Criminality*, Athens: Nomiki Vivliothiki [in Greek].
- Chapman T. (2015), *Toolkit for Professionals: Implementing a European model for restorative justice with children and young people*, Brussels: International Juvenile Justice Observatory <<http://www.ejjc.org/>>.
- Charalampakis A. (2012) *Summary of Penal Law – General Part II*, Athens: P. N. Sakkoulas [in Greek].
- Choi J., Green D. & Kapp S. (2010) 'Victimization, victims' needs, and empowerment in victim offender mediation', *International Review of Victimology* 17(3), pp. 267-290.
- Choi J., Gilbert M. & Green D. (2013) 'Patterns of victim marginalization in victim-offender mediation: some lessons learned', *Crime, Law and Social Change* 59(1), pp. 113-132.

- Christie N. (1977) 'Conflicts as property', *British Journal of Criminology* 17(1): 1-15.
- Cohen J. & Harley P. (2003-2004) 'Intentional conversations about restorative justice, mediation and the practice of Law Fall 2003 Dispute Resolution Institute Symposium', *Hamline Journal of Public Law and Policy* 25(Special Issue): 235-334.
- Cossins A. (2008) 'Restorative justice and child sex offences – the theory and the practice', *British Journal of Criminology* 48(3): 359-378.
- Cottam G. (1996) 'Mediation and young people: a look at how far we've come', *Creighton Law Review* 29(4): 1517-1545.
- Courakis N. (1999) *Juvenile Delinquents and Society*, Athens-Komotini: Ant. N. Sakkoulas [in Greek and in English].
- Courakis N. (2004) 'A typology of juvenile justice systems in Europe', In: A. Magganas (ed.), *Volume in Honor of A. Giotopoulou-Maragkopoulou I*, Athens: Nomiki Vivliothiki, pp. 251-273.
- Courakis N. (2009) *Penal Repression*, Athens/Thessaloniki: Sakkoulas [in Greek].
- Courakis N. (2011) 'Mediation and ex-court resolution of conflicts', In: T. Theodorou (ed.), *Mediation at School and the Society*, Athens: Pedio, pp. 141-148 [in Greek].
- Courakis N. (2012) *Law of Juvenile Delinquents*, Athens-Komotini: Ant. N. Sakkoulas [in Greek].
- Crawford A. & Newburn T. (2003) *Youth Offending and Restorative Justice*. Devon: Willan.
- Daly K. & Proietti-Scifoni G. (2011) 'Reparation and restoration', In: M. Tonry (ed.), *The Oxford Handbook of Crime and Criminal Justice*, Oxford/New York: Oxford University Press, pp. 207-253.
- Dhami M. (2012) 'Offender and acceptance of apology in victim-offender mediation', *Critical Criminology* 20(1): 45-60.
- Dhami M. (2016) 'Effects of a victim's response to an offender's apology: when the victim becomes the bad guy', *European Journal of Social Psychology* 46(1): 110-123.
- Dhmopoulos C. & Kosmatos K. (2010) *Law for Juveniles*, Athens: Nomiki Vivliothiki [in Greek].

- Dignan J. (2005) *Understanding Victims and Restorative Justice*, Berkshire: Open University Press.
- Duff R. (2001) *Punishment, Communication, and Community*, Oxford/New York: Oxford University Press.
- Dumortier E. (2003) 'Legal rules and safeguards within Belgian mediation practices for juveniles', In: E. Weitekamp & H.-J. Kerner (eds.), *Restorative Justice in Context*, Devon: Willan, pp. 197-207.
- Eliaerts C. & Dumortier E. (2002) 'Restorative justice for children: in need of procedural safeguards and standards', In: E. Weitekamp & H.-J. Kerner (eds.) *Restorative Justice: Theoretical foundations*, Devon: Willan, pp. 204-223.
- Eglash A. (1958) 'Creative restitution – a broader meaning for an old term', *Journal of Criminal Law and Criminology* 48(6): 619-622.
- Euaggelatos G. (2014) *The Law of Juvenile Offenders*, Athens: Nomiki Vivliothiki [in Greek].
- Feerick J. (1997) 'Toward uniform standards of conduct for mediators', *South Texas Law Review* 38: 455-484 <<http://www.lawnet.fordham.edu/>>.
- Flaten C. (1996) 'Victim-offender mediation: application with serious offenses committed by juveniles', In: B. Galaway & J. Hudsonn (eds.), *Restorative Justice: International perspectives*, New York: Criminal Justice Press, pp. 387-401.
- Foley T. (2016) *Developing Restorative Justice Jurisprudence: Rethinking responses to criminal wrongdoing*, London-New York: Routledge.
- Friedman L. (1977) *Law and Society: An introduction*, Princeton, NJ: Prentice-Hall.
- Gal T. & Moyal S. (2011) 'Juvenile victims in restorative justice', *British Journal of Criminology* 54(1): 1-21.
- Gavrielides T. (2007) *Restorative Justice Theory and Practice*, Helsinki: HEUNI.
- Gavrielides T. (2011) 'Restorative practices: from the early society to the 1970s', *Internet Journal of Criminology* <<http://www.internetjournalofcriminology.com/>>.

- Ghetti S. (2005) 'Juvenile offenders and the legal system: what we have learned from victim-offender mediation', In: A. Mestitz & S. Ghetti (eds.) *Victim-offender Mediation with Youth Offenders in Europe – An overview and comparison of 15 countries*, Springer: Dordrecht, pp. 371-379.
- Giovanoglou S. (2007) 'Juvenile offender-victim mediation', In: S. Georgoulas (ed.), *Criminology in Greece Today – Volume in honor of Professor Stergios Alexiadis*, Athens: ΚΨΜ, pp. 407-417 [in Greek].
- Giovanoglou S. & Păroșanu A. (2015) 'Greece', In: A. Vanhove & G. Melotti (eds.) *Research and Selection of the Most Effective Juvenile Restorative Justice Practices in Europe: Snapshots from 28 EU member states I*, Brussels: International Juvenile Justice Observatory, pp. 81-85 <<http://www.oijj.org/>>.
- Giovanoglou S. (2015) 'Greece', In: F. Dünkel, J. Gryzwa-Holten & P. Horsfield (eds.) *Restorative Justice and Mediation in Penal Matters – A stocktaking of legal issues, implementation strategies and outcomes in 36 European countries*. Mönchengladbach: Forum Verlag Godesberg, pp. 331-366.
- Hayes H. (2006) 'Apologies and accounts in youth justice conferencing: reinterpreting research outcomes', *Contemporary Justice Review* 9(4): 369-385.
- Hoffmann J. (2011) *Delinquency Theories – Appraisals and applications*, London/New York: Routledge.
- Hudson B. (2002) 'Restorative justice and gendered violence', *British Journal of Criminology* 42(3): 616-634.
- Jackson S. (1998) 'Family group conferences in youth justice – the issues for implementation in England and Wales', *The Howard Journal of Crime and Justice* 37(1): 37-51.
- Karaberi E. (2016) 'Juvenile delinquency – a sociological approach to the institutions of formal social control. The paradigm of the juvenile Court of Thessaloniki' (dissertation), Supervisor: Emeritus Professor N. Intzesiloglou, Thessaloniki: Aristotle University of Thessaloniki [in Greek].

- Kilching M. & Lösching-Gspandl M. (2000) 'Legal and practical perspectives on victim/offender mediation in Austria and Germany', *International Review of Victimology* 7(4): 305-332.
- Kilching M. (2005) 'Victim-offender mediation with juvenile offenders in Germany', In: A. Mestitz & S. Ghetti (eds.), *Victim-offender Mediation with Youth Offenders in Europe – An overview and comparison of 15 countries*. Springer: Dordrecht, pp. 229-257.
- Kranidioti M. (2007) *Integration as a Method for Theory Construction in Criminology*, Athens: Nomiki Vivliothiki [in Greek].
- Kranidioti M. (2011) 'Who "shames" whom? Some points on the theory of Braithwaite and restorative justice', In: P. Zagoura (ed.) *Interdisciplinarity, Partnership, and Social Reintegration of Juvenile Offender*, Athens/Komotini: Ant. N. Sakkoulas, pp. 129-149 [in Greek].
- Lambropoulou E. (2010) 'Alternative dispute resolution and restorative justice schemes for juvenile offenders in Greece – potential limitations and open questions', In: M. Gyokos & K. Lanyi (eds.), *European Best Practices of Restorative Justice in Criminal Procedure*, Budapest: Ministry of Justice and Law Enforcement, pp. 136-151.
- Lawrence R. & Hesse M. (2010) *Juvenile Justice: The essentials*, Los Angeles, CA: SAGE.
- Levi D. (1997) 'The role of apology in mediation', *New York University Law Review* 72(5): 1165-1210.
- Liebmann M. (2007) *Restorative Justice – What it works*, London: Jessica Kingsley.
- Marshall T. (1996) 'The evolution of restorative justice in Britain', *European Journal of Criminal Policy & Research* 4(4): 21-45.
- Messina L. (2004-2005) *Médiation et Justice Réparatrice dans le Système Pénal des Mineurs Italien et Français*, Marseille: Université Paul Cézanne Aix-Marseille III <[www3.lex.unict.it](http://www3.lex.unict.it)>.
- Mika H. (1993) 'The practice and prospect of victim-offender programs', *SMU Law Review* 46(5): 2191-2206.
- Moore C. (1986) *The Mediation Process – Practical strategies for resolving conflicts*, San Francisco, CA/London: Jossey-Bass.
- Moore S. & Mitchell R. (2009) 'Rights-based restorative justice: evaluat-

- ing compliance with international standards', *Youth Justice* 9(1): 27-43.
- Mouchimoglou D. (2016) 'The implementation of reformatory measures in practice in the frame of restorative justice', Nauplion: Conference Paper – The Association of Greek Judges and Public Prosecutors for the Democracy and the Liberties <<http://eedd.gr>> [in Greek].
- Morris A. (2002) 'Critiquing the critiques – a brief responses to critics to restorative justice', *British Journal of Criminology* 42(3): 596-615.
- Newburn T. (2007) *Criminology*, Devon: Willan.
- Nugent W. & Paddock J. (1995) 'The effect of victim–offender mediation on severity of reoffense', *Mediation Quarterly* 12(4): 353-367.
- Pabsdorff M.-L., Rytterbro L.-L., Sambou S., Uotila E. (2011) 'Victim–offender mediation: observation from Scandinavia', *Oñati Socio-Legal Series* 1(2): 1-15 <<http://opo.iisj.net/>>.
- Panagos K. (2012) 'The role of juvenile probation officers in victim–offender mediation in Greece: thoughts on the role of mediator', *Juveniles, Crime and the Society*(*Journal of the University of Aegean*) 6: 44-78 [in Greek].
- Panagos K. (2016) 'Victim–juvenile offender mediation: the Greek legal framework in light of the restorative justice theory', In: M. Gasparinatou (ed.) *Volume in honor of Professor N. Courakis*, Athens / Komotini: Ant. N. Sakkoulas, pp. 666-718 [in Greek].
- Papachristou Th. (1999) *Sociology of Law*, Athens/Komotini: Ant. N. Sakkoulas [in Greek].
- Papadopoulou P. (2006) 'Victim–offender mediation for minors in Greece', *Newsletter of the European Forum for Restorative Justice* 7(1): 1-3 <<http://euforumrj.org/>>.
- Papadopoulou P. (2010) *Restorative Justice for Minors in Greece*, Saarbrücken: VDM.
- Pavlich G. (2005) *Governing Paradoxes of Restorative Justice*, London: The Glass House.
- Peachey D. (1989) 'Kitchener experiment', In: M. Wright & B. Galaway (eds.) *Mediation and Criminal Justice: Victims, offenders and community*, London: SAGE, pp. 15-26.



- Petoussi V. & Stavrou K. (1996) 'Greece', In: D. Schoemaker (ed.), *International Handbook on Juvenile Justice*, Westport, CT: Greenwood Press, pp. 146-159.
- Pitsela A. (2004) 'Greece: criminal responsibility of minors in the international and national legal orders', *International Review of Penal Law* 75(1-2): 355-378.
- Pitsela A. (2011a) 'Greece', In: F. Dünkel, J. Grzywa & H. Philip (eds.), *Juvenile Justice Systems in Europe – Current situation and reform developments II*, Mönchengladbach: Forum Verlag Godesberg, pp. 623-670.
- Pitsela A. (2011b) 'Youth justice and probation', In: L. Cheliotis & S. Xenakis (eds.), *Crime and Punishment in Contemporary Greece: International comparative perspectives*, Oxford: Peter Lang, pp. 508-528.
- Pitsela A. (2013a) *The Penal Treatment of Juveniles' Criminality*, Athens / Thessaloniki: Sakkoulas [in Greek].
- Pitsela A. (2013b) 'The conclusions of the comparative research of "The 3E model for restorative justice strategy in Europe" project', In: A. Pitsela & E. Symeonidou-Kastanidou (eds.), *Restorative Justice in Criminal Matters: Towards a new European perspective*, Athens / Thessaloniki: Sakkoulas, pp. 361-371.
- Pitsela A. & Giagkou A. (2013) 'Institutions in the Greek legal order promoting the best interest of the child and the principle of education', *IÜHFM* 1: 1003-1020 <<http://www.journals.istanbul.edu.tr/iuhfm>>.
- Pratt J. (1996) 'Colonization, power and silence: a history of indigenous justice in New Zealand society', In: B. Galaway & J. Hudon (eds.), *Restorative Justice: International perspectives*, New York: Criminal Justice Press, pp. 137-156.
- Put J., Vanfraechem I., Walgrave L. (2012) 'Restorative dimensions in Belgian youth justice', *Youth Justice: An International Journal* 12(2): 83-100.
- Retzinger S. & Scheff T. (1996) 'Strategy for community conferences: emotions and social bonds'. In: B. Galaway & J. Hudson (eds.), *Restorative Justice: International perspectives*, New York: Criminal Justice

- Press, pp. 315-336.
- Roach K. (2000) 'Changing punishment at the turn of the century: restorative justice on the rise', *Canadian Journal of Criminology* 42(3): 240-280.
- Robinson G. & Shapland J. (2008) 'Reducing recidivism – a task for restorative justice?', *British Journal of Criminology* 48(3): 337-358.
- Roche D. (2006) 'Dimensions of restorative justice', *Journal of Social Issues* 62(2): 217-238.
- Shapland J., Atkinson A., Atkinson H., Colledge E., Dignan J., Howes M., Johstone J., Robinson G. & Sorsby A. (2006) 'Situating restorative justice within criminal justice', *Theoretical Criminology* 10(4): 505-532.
- Shapland J., Aertser I., Doherty K., Teunkens M., Vanfraechem I., van Pagie R. & Zinsstag E. (2011) *Conferencing: A way forward for restorative justice – a practical guide*, Leuven: European Forum of Restorative Justice <<http://www.euforumrj.org/>>.
- Shen A. & Antonopoulos G. (2013) 'Restorative justice or what?: restorative justice in the Chinese youth justice system', *European Journal of Crime, Criminal Law and Criminal Justice* 21(3-4): 291-315.
- Sherman L., Strang H., Mayo-Wilson E., Woods D. & Ariel B. (2015) 'Are restorative justice conferences effective in reducing repeat offending? Findings from a Campbell systematic review', *Journal of Quantitative Criminology* 31(1): 1-24.
- Schijdel R. (2009) *Confidentiality and Victim-offender Mediation*, Apeldoorn: Maklu.
- Smith D., Blagg H. & Derricourt N. (1988) 'Mediation in South Yorkshire', *British Journal of Criminology* 28(2): 378-395.
- Spinellis C. (2007) 'The juvenile justice system in Greece', In: V. Patanè, and C. Giostra (eds.) *European Juvenile Justice Systems – Vol. 1*, Milano: Giuffrè, pp. 171-199.
- Spinellis C. & Tsitsoura A. (2008) 'The emerging juvenile justice system in Greece', In: J. Junger-Tas & S. Decker (eds.) *International Handbook of Juvenile justice*, Berlin: Springer, pp. 309-324.
- Strang H. (2002) *Repair or Revenge: Victims and restorative justice*, Oxford:

- Clarendon Press.
- Strang H. & Sherman L. (2003) 'Repairing the harm: victims and restorative justice', *Utah Law Review* 15(1): 15-42.
- Stefanidou A. (2010) *Domestic Violence*, Athens: Nomiki Vivliothiki [in Greek].
- Stockdale K. (2015) 'Police understandings of restorative justice – the impact of rank and role', *Restorative Justice* 3(2): 212-232.
- Sykes G. & Matza D. (1957) 'Techniques of neutralization: a theory of delinquency', *American Sociological Review* 22(6): 664-670.
- Symeonidou-Kastanidou E. (2013) 'Proposals for a directive on restorative justice in the EU', In: A. Pitsela & E. Symeonidou-Kastanidou (eds.), *Restorative Justice in Criminal Matters: Towards a new European perspective*, Athens/Thessaloniki: Sakkoulas, pp. 373-381.
- Szmania S. (2006) 'Mediators' communication in victim offender mediation/dialogue involving crimes of severe violence: an analysis of opening statements', *Conflict Resolution Quarterly* 24(1): 111-127.
- Tankebe J. & Liebling A. (eds)(2013) *Legitimacy and Criminal Justice: An international exploration*, Oxford/New York: Oxford University Press.
- Tavuchis N. (1991) *Mea Culpa: A Sociology of Apology and Reconciliation*, Stanford, CA: Stanford University Press.
- Troianou-Loula A. (1999) *The Juvenile Probation Service*, Athens / Komotini: Ant. N. Sakkoulas [in Greek].
- Ttofi M. & Farrington D. (2008) 'Reintegrative shaming theory, moral emotions and bullying', *Aggressive Behavior* 34(4): 352-368.
- Tyler T. (2006) 'Restorative justice and procedural justice: dealing with rule breaking', *Journal of Social Issues* 62(2): 307-326.
- Umbreit M. & Bradshaw W. (1997) 'Victim experience of meeting adult vs. juvenile offenders: a cross-national comparison', *Federal Probation* 61(4): 33-39.
- Umbreit M (2001) *The Handbook of Victim Offender Mediation*, San Francisco, CA: Jossey-Bass.
- Umbreit M., Coates R., Vos B. (2004) 'Victim-offender mediation: three decades of practice and research', *Conflict Resolution Quarterly* 22(1-2): 279-303.

- Umbreit M., Vos B., Croates R. & Lightfoot E. (2005) 'Restorative justice in the twenty-first century: a social movement full of opportunities and pitfalls', *Marquette Law Review* 89(2): 251-304.
- Umbreit M. & Armour P. (2011) *Restorative Justice Dialogue: An essential guide for research and practice*, New York: Springer.
- Umbreit M. & Coates R. (2013) 'Cross-site analysis of victim-offender mediation in four states', In M. McShane & F. Williams (eds.), *Victims of Crime and the Victimization Process*, Oxford/New York: Routledge, pp. 325-348.
- United Nations (2006) *Handbook on Restorative Justice Programmes*, Vienna / New York <<http://www.unodc.org/>>.
- van Ness D., Morris A. & Maxwell G. (2001) 'Introducing restorative justice', In: A. Morris & G. Maxwell (eds.) *Restorative Justice for Juveniles: Conferencing, mediation and circles*, Oxford: Hart, pp. 3-16.
- Walgrave L. (2008) *Restorative-Interest and Responsible Citizenship*, Devon: Willan.
- Wemmers J.A. & Cyr K. (2006) 'What fairness means to crime victims: a social psychological perspective on victim-offender mediation', *Applied Psychology in Criminal Justice* 2(2): 102-128.
- Wright M. (1995) 'Alternatives to the criminal justice process', *Iuris* 4(1): 47-58.
- Zagoura P. (2012) 'The criminologist, juvenile probation officer', In: Ch. Zarafonitou (ed.), *The Profession of Criminology Today: Content, challenges and prospects*, Athens: Nomiki Vivliothiki, pp. 194-203 [in Greek and in English].
- Zehr H. (1990) *Changing Lenses: A new focus for crime and justice*, Scotdale: Herald Press.
- Zernova M. (2007) *Restorative Justice: Ideals and realities*, Hampshire: Ashgate.
- Zinsstag E. & Chapman T. (2012) 'Conferencing in Northern Ireland: implementing restorative justice at the core of the criminal justice system', In: E. Zinsstag & I. Vanfraechem (eds.), *Conferencing and Restorative Justice*, Oxford/New York: Oxford University Press.