Victim Offender Mediation in Sweden

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What is Restorative Justice?

- Difficult to define...
- “Conflicts out to be used, not only left in erosion. And they ought to be used, and become useful, for those originally involved in the conflict” (Christie, 1977).
- According to the professionals interviewed, a restorative process involves open dialogue and an opportunity for those involved in a conflict to understand it and process it.
Why RJ? Chilean Context
Sweden: An example of equality?

Traditionally, very equal and peaceful society.

BUT...

- Protests in 2013.
- Immigration increase
- Growth in inequality between 1985 and 2000s was the highest among all OECD countries, increasing by 1/3 (OECD 2011).
Youth in conflict with the law in Sweden

- As of 2002, there were 30 homes for “special supervision”
- Common to be placed in social services
  - Examples of IFF, MTFC, family-oriented interventions.
  - Mediation is offered to all offenders between 12 and 21 who confess to a crime.
  - Legally, only those over 15 can be tried in a court of law.
Case study: Victim Offender Mediation

- Victim-Offender Mediation programs at 6 municipalities were analyzed.
- Semi-structured interviews were conducted with 8 professional mediators at the 6 different municipalities.
- One focus group was conducted with all mediators at a medium-sized municipality.
- Additionally, interviews were realized with 4 experts in restorative justice in Sweden.
Why Victim-Offender Mediation?

• Pilot mediation projects starting in the 1990s.
• Influence from other countries and Christie
• Mediation Act of 2002
• Shift in responsibility in 2008: decentralization.
Victim Offender Mediation in Sweden: What the Statistics Say

**Age of Offender in VOM**

- Under 12
- 12 to 14
- 15 to 17
- 18 to 20
- 18 to 20
- Over 21

*Figure 1.0: Info from Socialstyrelsen*

**Type of Offense**

- Assault
- Burglary & Vandalism
- Unlawful threats
- Robbery
- Other

*Figure 2.0: types of offenses in VOM*
Does it work?

• Several studies have been conducted outside of Sweden (Marklund, S., Umbreit et al)
• Overall, recidivism rates decrease, especially for more violent/serious crimes.
• Less effective with shoplifting and property crimes
• Satisfaction rates high in all studies conducted.
• BUT...
Challenges:

• In total, there were 1219 completed mediation cases in 2011.
• Debates among professionals regarding the role of the mediator and the protocol for meetings.
• Of those that offer services, only 24% had more than 20 cases per year.
• 49% of municipalities had between 0 and 5 cases.
• Who is responsible?
• Need for central authority to regulate and standardize.
• While the professionals interviewed at mediation services were VERY satisfied with the process, it is considered a “band-aid” to a larger problem.

• Are the victim’s needs really met?

• Critique of studies conducted regarding satisfaction and recidivism.
Pros and Cons

Pro-Mediation

• Studies conducted have shown a decrease in recidivism among offenders who have participated in mediation.

• Encourages both parties to regain control and retake responsibility for their actions.

Anti-Mediation

• Offender-focused

• Victim loses voice

• External factors could explain positive results found in research

• Lack of central body overseeing the process
Future Directions: A Chilean Restorative Authority?

- While there are critiques of the current system, overall the empirical evidence as well as the professionals interviewed consider mediation to be positive.
- As one professional put it, “it is a band-aid fix”. It isn’t a cure for juvenile delinquency, but has been shown to reduce recidivism rates, especially for crimes against people.
- Philosophy of taking responsibility, empowering people.
What do you think?

Comments? Questions?

Resources