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Handbook on Mediation for Children and Young People

(as practiced by Aseman Lapset ry in Finland, selected chapters)

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Children and young people as parties to a conflict

Childhood and adolescence are a time of turbulence in many ways. As the brain develops, adolescents break away from their parents and seek their place among their peers. These changes predispose them to emotional pain, which can lead to conflict and crime.

Children and young people need guidance, emotional support and openness from adults to develop a positive self-concept. This protects the child and young person from behavioural problems and safeguards their development and psychological well-being. Meaningful activities and leisure activities also support healthy development in childhood and adolescence.

In a pre-trial investigation, the police often determine in advance the roles of the victim and the suspected perpetrator. However, a specific act may be the result of a wider conflict in which the roles of the offender and the victim have alternated. Sometimes, for example, a victim of bullying tries to defend themselves against their bullies by harassing them back. Indeed, not all reconcilable conflicts involve a clear division between the suspect and the victim. Although the terms offender and victim are used in this chapter, later in the guide the parties to the conflict will be referred to by the terms suspect and injured party, which are well-established in the criminal process.

Children and young people as offenders

One of the most obvious factors that predisposes children and young people to delinquency is brain immaturity. In adolescence, the propensity to take risks is particularly high because the frontal lobes of the brain responsible for controlling one's actions and regulating emotional expression are not yet fully developed. Research shows that it is only around the age of 25 that the human brain is mature

enough to control impulses and minimise risks (Hermansson & Sajaniemi 2018). The maturation of the frontal lobes requires, in addition to biological maturation, the practice of emotional regulation in a safe environment with adult support.

On the other hand, because underage people often have vague ideas about crime, a child or young person may commit a crime without thinking. They may not know where the line between inappropriate behaviour and crime lies and that, for example, by inciting a friend to commit a crime, they may be committing a crime themselves. However, certain factors are known to predict criminal behaviour in children and young people: for example, behavioural problems, difficulties within the family and low levels of parental education (Elonheimo 2010).

While developing, the child balances between independence and dependence and, typically between the ages of 10 and 12, begins to act more independently than before. At the same time, the child's social relationships change; attachment to parents decreases and attachment to friends increases. As the need to belong and be accepted is particularly high in adolescence, it is not only individual characteristics and interests but also social relationships and group behaviour that explain criminal behaviour in children and young people (Turkka & Saarholm 2021). Research has shown that as much as 50% of violent crimes committed by children and young people are motivated by revenge. One fourth of retaliations are committed on behalf of another person, typically a friend or relative (Kivivuori et al. 2018, 175). This shows that conflicts involving children and young people are often not dealt with before they escalate, for whatever reason.

Adolescent development and behaviour are partly influenced by possible neuropsychiatric characteristics, the most typical of which are learning difficulties, attention deficit disorders and various communication and social interaction challenges. Specific characteristics often hinder or slow down the normal age-related development of a child or young person, and without the support they need, they may display worrying behaviour (Turkka & Saarholm 2021). The link between specific characteristics and crime is illustrated in the final report of the Probation Foundation Finland. According to the report, 70% of the 181 young people under 30 with a criminal background who took part in the project had difficulties in reading and writing and 80% had difficulties in attentional regulation (Gullman et al. 2011, 11).

Research shows that the majority of crimes are committed in adolescence and that criminal behaviour typically decreases as people become adults (see e.g. Kaakinen & Näsi 2021, 6). However, this is not always the case, and sometimes the crimes continue and even

become more serious as the young person grows up. What seems to be essential in stopping the crime cycle is what the child or young person is left with after the crime: shame and disappointment or the learning of norms and the experience of being understood and listened to. Unless a child or young person can deal with the crime they have committed in a constructive way, supported by adults, they are unlikely to learn to behave better in the future. They may even be left with the damaging impression that by breaking the norms they have achieved something they were after.

It is important that the adult recognises the child or young person as an individual and does not define them only by their actions. Seeking to understand the reasons behind a child's or young person's delinquency does not mean that you condone their bad actions. However, problematic behaviour will not change unless the offending child or young person gets the support they need. Punishment and blame create shame and a sense of exclusion. It is therefore no wonder that there is a wealth of research on the ineffective impact of punishment on recidivism (Haikkola et al. 2019). At worst, excessive criminal sanctions only disrupt the normal development of a child or young person and make it difficult to get back on track.

Children and young people as victims

A child or young person can become a victim of crime in everyday situations – at home, at school, during leisure time and on social media. In addition to physical violence, psychological violence can also constitute a criminal offence. A mocking image posted on social media can spread quickly and widely, causing the victim shame and suffering. In this case, the offence in question could be the dissemination of invasive information. The spreading of unfounded gossip, on the other hand, can constitute defamation (Arkio et al. 2017).

The harm caused to the victim does not depend on the type of crime, and the consequences to the victim are manifold. It can be difficult to identify the symptoms, as the child or young person does not always know how or dare to seek help themselves. Symptoms may include shutting down, irritability, depression, anxiety, sleep problems or other physical symptoms. Becoming a victim can increase a

child's or young person's sense of insecurity and thus reduce their sphere of life and social relationships. At worst, the victim may become isolated and marginalised.

Safe adults in a child's or young person's life lower the threshold for reporting becoming a victim. It is important for an adult to tell a child or young person that anyone can become a victim of crime and that situations cannot always be prevented. Close emotional attachments, dealing with the issue and accessing support services will help the child or young person to cope.

Becoming a victim of a crime is often a difficult, stopping and traumatic experience for the custodian of the child or young person. The custodian may also feel shame, guilt and anxiety. For example, the custodian may think that they should have been able to protect their child from a crime. It is important that custodians also get the support they need to overcome the crisis and let go of self-blame. This allows them to best help their child to recover from the experience, and not cause the child additional emotional distress through their own difficult feelings (Arkio et al. 2017).

Children and young people in mediation

For the most part, the principles and procedures of mediation for children and young people are no different from those for adults. However, there are certain specific features that need to be taken into account in mediation for children and young people. These include the age, developmental stage, status, rights and role of the minor party and the role of the custodian. Group management skills may also be needed, as children and young people are to some extent prone to commit crimes in groups.

Meeting the conditions for mediation

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The legislation does not define precisely what can and cannot be mediated, and the suitability of cases is always assessed on a case-by-case basis. When a minor is involved, special discretion must be exercised in the assessment. As a rule, this is the responsibility of the professional staff of the mediation office, but mediators are also required to be able to recognise when mediation is clearly against the best interests of the child or young person. If the mediator is concerned about the minor's situation, he or she will discuss the matter with the mediation professional, who will, if necessary, file a child welfare notification and decide to suspend the mediation.

Crimes involving underage victims must not be referred to mediation if the victim needs special protection because of the nature of the crime or because of his/her age. (Act on Mediation, Section 3). This may be the case when the child is very young or when his or her custodians have been abusive towards him or her. In some cases, violence against a child by a custodian can be mediated, but in such cases, the mediation must also involve an external guardian, who is appointed for the child by a district court. In such cases, it is often useful to also have a child protection, social welfare or family worker helping the family to participate in the mediation. This allows them to follow up and work with the child or young person and their family after the mediation (see "Conferencing or extended mediation").

Consent and custodians

Mediation is always voluntary and the child or young person must give their consent in person. In addition, a minor's participation in mediation requires that his/her custodian or other legal representative agrees to it (Act on Mediation, Section 2). If the minor has more than one custodian, they usually decide on consent together. Before the parties agree to mediation, they must be explained their rights in relation to mediation and their position in the mediation process.

A child or young person may initially be reluctant to participate in mediation, often because mediation is unfamiliar to them. Often, the attitude of children and young people towards mediation becomes more positive once it has been discussed with them. A good opportunity to discuss mediation is a separate meeting arranged in advance.

Sometimes a discussion with the custodian can help lower the threshold for the child or young person to participate in mediation. The more positive and realistic the custodian's perception of mediation, the more likely it is that the child's or young person's trust in mediation and mediators will increase. On the other hand, forced consent should never be used.

Various flexible solutions in mediation arrangements can also encourage the parties. For example, the mediator may suggest that the mediation session take place in a place familiar to the parties, such as the school. Portable printers make it easier to draw up a mediation agreement away from the mediation office. However, when choosing a location, attention should be paid to ensuring that it is neutral and impartial. For example, the home of one party is not a suitable place for a mediation session.

As a rule, the custodian or guardian must be present at the mediation, but if the consent of the custodian has been obtained, his or her absence is usually not an obstacle to the mediation. The presence of a custodian or guardian can only be refused if it is clearly against the interests of the child or young person. Custodians or other legal representatives of parties under 15 years of age cannot, however, be prohibited from participating in mediation sessions (Act on Mediation, Section 18).

Supporting and guiding custodians

In mediation, the child or young person has the right to be supported by his or her custodian; however, mediators must ensure that the custodian does not control or interfere with the mediation process. The child or young person should be allowed to make decisions about their own affairs appropriate to their age and level of development.

The presence of custodians can have a passivating effect on children or young people, who may, for example, feel embarrassed to talk about sensitive issues in front of their custodians. Sometimes custodians need guidance not to speak for or over their child. If the mediation seems to be disturbed or blocked by the presence of the custodians, they can be asked to leave the room for a while. It is advisable to mention this possibility to the custodians at the beginning of the mediation. It should be noted, however, that custodians have the right to refuse to leave the meeting.

9 On the other hand, it should be remembered that a crisis for a child or young person is often also a crisis for his or her custodian. It is therefore important to listen to and value not only the children and young people, but also their custodians. The mediators should support the idea that those whose conflict is being addressed are the main protagonists and have the most voice in the mediation – they are, after all, the best experts on the conflict in question. This can also be pointed out at the beginning of the mediation process as a ground rule, for example that young people (or adults, if they are parties to the conflict) speak first and the thoughts of others about the conflict are listened to only later. However, the effects of the conflict are reflected in the families of the parties involved, so when the mediation addresses the effects of the conflict, the custodians should also have their say. This avoids the risk of the custodians inadvertently perpetuating the conflict.

As a general rule, the presence of custodians in mediation has a positive and reassuring effect on the mediation process. Typically, children and young people respect their custodians and do not dare to act foolishly in front of them. Also, if the child or young person is afraid and shy, the custodian may be able to encourage them to talk.

Characteristics of a good mediator

Mediation in cases involving minors requires familiarity with the specific issues concerning children and young people. For this purpose, the following further training programme for volunteer mediators has been developed: Children and young people in mediation: A training programme for volunteer mediators in the mediation of criminal and civil cases. Mediators in cases involving minors may also be street mediators (see Street mediation), i.e. educational professionals who have undergone training in meeting children and young people and in applying the mediation method. Street mediation as a name is nowadays misleading, as it is not about mediation or patrolling on the streets. The name comes from Norway, where the Aseman Lapset ry visited in 2011 to learn about local street mediation practised by its partners. After the visit, activities focusing on mediation for young people started at street level in a shopping centre environment, but the activities have evolved over the years to address a wide range of young people's conflicts in cooperation with mediation offices, the police and other actors. Today, one might as well talk only about professional mediators working with children and young people in conflicts.

Good interpersonal and communication skills, such as the ability to listen and tolerate silence, are necessary qualities for a mediator. Good organisational skills are also required. The role of mediators is not to offer ready-made solutions, but to help the parties discuss what happened and how they feel about it. A child or young person at a developmental age often needs support from mediators to express their thoughts and feelings more than an adult. Mediators can use, for example, emotion cards or mediation support questions, which can be found at the end of this subsection. Emotion cards are picture cards that represent different emotions. When a child or young person cannot find the words to describe the emotion they are experiencing, they can search the deck of cards for the image that best describes their feeling.

Flexibility is also one of the good qualities of a mediator. Mediators should try to arrange meetings in a way that takes into account the parties' individual schedules and resources. It is important that the parties do not experience unnecessary waiting or inconvenience during the mediation process. At the same time, it must be ensured that the parties have sufficient time to prepare for the meetings.

Mediators are committed to the principles and values of restorative justice, including the active involvement of the parties, the repair of material and emotional damage, and the offender's opportunity to accept responsibility. Judgmental or biased speech has no place in mediation. This is particularly important when children or young people of an impressionable age are involved in mediation. The mediators chair the mediation session, but their role should be impartial. They ensure that the injured party and the suspect have an equal opportunity to present their views on the case.

Confidentiality is also central to the work of mediators. Mediators cannot be called as witnesses in court proceedings unless there are very important reasons to do so. Confidentiality is also reflected in the fact that mediators are diligent and act in accordance with the law.

A trusting relationship with a child or young person is built through respectful and neutral speech and listening. A child or young person who has been caught doing wrong in the past may be used to being judged by adults. For these children and young people in particular, it is valuable if an adult shows that they are prepared to support them in dealing with the matter, regardless of their mistakes. Usually, when a child or young person suspected of a crime comes to mediation, they understand that they have done wrong and feel guilty – the adult does not need to underline this. At its worst, blaming causes a defiant reaction in the child or young person. The example below describes a mediation in which adults close to the young people were used to their defiant behaviour, but were surprised when the mediators' restorative approach calmed them down.

The mediator's ability to facilitate dialogue between the parties involved develops over time and with experience. Sometimes, despite the best efforts of the mediator, the dialogue in mediation slides into argument and aggression. At times, it can be useful to let the negative feelings of the parties, such as irritation and anger, come out. However, if such a situation drags on and escalates and if, for instance, the parties start shouting at each other, the mediator can calm the situation by interrupting the discussion and reminding the parties of the rules of mediation. For example, the mediator may say, "This is a difficult situation to monitor as a mediator. Let's take a moment to breathe, and then talk one by one. Everyone will be heard and have their say. It doesn't matter if you disagree on this point." Another way to calm the mediation is to redirect the parties to the previous topic, for example: "You just said that you don't believe what person A says. What do you think is the reason for your mistrust?"

Mediation support questions

What happened?

- What do you remember?
- Where were you?
- Who was there?
- What do you mean?
- What were you thinking then?
- How do you feel now?
- What do you think when x says...?
- What impact has this had on your life or lives?
- Are there others who have been affected by what happened?
- What do you need to move on?
- What can you do yourself?
- How would you like to make amends?
- What are you hoping for?
- Do you want to make an agreement, what about?
- What do you want to promise, to whom?

- Do you want us to meet later?
- What do you want to tell your friends? Would it be a good idea to tell your school or social worker?

A good way to clarify what the parties are saying is to repeat what you have heard:

- Did I understand you correctly when you said...
- Did I hear you correctly when you said...
- I would like to know more about what you said...

Age and level of development

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Children and young people of all ages can participate in mediation with the consent of their custodians. However, mediators must ensure that the dialogue in mediation is brought to the level of understanding and language of the minors. This means, for example, that mediation jargon should be avoided.

It can be difficult for a child or young person to grasp complex issues through speech alone. It can be useful to illustrate the speech in some concrete way, for instance by drawing or using emotion cards. If you are mediating theft or vandalism, you can bring cash to the mediation. This gives the child or young person a concrete idea of how much money the injured party has lost as a result of the crime.

In addition, the age of the suspect must be taken into account when agreeing any compensation for damages. If the suspect is very young, restitution through work may not be possible. It is also important that the mediator is familiar with certain aspects of the criminal process that are relevant to the parties, such as the age of criminal responsibility and the difference between a private-prosecution offence and a public-prosecution offence (see pages 22-23, After mediation).

The age of criminal responsibility in Finland is 15 years, but even younger persons are legally liable for the damage they cause. Child protection measures may also be involved, regardless of the age of the child or young person. If the suspect is over 15 years old, the

authority may take the outcome of the mediation into account in further proceedings, such as the prosecution of a criminal case or the determination of a sentence.

The mediator should also understand the boundary-testing and rebelliousness associated with adolescence. A small twinkle in the eye of the mediator is not a bad thing if the child or young person is trying to test whether the mediator is worthy of trust. Even if the parties criticise the mediator, the mediator must not be provoked or offended or insult the parties back.

A child or young person may justify committing a crime because they see the rules as unfair and they see themselves as untouchable. Particularly if the injured party is a business, such as a shop, a child or young person may think that there is no real victim of the crime they are committing and that stealing from or damaging the property of the business is not a serious matter. Mediation is an opportunity to teach a child or young person why certain rules exist and why it is important to follow them.

When the crime has been committed against a business, the injured party is represented at the mediation session by one of its employees. It is good if the employee is genuinely indignant about the offence and shows it openly in mediation. In this way, the business takes on a face in the mind of the child or young person. Employees of businesses that have been victims of vandalism and theft may have a negative impression of delinquent children and young people. They may think that the suspect should be punished so that he or she learns from their mistake. Therefore, before the mediation, the mediator should stress to the representative of the business that the purpose of the mediation is not to punish or blame the suspect, but to encourage him or her to take responsibility.

In addition, you should find out in advance whether the business is prepared to allow the suspect to compensate for the damage by working. The idea of restitution through work may initially seem unfavourable to the company, because typically the company is responsible for supervising the restitution through work. If the mediator is a street mediator, you should tell the business that the street mediator can take care of supervising the restitution through work (see pages 20-21, Restitution through work).

Neuropsychiatric characteristics

Age is not the only determinant of developmental level, but individual differences, such as neuropsychiatric characteristics, can also have an impact on a child's or young person's developmental level. Typical characteristics include learning difficulties, attention deficit disorders and various communication and social interaction challenges.

Special characteristics, such as a literacy difficulty, may mean that the child or young person, or their custodian, does not fully understand what is written in the mediation agreement. In this case, he or she may not notice, for example, if there are errors in the agreement. He or she may feel ashamed and therefore not dare to raise the issue in the mediation session. In order to avoid such situations, it is advisable to ask the custodians and the children or young people about any special characteristics already at the separate meetings. Special arrangements can then be made to take them into account in the mediation. The list below contains useful tips for situations where mediators encounter children or young people with special characteristics, or their custodians.

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Tip box on how to cater for special characteristics

- Give the mediation agreement to the party with a literacy difficulty to read, but also read it out loud to be sure.
- If you know that someone in mediation is impulsive or has aggressive tendencies, take some precautions. For example, you can swap hot drinks for cold ones, serve them from disposable cups instead of real ones, and think about seating arrangements and exit routes so that everyone is safe.
- Find out in advance whether the child or young person is anxious about anything related to mediation. This is especially important if he or she has autism spectrum disorder or mental health problems. For example, you can:
- take pictures of the mediation place beforehand and send them to the child or young person and their custodian if they are nervous about going to the mediation place.

- ask the child or young person in advance for a list of things they want to talk about in mediation. This way, if he or she does not dare to raise the issues in mediation, you can do it for him or her.
- Agree with the child or young person on a sign that they can show to indicate non-verbally, for example, that they need a break.
- Ask the child or young person with concentration difficulties and their custodian what they need to concentrate. Excess visual stimuli can distract concentration, so remove them from the mediation room. Take extra breaks if necessary. Things that help you concentrate include:
 - drawing equipment,
 - a flip chart on which the mediator draws the things he or she wants to illustrate,
 - a touchable object, such as a fidget spinner, or
 - a swivel chair, etc.

Means of protection for children and young people

Mediation often brings up negative emotions in the participants, and when they arrive at mediation, the child or young person may be tense, reluctant or withdrawn. They may try to relieve themselves by using different means of protection, such as covering their face with hair or a headgear. It is important that the mediator does not insist that the child or young person give up his or her means of protection, as this could, in the worst case, cause the child or young person to become more withdrawn. In essence, the purpose of mediation is to defuse sensitive events and emotions, not to moralise or educate the parties involved.

Laughing, giggling or defiant behaviour can also be a way for a child or young person to protect themselves. The mediator should not get nervous, even if it seems at first that the child or young person is not taking mediation seriously. Most likely, the child or young

person is behaving inappropriately because they are nervous. The mediator can defuse the tension, for example, by calmly saying that laughing is probably a sign that you are nervous. On the other hand, accusatory language does not fit in with the nature of mediation.

If the child or young person's seclusion is preventing the mediation from progressing, mediators can try the mediation support questions or emotion cards described above. In these situations, mediators have to be patient. Just because a child or young person is silent for what seems like a long time to an adult does not mean that they are not listening. For example, he or she may be considering an answer to a question. In this case, it is not advisable to ask a new question immediately. This could cause the child or young person to become confused and thus become more withdrawn. For such situations, among others, mediators should practise tolerating silence.

Group dynamics and seating arrangements

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Children and young people are to some extent prone to commit crimes in groups. Thus, mediations sometimes involve several children or young people suspected of a crime. Therefore, mediators in cases involving minors are required to understand the group dynamics of children and young people and sometimes also to have group management skills.

To get to know the group dynamics of the mediation parties, it is a good idea to start by asking the parties about their social relationships in any separate meetings. Once the social relationships of the group are known, they can be taken into account in the seating order of the mediation session. If possible, good friends should not be placed next to each other in mediation. They are likely to seek refuge from each other, and if they are sitting close together, they may start giggling or otherwise behaving inappropriately.

Seating arrangements are particularly important when mediation involves a two-on-one situation. For example, if the two friends suspected of a crime sit next to each other in mediation, but the injured party sits alone on the other side, the starting position of mediation becomes very unequal. By placing adults, such as mediators and custodians, between the parties, the atmosphere of mediation can be calmed and made more equal. In general, the presence of custodians often has a positive effect on children and young people, who

typically respect their carers and do not dare to act foolishly in front of them. Mediators can inform custodians of this before or at the beginning of the mediation, so that they know that they play an important role in the mediation.

In addition, when considering seating arrangements, it is advisable to try to ensure that the mediators have eye contact with each other, as this allows for non-verbal communication between them. Any support persons and interpreters can sit next to their clients, or if there are many participants, they can be seated in the outer ring.

Street mediation

Street mediation is a supplementary model of mediation in Finland, which is applied to crimes and disputes involving children or young people under the age of 18. The model was originally developed in Norway, and Aseman Lapset ry has adapted it to Finnish conditions. Street mediation has been carried out in Finland since 2013.

The first cases referred to street mediation concerned disorderly and criminal behaviour by young people in shopping centres. Since then, street mediation has been extended to cover a wide range of other crimes and disputes where at least one of the parties is under 18. The most typical cases to be mediated are assaults between young people, vandalism and prolonged bullying at school. Domestic violence, for example, has also been covered.

Street mediation works closely with Aseman Lapset ry's K-0 working model to tackle bullying. Through K-0, it has been possible to mediate conflicts between children and young people at an early stage when they are still disputes. These mediation processes have been more flexible and expeditious than usual, allowing conflicts to be settled before they escalate into a police report. Aseman Lapset ry has offered training in mediation skills and network work with young people in conflict situations to educational professionals all over Finland.

Street mediation is based on networking, particularly with the police, mediation services, law enforcement, schools and social services. Despite its name, street mediation does not take place on the streets. While it is possible to intervene at the time of the conflict, for example by talking to the parties, the actual resolution of the conflict will only take place at a later mediation session. The name "street

mediation” is a direct translation of the Norwegian word gatemegling. For the sake of clarity, parties and families are often simply told about mediation, even if the underlying practices are those of street mediation.

Street mediation addresses conflicts in a constructive and holistic way, with a focus on preventing the child or young person from becoming marginalised or falling into a cycle of crime. Street mediators are educational professionals trained as mediators. The method is based on the same values and principles of restorative justice as statutory mediation in criminal and civil cases.

How does street mediation differ from statutory mediation in criminal and civil cases?

The most significant difference between street mediation and statutory criminal and civil mediation is that at least one of the mediators is an education professional. Typically, a volunteer mediator and a street mediator act as a pair of mediators in street mediation. If the matter to be mediated is particularly demanding, the mediation office may choose two street mediators to act as mediators. A small number of street mediations are triggered by a request coming directly to the mediators from the Preventive Policing Unit or from security stewards. Street mediation practices vary from one location to another.

- The training of street mediators is shorter than that of volunteer mediators and focuses mainly on the mediation process and meeting the parties. A shorter training period is possible, as the professional background of those training as street mediators makes them well equipped to act as mediators in cases involving children and young people. The training of volunteer mediators focuses on agreement techniques and criminal procedure more than the training of street mediators. When working in pairs, the skills of the street mediator and the volunteer mediator complement each other.

The presence of educational professionals in mediation brings professional expertise to the encounter with children, young people and families. Street mediators make sure that the age and developmental level of the minors is taken into account throughout the mediation

process. Unlike volunteer mediators, street mediators do mediation as part of their job. If necessary, street mediators continue to work with the child or young person and their family involved in mediation or ensure that they follow up with other services offered to them. Street mediators also have the flexibility to meet with the mediation parties outside the mediation office and to supervise the child or young person in the case of restitution through work (see Monitoring).

Trained street mediators include:

- youth workers,
- specialised youth workers,
- outreach or mobile youth workers,
- teachers and curators,
- family workers,
- crisis workers,
- substance misuse workers,
- social workers, and
- psychologists.

The aim in street mediation is to work quickly so that the conflict does not deepen and the parties do not forget what happened before the mediation takes place. Children and young people have a different perception of time than adults, so it is particularly important to deal with the matter quickly. However, case processing times are influenced by factors such as how quickly a crime is referred to mediation by the police. Therefore, in practice, fast processing is not always possible.

The primary aim of street mediation is to compensate for losses in some way other than a large sum of money, such as restitution through work or a behavioural agreement. It is important that the method of restitution is appropriate to the age and developmental level of the young person.

Since the beginning of 2020, street mediation has received targeted operating grants from the Funding Centre for Social Welfare and Health STEA, which enables street mediation to be carried out mainly in the areas covered by the Helsinki, West Uusimaa and Vantaa mediation offices. Where necessary and on request, street mediation training will be provided in other areas against payment of accommodation and travel costs.

Progress in criminal mediation

Below is a step-by-step guide to the process of mediation in a criminal case involving children or young people. The main principles and procedures of criminal mediation are no different from other mediation when minors are involved. However, there are some things that mediators need to be aware of when dealing with minors.

Before the mediation session

The mediation process starts with a request for mediation, which can be made by the parties to the crime, the police, the prosecutor, another public authority or another person with knowledge of the conflict, such as a teacher or youth worker. In the case of minors, the initiative can also be taken by a parent or legal representative. In cases of intimate partner violence, only the police or the public prosecutor can initiate mediation. Intimate partner violence occurs, for example, when a parent has been violent towards a child or vice versa. The vast majority of mediation initiatives come from the police. After that, the most common initiator is the prosecutor. It is the role of the mediation professional to assess whether the offence is suitable for mediation.

The mediation office selects mediators who are suitable for the job on the basis of their experience and skills. There are always at least two mediators in each case. Prior to the mediation session, the mediators' role is to prepare the parties by providing them with information about mediation and follow-up and support services.

If the suspect is over the age of 15, i.e. criminally liable, it is important for mediators to know whether the offence is a private-prosecution offence or a public-prosecution offence. They will then be able to inform the parties about how a possible settlement in the mediation may affect the criminal proceedings that are taking place alongside the mediation. A private-prosecution offence can only lead

to a trial at the request of the injured party. In a formally prosecuted offence, the prosecutor has the final say, and can prosecute even if the injured party does not want to (see After mediation.)

The mediators will contact the parties and prepare the mediation session and any separate meetings beforehand. The mediators reserve the mediation room and ensure its security. In addition, the mediators will familiarise themselves as necessary with the offence to be mediated, its background and related documents. Preliminary preparations for mediation include getting to know each other and the division of labour between the mediators. If the case is mediated at the mediation office, the professional staff will carry out the preparatory work and provide the mediators with sufficient information to organise the mediation. If the case is being mediated in another context, for example at the request of the police, as is typical for street mediation, for example in a school, preliminary preparation may include discussions with school staff and the parties to the conflict and listening to each point of view.

Separate meetings

Mediation can be a very unfamiliar and exciting experience for a child or young person. Therefore, in mediations involving minors, it is recommended that mediators meet with the parties in advance in separate meetings. A suitable time for separate meetings is about a week before the mediation session, so that when the mediation takes place, the issues discussed in the separate meeting are fresh in the minds of the parties.

The separate meetings allow the parties to get to know the mediation process and the mediators, and to share privately their experiences and feelings about what has happened. This can ease the child's or young person's anxiety about mediation and meeting the other party. At the same time, the mediators will be able to identify whether the parties need support and follow-up services or special mediation arrangements.

As with mediated sessions, separate meetings are confidential. The mediators should make this clear to the child or young person, so that he or she does not fear that the mediators will bring up issues discussed in a separate meeting without permission. Based on the

experience of street mediators, it is useful for mediators to set up a joint WhatsApp group with the child or young person during the preliminary meeting. If there are several children or young people involved in the mediation, the mediators can set up a joint group with them or a separate group with each party. Through WhatsApp groups, mediators and parties can discuss practical issues related to mediation in a low-threshold environment.

Separate meetings are often also important for custodians. Mediators can meet with custodians in advance, either separately or together with the children or young people. By also meeting the custodians beforehand, they do not have to go through the emotional turmoil of the events and their impact on the family for the first time in the actual mediation session. They are then better able to support their child in dealing with the matter and to give them space to express their own views and feelings.

Service needs assessment

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Sometimes the offence being mediated involves long-standing and complex problems that mediation alone cannot alleviate. Therefore, mediators should inform the parties about the possibility of follow-up and support services well in advance of the mediation session. Both the injured party and the suspect may need follow-up and support services.

As the child or young person may not have the energy, skills or courage to seek help themselves, their custodian or guardian should also be informed of the services available. At a separate meeting, it can be agreed who will accompany the child or young person to the service. It is often most appropriate for the custodian to do this, but if the young person is a teenager and is becoming developmentally detached from their carers, another safe adult may be more appropriate.

Sometimes the mediation process reveals that the child or young person and his or her family are in need of child welfare services. If the mediator suspects this, he or she should discuss the filing of a child welfare notification with the mediation professional and the minor and his or her custodian. As a general rule, the responsibility for filing a child welfare notification lies with the mediation professional, but a street mediator may also file it after discussing the matter with the parties involved.

The advantage of street mediation over traditional mediation is the opportunity it offers to work with children and young people and their families on a long-term basis. The support needed can be determined on an individual basis, and the street mediator can ensure that the child or young person in need of help and their family are genuinely engaged in the follow-up or support services offered to them. If necessary, the street mediator can establish a permanent client relationship with the mediation party and his or her family.

Support staff and interpreters

Both the injured party and the suspect are entitled to have a support person involved in the mediation, and the parties should be informed of this well in advance. The presence of a support person is subject to the consent of all parties and to the condition that it does not interfere with the mediation. If no agreement can be reached between the mediators, the parties and the custodians on the participation of the support person in the mediation, the matter will be decided by the mediation office (Act on Mediation, Section 18).

A support person can be a family member, relative, friend, acquaintance or other person nominated by the party. The injured party can get a trained support person free of charge from Victim Support Finland (www.riku.fi). In the case of children and young people in substitute care, it is recommended that a representative or guardian of the placement, such as a social worker, should participate in the mediation as a support person in addition to the custodians.

If necessary, an interpreter or interpreters will also take part in the mediation. If the mother tongue of the family involved in the mediation is not Finnish, interpretation services should be used with a low threshold. It is usually the family carer who needs an interpreter, less often the child or young person. The use of interpreters allows for equal treatment of all participants. The use of an interpreter does not mean that the person being interpreted cannot also speak Finnish in the mediation as much as he or she feels appropriate. It is a good practice for the person being interpreted to decide for him or herself when interpretation is needed and when it is not (Turkka & Saarholm 2021).

The mediator may make observations about the need for an interpreter, but ultimately it is the responsibility of the mediation professionals to assess the need for an interpreter, obtain an interpreter and pay the costs of interpretation. If there is more than one mediation session, you should ask the interpreting service whether the same interpreter could also attend the next session. It is important

that there is trust between the interpreter and the person being interpreted, which is facilitated by using the same interpreter. In addition, the interpreter's work is made easier when the mediation process and the matter to be mediated are already familiar to him or her.

Support persons or interpreters do not take part in the discussion, but remain in the background during the mediation. The task of the interpreters is only to translate the discussions that take place. As with other participants, support workers and interpreters are bound by confidentiality in mediation.

Tip box for the use of interpreters

- Interpreters are recommended to be physically present at the mediation session. In remote interpreting, there is a risk that the interpreter cannot properly understand what the parties are saying. For example, the interpreter may inadvertently ask a crying child or young person to speak louder. Situations like this cause extra mental strain for the parties involved.
- If more than one language is needed in the mediation, it is a good idea to agree in advance on the order in which the interpretation will take place. This should be done first, so that the interpretation goes smoothly from the start. Here is an example of good practice:
- Foreign language A is first translated into Finnish and then into foreign language B.
- Foreign language B is first translated into Finnish and then into foreign language A.
- It does not matter whether Finnish is first translated into foreign language A or B, as long as the order is agreed at the beginning of the mediation and adhered to throughout the mediation. This way, interpreters know when it's their turn and don't speak on top of each other.

Mediators working in pairs

Mediation always involves at least two mediators. In the case of mediation involving minors, the mediators may be volunteer mediators, street mediators or both. Careful familiarisation with the other mediators and agreement on roles and responsibilities during the mediation are part of the preliminary preparations for the mediation.

The mediators should at least discuss beforehand what kind of mediators they are. There is no one type of good mediator, as every mediator brings his or her own strengths and skills to the situation. It is worth making the most of this; at their best, mediators bring out the strengths in each other.

For example, the mediators may agree that one of them will lead the discussion and the other will focus on listening to the parties and on non-verbal communication. Working in pairs allows the mediators to focus on different issues, and this enables them to look at the conflict from different angles. When roles and responsibilities are clearly agreed in advance, the mediation session can focus on the essentials and avoid confusion or overlap.

The different strengths of the mediators are particularly apparent when a volunteer mediator and a street mediator work together. The first may have extensive experience of mediating challenging conflicts, while the second may have a strong understanding of the challenges and specificities of childhood and adolescence. Pair work is therefore a great opportunity for mediators to learn new skills from each other.

Successful pair work requires mediators to pull together. The aim is to enable the parties to feel that they are active players in their own affairs. Mediators should avoid emphasising their own skills and advantages. Mediation should focus on the parties, not the mediators. It is also important that mediators are mentally present. This allows them to support each other in the best possible way and to mirror their own internal dialogue.

It is natural that mediators sometimes feel insecure in their work. If the mediation seems to be stalled, the mediators can suggest a break to the parties. During the break, the mediators can reflect together on the feelings and thoughts that the discussion has evoked.

Even difficult feelings usually become clearer when you share them with someone else. Mediators can also engage in reflective discussion with each other during mediation, but they should be careful not to say things out loud that could be interpreted as biased by the parties.

During the mediation session

At the beginning of the mediation session, the mediators should be approachable and talk about non-mediation topics. The mediators can offer the parties coffee, juice and a snack. Such small gestures help to relax the atmosphere and make the mediation seem less like a hearing with the authorities or a trial. The mediators can also thank the participants for coming to the session.

Often one mediation session is enough, but sometimes it can be useful to split the mediation into several sessions. This depends on the needs of the parties and the nature of the matter to be mediated.

Opening presentation

The actual mediation begins with the mediators' opening presentation. The opening presentation introduces the participants and outlines the principles, ground rules, objectives and rights of the parties. In addition, if the suspect is over 15 years old, the opening presentation should explain how mediation can affect the criminal process (see pages 22-23, After mediation).

At the end of their presentation, the mediators give the parties the opportunity to ask questions and make sure that everyone has understood what was said in the opening presentation. Careful review of the issues will safeguard the process and increase the parties' sense of security. If at any point the mediation becomes restless, the mediators can kindly remind the participants of the ground rules that were discussed at the beginning.

Checklist for the opening presentation of the mediation

- Mediation is not about investigating or finding culprits, but about discussion and exchanging views.
- Mediation is voluntary and can be stopped at any stage.
- Mediation is impartial and confidential.
- Mediation is free of charge.
- Participants in mediation are bound by confidentiality.
- Breaks may be taken on request and as needed.
- Having feelings and showing them is allowed, but aggressive behaviour is not.
- Participants listen to and respect each other. One person speaks at a time, and the one who is speaking is not interrupted.
- The parties are at the heart of mediation. Custodians should avoid speaking for or over their child. Custodians may be asked to leave the mediation room for a while.
- Any mediation agreement or the fact that no agreement has been reached is usually sent to the authority that initiated the mediation.
- In addition, if the suspect is over 15 years old:
- The authority may take the outcome of the mediation into account in further proceedings, such as the pre-trial investigation of a criminal case or the determination of a sentence.

Breaks

The length of a mediation session depends on a number of factors, such as the seriousness and scope of the matter to be mediated and the relationship between the parties. Typically, mediation lasts between an hour and two hours. If the mediation lasts longer than an hour, it is a good idea to take at least one break to ensure that the participants are able to cope.

A good time for a break is, for example, when the parties need time to consider their decisions and to process the feelings aroused by the discussion in peace. A break should also be taken if the mediators are unsure about something related to mediation and want to reflect on it among themselves or with a mediation professional. Breaks are also typically necessary if the participants have neuropsychiatric characteristics that make it difficult for them to concentrate (see pages 9–10, Neuropsychiatric characteristics).

If the mediation has already lasted two hours and agreement does not seem close, the mediators may propose a new time for the participants to meet. In this way, mediation is not too burdensome, especially for minors. In this regard, mediators should consult the parties to the mediation.

Agreement

Finally, the issues discussed in the mediation are reviewed. If the mediation results in an agreement, the parties can draw up an agreement on the issues they want, with the support of the mediators. The agreement may cover behaviour, monetary compensations or both. The agreement may also stipulate that the agreement will be monitored by the mediation office, a street mediator or another party. An apology can be part of the agreement, but the parties should not be pressured to apologise or forgive. When the mediator helps the child or young person to express their thoughts and feelings, an apology often comes naturally.

Reaching an agreement is not the most important sign of a successful mediation; what is more important is the process of mediation, the dialogue that took place and the possibility of change. Often, simply participating in mediation teaches the parties more constructive and amicable ways of acting and makes their daily lives easier.

The mediators must ensure that the agreement is reached by consensus between the parties and that the parties do not make hasty and unreasonable decisions. The parties must understand what they are agreeing to and what the agreement obliges them to do. The mediators should ensure that the session does not last too long, as there is a risk that the parties will not have the energy to carefully work on the agreement. For example, the wording of an agreement can be postponed to another session. If the parties are about to enter into an agreement that is clearly disadvantageous to them, the mediators should indicate this to the parties and guide them with advice and discussion. If necessary, mediation can be suspended to allow the parties to consider alternatives in peace.

If there is an agreement on behaviour, the mediators should ensure that the rules are reasonable and not oppressive. A behavioural agreement can include, for example, details on how to seek further services or concrete steps to avoid similar situations in the future. In a mediation involving children and young people, a behavioural agreement can be useful in an educational sense, and the parties can agree, for example, to try to settle disputes through discussion in future.

It is important that the agreement is worded in such a way that minors and their custodians understand its content. A good agreement is clear and has a realistic chance of being implemented. The agreement records the names of the parties and their status as contracting parties, as well as details of any restitution. If the parties so wish, the agreement may also record various issues that arose during the mediation, a possible apology and comments on the mediation process and atmosphere. If the mediation did not resolve a disagreement, it can also be recorded in the agreement. More information on how to draw up mediation agreements is available from local mediation offices and in the guide “Rakennamme sovintoa – Opas rikosten ja riitojen sovitteluun” (Flinck 2013). Nationally standardised agreement forms and a form for court confirmation of the agreement are available from mediation offices.

Before signing, the parties read the mediation agreement carefully and ask the mediators to correct any errors or omissions. In addition, the mediators can read out the agreement (see pages 9–10, Neuropsychiatric characteristics). When the agreement is signed, the mediators tell the parties what the legal implications of the agreement are, i.e. where it will end and how it may affect, for example, any

legal proceedings. If the mediator is unsure about something in the agreement, he or she can take a time-out and clarify the matter before signing. As a rule, agreements for children under 18 must also be signed by a custodian or guardian.

In subsequent proceedings, a party to the mediation may not, without the consent of the other party, rely on what the other party has presented in the mediation in order to reach an agreement (Act on Mediation, Section 21). However, the agreement reached in mediation and the document drawn up as a result can be invoked in subsequent proceedings.

Monetary compensation

When determining the amount of compensation, mediators must ensure that it is appropriate to the age and development of the child or young person. This guide only outlines the issues related to monetary compensations. More information on monetary compensations is available from mediation offices and in the guide “Rakennamme sovintoa – Opas rikosten ja riitojen sovitteluun” (Flinck 2013).

Monetary compensations can take the form of monetary payment, restitution through work, a behavioural agreement or a combination of these. The greater the damage, the more likely it is that monetary compensation or a combination of monetary compensation and restitution through work will be involved.

If more than one person is involved in the mediation, it is important that the agreement determines whether the suspects are jointly liable for the damage they have caused or whether the liability is shared between them. Joint and several liability means that each of the suspects is responsible for the entire damage. In other words, the injured party can claim full compensation from any of the suspects.

In the case of children and adolescents, it is advisable to agree to share the compensation between the suspects instead of joint and several liability. In general, the amount of compensation is then set at the same level for each suspect.

Restitution through work

Restitution through work is considered the best form of compensation when the aim is to make the child or young person feel responsible and to prevent recidivism. Restitution through work also promotes equality between families. For low-income families, even a small amount of money can be a big challenge. However, restitution through work is not always possible, for example because of the suspect's young age or the fact that no suitable work is available.

A restitution agreement is not an employment contract, and the purpose of work is not to punish the suspect. The amount of work is calculated by first estimating the amount of damage in euros and then agreeing on the hourly rate for the work assignment. The compensation is calculated on the basis of the number of hours of work required at the hourly rate in euros.

The work to be done to compensate for the damage can take place in the company that suffered the damage or it can involve work donated to a third party. Different cities have good practices regarding restitution through work. For example, some cities have committed to providing underage parties to a mediation with the possibility of restitution through work when the damage is to city property.

If the injured party is a company, mediators can explore in advance the possibility that the child or young person would compensate for the damage caused by working for the company. Thus, there is no need to spend time in the mediation itself on exploring the possibilities of restitution through work. In mediation, the injured party is generally not considered to be an employer, so in most cases the injured party cannot be held liable for employer obligations. For this reason, mediation offices have accident insurance for persons involved in restitution through work.

At least the following points should be considered for persons under 18 performing such work:

- The minor agrees to restitution through work.
- The minor's custodian agrees to restitution through work.
- The work does not harm the health or development of the minor or interfere with his or her schooling.

- The tasks are adapted to the minor's abilities and are not too demanding.
- The length of the working day and rest periods are taken into account.
- The work is properly supervised. The younger the child, the more important it is that restitution through work is supervised by the child's custodian or other familiar adult.
- The work is proportionate to the damage caused.

If the child is very young, for example under 10, the work should only be symbolic. For example, it could be agreed that the child will watch the work from the sidelines for an hour or two. Local mediation offices have their own established practices regarding restitution through work for minors.

Monetary compensation

When monetary compensation is agreed for a criminal offence committed by a minor, it is typical for the guardian to take responsibility by paying for it – especially if the amount to be compensated is large. It should be remembered, however, that unless the custodian is to blame for the damage caused by the child, the custodian is not liable to pay compensation. A parent can be considered to be to blame for damage caused by his or her child if the parent has neglected his or her duty to supervise the child.

When the custodian decides to pay a financial contribution, the agreement may also specify how the child or young person will reimburse the amount to the custodian. The solution could be, for example, that the child or young person does housework for the custodian, or some other creative solution. In order to make the child or young person feel responsible, it is important that the custodian does not pay the money directly on behalf of the child or young person, but that the child or young person has to make a concrete effort to compensate for the damage caused.

Interruption of mediation

Mediation aims to find a common understanding. Sometimes, however, issues arise during mediation that prevent the mediation process from being completed. Mediation can be interrupted, for example, if

- one of the parties withdraws their consent,
- there is reason to suspect that a party's consent is not voluntary,
- there is reason to suspect that a party cannot understand the meaning of mediation and the solutions to be made in the process,
- it is clearly against the best interests of a party to continue mediation,
- a party is about to agree to an agreement that is clearly unfair to him or her,
- the parties cannot find a common understanding or a way to reach an agreement,
- the discussion is not constructive despite all efforts,
- one of the people involved is experiencing fear or threat,
- the agreement has no realistic chance of being implemented, or
- the custodians have disagreements about the dependant's interests and mediation solutions.

Even if the mediation is interrupted, the parties may have benefited from, for example, separate meetings and referrals to support and follow-up services. The mediators may propose a new mediation session to the parties if there are no obstacles and the parties express their wish to continue mediation.

After mediation

After mediation, the mediators submit a report to the mediation office. The mediation office then informs the necessary authorities about the course and outcome of the mediation (Act on Mediation, Sections 16-17). It is also the practice of mediators to inform those affected by the conflict, such as schools or recreational instructors, about the course and outcome of the mediation.

The subsequent measures depend on whether or not the suspect is criminally liable, i.e. whether he or she is over or under 15 years old. In addition, the follow-up measures depend on whether the offence is a private-prosecution offence or a public-prosecution offence, and whether the injured party has any claims against the suspect after the mediation.

If the suspect is over 15 years old, the offence can proceed in the criminal proceedings regardless of mediation. In such cases, the police or prosecuting authority may take the outcome of the mediation into account in the further proceedings and either waive or reduce the sanctions. However, if the offence is a private-prosecution offence and the injured party withdraws his or her claim for punishment after the mediation, the police will close the pre-trial investigation. The same applies if the suspect is under 15 years old. In a formally prosecuted offence, the prosecutor has the final say, and can prosecute even if the injured party does not want to.

Follow-up

A follow-up period may be agreed for the mediation agreement to ensure that the issues agreed in the agreement are being met. Follow-up may relate to compensation, behaviour or the commitment of the offender to the agreed measures. Follow-up is agreed together with the parties and the custodians, and then recorded in the mediation agreement. Follow-up is typically the responsibility of mediation professionals, but street mediators may also be responsible for monitoring agreements.

Follow-up can be done by telephone, although physically arranged follow-up sessions are also possible and often recommended. Follow-up sessions can be organised either as a joint meeting of all parties or as a separate meeting. Custodians can also attend the

follow-up sessions, or the mediators can ask about their feelings after the mediation by phone. If the mediation has concerned a conflict between children or young people, mediators have found that a joint follow-up session in a relaxed environment, for example over a meal, can also help to ease relations between the parties. Such follow-up sessions are often organised without the presence of a custodian.

Typically, one of the employees at the place of work is appointed as the supervisor of the restitution through work. Alternatively, the street mediator involved in the mediation can supervise the restitution through work. While supervising, the street mediator can talk to the child or young person and ask them what their feelings and thoughts are after the mediation. The atmosphere of restitution through work is likely to be much more informal than that of a mediation session. This can put the child or young person at ease, giving them the courage to be open with the street mediator. It is typical that restitution through work is a child's or young person's first experience of work and therefore they do not know how to behave in the workplace. Proper supervision of the restitution through work ensures that the experience is educational and positive for the child or young person.

Evaluation discussion

At the end of the mediation process, the mediators should jointly review and evaluate the mediation process as a whole. The mediators can discuss, for example, what went well in the cooperation and where there is room for improvement. It is also useful to have evaluation discussions with mediation professionals in order to develop your own work and procedures.

It is important that the mediator is able to both give and receive feedback openly. Successes and feedback from satisfied customers motivate and encourage mediators. However, mediation does not always go as hoped, and this does not necessarily mean that the mediators have made mistakes or failed. Mediators should discuss successes, challenges and disappointments with a mediation professional and their partner when working in pairs.

Peer review allows mediators to learn skills from each other and develop their own working methods. Volunteer and street mediators in particular often have a lot to offer each other because of their different backgrounds. The different backgrounds and starting points of

mediators should be seen as a strength and an asset rather than a challenge. In addition to having a professional background, the greater the diversity among mediators in terms of gender, age and culture, for example, the better.

Conferencing or extended mediation

Conferencing is often referred to as extended mediation. It is a form of restorative justice that goes beyond traditional mediation and has been developed around the world since the 1990s.

In Finland, conferencing has been developed on the basis of Tarja Heino's guide *Läheisneuvonpito* (2000) (family group conferencing). Family group conferencing is a social work method that aims to help a child or young person by building an active support network of loved ones and other significant people around them. The conferencing method has been developed between the National Institute for Health and Welfare, Aseman Lapset ry and mediation offices since 2019.

The idea of conferencing is to involve people who have been affected in some way by the incident or who are important to the parties. This means that not only the parties to the conflict participate in the mediation, but also, for example, family members, friends, neighbours or professionals such as child protection, social services or family workers, in the role of conferencing facilitators.

Conferencing facilitators typically play a more active role than support persons in traditional mediation. However, the role varies depending on the reason why the conferencing facilitator has been asked to participate in the mediation. If the conferencing facilitator has witnessed the conflict situation, he or she can provide further information. This is often relevant for custodians, who may have only heard their child's biased version of events previously.

The role of conferencing facilitators can also be to provide support to the parties. In this case, their role in the mediation is close to that of traditional support persons. Sometimes the role of the conferencing facilitator is strongly linked to the follow-up of the mediation agreement or to post-mediation recovery. However, it is never the intention that the conferencing facilitators would speak for or over the parties. Even in extended mediation, the parties' views always take precedence.

Aseman Lapset ry has used conferencing in some of its mediations since 2013. The main advantage of the method is that it helps the parties to cope after the mediation. It has been found that people who are already involved in the lives of the parties are better placed than external mediators to support the parties in sticking to the agreement. Extended mediation is therefore ideal for resolving conflicts

in school or hobbies, for example. For instance, school staff, such as curators and teachers, have been involved in mediating conflicts at school, and have been able to support the child or young person in sticking to the agreement after the mediation has ended, alongside their own work. Extended mediations have also involved social and family workers, family members, coaches, employees of organisations and police officers (Saarholm & Elonheimo 2020).

Mediation is voluntary for all participants, and the conferencing facilitators must also give their personal consent to participate in the mediation. Before the mediation, mediators should, if possible, talk to each participant personally and explain to them what the mediation is about and what is expected of them. For example, if school staff are involved in the mediation, it is a good idea to inform them in advance that they are expected to play an active role in following up the mediation agreement.

Due to the large number of participants, extended mediations typically require more time and effort to organise than traditional mediations. For example, finding a time that suits everyone can be challenging. If a common meeting time cannot be found within a reasonable period of time, it may be considered that one or some of the participants join the meeting remotely.

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A young boy with curly hair and a young girl are shown in profile, looking towards the left. They are positioned in front of a dense background of green leaves and branches, which are slightly out of focus. The boy is in the foreground, and the girl is slightly behind him to the right. Both are wearing dark-colored clothing. The overall lighting is soft and natural, suggesting an outdoor setting.

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