

VISIT TO UGANDA 31JULY-28 AUGUST 2002
VICTIM/OFFENDER MEDIATION SKILLS TRAINING

Full report by Marian Liebmann

1. THE PROJECT

Introduction

This visit followed on from my visit to Uganda in February 1999, when I was asked by the Restorative Justice Initiative to train a group of criminal justice professionals in victim/offender mediation skills. This training was well-received and led to some training work by the group; they also promoted the use of mediation in negotiating community service (just being introduced in Uganda) in the community.

The impetus for this project came from Save the Children (UK) in Uganda, where there is a headquarters office in Kampala and three local groups in Masaka, Hoima and Gulu. They were concerned that the Children Statute 1996, a radical and promising piece of legislation, was not being put into practice because it was hardly known and poorly understood. There was little awareness of victims or the philosophy of restorative justice. They thought that training people in the community and in the Local Council (Village) courts in victim/offender mediation skills could help. They approached Grace Kiconco Sirrah of Restorative Justice Initiative to write a manual which could be piloted in a three-week training project. This project took place in August 2002.

The Children Statute 1996

The Children Statute 1996 is indeed a radical piece of legislation. It states:

Where a case has been proved against a child (aged 12-17 in Uganda), the following orders may be made by the Village Court:

(i) Reconciliation

This is where a peaceful settlement of the case is encouraged and may include advising the child to ask for pardon from the person reporting him/ her.

(ii) Compensation

This is where a child is ordered to give a suitable payment for the loss, damage he/ she has caused to somebody else.

(iii) Restitution

This is where a child is ordered to replace or return something lost or stolen to its owner and may include payment for any damage.

(iv) Apology

This is where a child is ordered to make a statement expressing that he/ she is sorry for having done something wrong or for causing pain and trouble.

(v) Caution

This is where a child is warned not to repeat the wrong he/ she has done with a threat of future punishment if repeated.

(vi) Guidance Order

The Village Court will appoint a person who will be responsible for guiding, advising, assisting and supervising the child for a set period of not more than six months.

(Republic of Uganda, Ministry of Gender & Community Development 1997)

The pilot training project

The structure of the pilot training project was as follows:

Week 1 - Training in victim/offender mediation skills for Save the Children's three local groups (Masaka, Hoima, Gulu), co-facilitated by Grace and myself. Many of this group were already mediating in their community, in their capacities as Probation and Social Welfare Officers, leaders of Community Based Organisations, Save the Children workers - so the course was to give them extra skills rather than to bring a new concept to them. Masaka was chosen for the project as a place suffering from high crime rates, general deprivation (slump in coffee prices, large number of Rwandan refugees, big HIV/AIDS problem) and increasing numbers of street children. Gulu is an area where there is repeated unrest with incursions from the Lord's Resistance Army, abducting children and adults (and the workers from Gulu were grateful for respite from this and for a few nights of sleep undisturbed by sounds of shooting).

Week 2 - Training the group from Masaka to train others in victim/offender mediation skills.

Week 3 - Helping the team from Masaka to deliver the course to a group of Local Council members (Village Courts), leaders of Community Based Organisations and Probation Volunteers in the Masaka district.

The course was residential for Weeks 1 and 2 and for the Masaka training team in Week 3, so that they could concentrate on the course without interference from local duties. Even so, several members of the course had to disappear on some days to attend to domestic crises. And because of this, mobile phones were a problem in the group from time to time.

Grace asked me to lead on victim/offender mediation while she led discussions on relevance to local culture and practice. The language for the first two weeks was English, as this is the official language of Uganda (there are over 50 local languages), and the manual therefore has to be in English, at least in the first instance. The language for the third week was the local language, Luganda.

Training Manuals

One of the purposes of the training was to pilot the training manual Grace had written. She had used material from the previous course I had run, together with material on conferencing, some exercises from Alternatives to Violence Project and some of her own material. We made amendments and wrote new material at every stage of the project, and also gathered material for a 'Training the Trainers' manual.

Strategy

The aim of the three-week workshop was to develop a model which could be viable for spreading the skills in Uganda. Clearly it would be expensive and impractical to ask me to train everyone; and even Grace, based in Uganda, could not undertake this. So training more trainers was vital.

At the end of the three-week workshop, the next step was for Grace and some of the newly-trained people from Masaka to go to Hoima and Gulu and repeat the process.

Preparation

Preparation work in the UK involved reading the manual prepared by Grace, making comments, finding extra material and gathering useful books (all donated by charities and other organisations).

I arrived in Uganda four days before the course, and spent these with Grace, revising some important aspects of the manual, making a detailed timetable for the first week's course, checking handouts and allocating responsibilities for different exercises. We went to the office of Save the Children to meet Emma Ssali Namuli, project manager for juvenile justice and overall organiser of the course, and to do the photocopying needed.

One of the things we worked on was the community orientation of the course. Grace had structured this in by including sessions on victim/offender mediation and then sessions on conferencing. However, the conferencing material gave a feel of starting again rather than flowing on smoothly, so we decided to adopt the mediation model and expand it to include more people; and to include discussions at each stage of the mediation process, about local community values and practice.

In view of the large numbers we expected to be involved, we decided to use a co-mediation model (i.e. two co-mediators), also because it provided an opportunity for increased learning through the discussion needed, and opportunities to take on apprentice mediators.

We worked out a set of objectives:

1. To introduce the concepts of mediation and restorative justice
2. To share experience of juvenile justice processes
3. To look at the potential for integrating mediation and restorative justice into existing Local Council processes
4. To acquire beginner skills in victim/offender mediation
5. To lay the groundwork for practical implementation
6. To pilot the Training Manual

We used a fairly standard mediation process:

1. Opening
2. Uninterrupted time
3. Exchange
4. Building an agreement
5. Making an agreement (written or verbal, as appropriate)
6. Closing
7. Mediators' evaluation

We also included some work on indirect mediation and on preparation for a face-to-face meeting. For role plays we decided to give some guidance about the kind of case (to ensure that we covered a wide range) but leave the details for the group to work out. Each role play included an observer, to maximise learning and to help keep time. As we worked through the stages of mediation, we could not practise them in isolation, so we allowed longer time for role plays as the course progressed. We provided a debriefing process so that role play groups could de-role and reflect on what had gone well and skills that still needed attention. Each role play was followed by a feedback and discussion session in which comparisons were made with local circumstances and processes.

The summary programme was as follows:

Day 1: Introduction to restorative justice and mediation
Listening and cooperation skills

Day 2: Mediators' skills
Victims' and offenders' needs
Indirect mediation

Day 3: Direct mediation stages 1, 2 and 3

Day 4: Direct mediation stages 4 and 5
Building agreements

Day 5: Direct mediation stages 6 and 7 and whole process
Mediation standards
The way forward for mediators

On the Sunday afternoon we travelled to the course venue, a comfortable hotel in the outskirts of Masaka, about 140 km south west of Kampala. All meals were provided (and were excellent), though sometimes their timing was a little erratic, which made it difficult to plan and to fit things in properly. We had a flipchart, pads and markers, and masking tape to put flipcharts on the wall. The training room was pleasant, light and airy.

2. WEEK ONE: TRAINING SAVE THE CHILDREN LOCAL GROUPS

Group members' experience

There were 21 participants, 16 men and 5 women, from the three Save the Children areas, engaged in a variety of work, as described above. The first day included introductions, games, talks about mediation and restorative justice, cooperation and communication exercises. We asked people to give examples of mediation cases they had been involved with and to tell us their concerns.

There were several places where mediation is already being practised:

- At the police level, Probation and Social Welfare Officers are often asked to intervene to achieve an informal resolution so that cases can be diverted from court.
- At the Family & Children's Court (next court up from the Village Court), magistrates can be persuaded to use community service instead of prison if the victim, offender and community agree to this.
- In some areas, local clan chiefs mediate between victim and offender.
- Probation and Social Welfare Officers are often asked to sort out all kinds of disputes, such as family disputes, marital discord, children's behaviour, etc (although PSWOs have been established in Uganda for many years, they are currently so under-resourced that they cover a huge patch and are overrun with work.)
- The Save the Children Juvenile Justice Programme mediates in cases where children's rights are in danger of being ignored or set aside (as in the cases below).

Two concerns expressed in the group were courts' and communities' harshness and a lack of concern for victims, as shown in these examples:

- *A child stole two sugar canes. The clan imposed five penalties: pay some money, weed the garden where the sugar cane grew, receive a beating, and two more. The Save the Children Juvenile Justice Programme intervened and persuaded the clan to look at **why** the child offended, how to help him realise it was wrong and how to prevent it happening again. After this the clan decided that an apology was enough.*
- *A child burnt a valuable grinding mill by accident. The owner wanted the child to leave school and work for him until he had paid off the cost of the mill. The Juvenile Justice Programme advised the mill-owner that it was against the rights of the child to force him to leave school. The mill-owner thought about it and decided to forgive the child.*
- *A 14 year old boy defiled (sexual assault) a 3 month old baby. All the focus was on what to do with the offender, little attention was paid to the baby or the baby's parents.*

There were also some amusing stories about children who pretended to be adults (to obtain work) and adults who pretended to be children (to avoid adult court penalties) - it is not always easy in Uganda to tell the ages of children. However, this will be solved by new procedures for registration of all births.

We aimed to evaluate each session, both to see whether our training was adequate and to make any amendments needed to the material for the Training Manual. We started with a verbal group evaluation (what people liked/ didn't like/ ideas for doing things differently). However, this brought very little useful feedback as the Ugandan custom is to be polite to your teachers. So we changed to short written evaluations at the end of each session, and these were more informative.

When we started on the role plays of first visits to victim and offender, the importance of greetings was emphasised. This was also relevant to the Opening Statement and many people thought prayers should be included. Most people in Uganda are Christians (about half Catholic and half Protestant) but there are also quite a few Muslims, and public prayers are always carefully worded to be inclusive.

Role plays

The emphasis of the role plays was on building skills and discussing points of interest relevant to their own community. So all the role plays were done in small groups, including an observer, whose task it was to keep time and help the role players to de-role at the end of the role play. The observer also led the feedback process:

1. What went well? What did the mediators do well?
2. What didn't go so well? What could be done differently?

These questions were answered in turn by the mediators, the role players and the observer.

The first role play was of indirect mediation. We gave the group the age and gender of the offender, and the offence: 15 year old boy, offence of damaging some property. We asked the group to fill in the details.

- *Masumbuko (15) had broken a radio belonging to Ekanya, a neighbour.*

Each of the four role play groups was asked to feed back any agreement reached and one interesting point:

- *Group 1: Masumbuko had turned on his neighbour's radio because he loved music, and as he was tuning it, the radio broke. He had two chickens which he offered to sell and his father agreed to top this up to get the radio repaired.*
- *Group 2: Masumbuko was drunk and accidentally broke the radio while listening to it. Ekanya forgave him and just asked for a letter of apology. The mediators took the letter to him.*
- *Group 3: Similar to group 2. Masumbuko was very apologetic and asked to be forgiven as he had no money.*
- *Group 4: Masumbuko had shifted the radio from one place to another and it had broken while he was doing this. He too had no money and could only apologise. Ekanya was unsure whether to accept this at first, but later did so.*

Before we started on direct mediation, we discussed seating arrangements, emphasising two principles: that everyone should feel safe and that everyone should be able to see each other. We drew seating arrangements which are often used in the UK:

- a) Mediators side by side, facing victim and offender sitting side by side but not too close to each other
- b) Mediators opposite each other, victim and offender opposite each other
- c) Conference with mediators side by side, victims, offenders and community in horseshoe
- d) Conference in circle, mediators opposite each other

Then we asked group members to add drawings of other seating arrangements they had used. They added 10 more! Most of these involved large numbers of the community - in circles, groups or lines - to emphasise the communal nature of dispute resolution and decision making. Some were full participants in the process, some were observers, most were able to add information if they felt it was relevant. Some used tables and/ or benches, others assumed everyone would be seated on the ground. In many of them, women sat on one side and men on the other - sometimes only the men took part in the discussion. Some arrangements involved men sitting on chairs while women were seated on the ground - this power difference was debated at length.

Role play stage 2 (uninterrupted time) involved a girl of 17 who had stolen a dress.

- *Sarah stole a dress from Mrs Black. In one role play group, Sarah said she had found the dress in the street where it had blown, in another Sarah said she had taken the dress accidentally when they had both gone to the well to wash clothes, in a third Sarah said she thought the dress had been discarded. Generally Sarah denied or excused the theft but in the end acknowledged that she had taken it.*

In the discussion that followed it became clear that, in Uganda, more people would be involved than the disputants and the mediators - families, Local Council members and community representatives would be present.

Role play stage 3 (exchange) involved two boys aged 14 who got into an argument and had a fight, in which one of them got injured. Again different groups developed different stories:

- *The victim had also been hitting the offender, although this hadn't been obvious, so both were equally responsible.*
- *The victim and offender were brothers - one owned a mattress and the other a blanket. 'Hot words' were exchanged in the mediation session, and were calmed by the mediators.*
- *The two were school students and one had stepped in some water and messed up the other's uniform, leading to a fight. In a heated argument in the mediation session, the mediators encouraged each student to accept his own part in the conflict. They forgave each other: 'I forgive you but don't spoil my uniform again.' and 'I forgive you but don't hit me again.'*

The group began to identify the dangers of mediators putting pressure on participants to get an agreement, and we had further discussions on seating, gender and power, following from one mediation participant deciding to sit on the floor. We also discussed how to handle situations in which girls said very little (in line with customary cultural expectations - though things are changing in Uganda).

The question came up of whether mediation was only appropriate for minor cases. Here group members told stories of actual cases, some very serious:

- *Two children who were playing got into a fight, in which one child was killed by the other. The two families came together to talk about it, and the offender's family was very willing to pay substantial compensation, as long as they could do this in instalments.*
- *A man defiled (raped) a 14 year old girl and got her pregnant. The girl's family went to the police. The offender asked for help from the Probation and Social Welfare Officer. Later he offered to pay all the girl's costs for the pregnancy, and for the upkeep of the child until it was old enough to come to his family (traditionally children belong to the father's family), and also pay a large sum of money to the family. The girl's family asked the PSWO to go to the police to ask them to drop the case as they were no longer interested.*

Role play stage 4 (building agreement) concerned a 12 year old boy, Kato, who had stolen money from Kapere, a family friend, to buy marijuana. He had spent 2000 Uganda shillings (about £1) and had left 8000 shillings with a friend. At this point the group started to involve larger numbers: Kato's mother Jane and Okello, the chairman of the Local Council. The role of the latter varied from giving the process his blessing to being part of the discussion. There were three role play groups and each one chose a different seating arrangement, one with a large table, one with a small table and one without a table.

- *Group 1: Kapere wanted 3 chickens as compensation, but accepted just one chicken, as the family was already poor and removing so many chickens would leave them even poorer. Kato promised to retrieve the 8000 shillings and return this money to Kapere. The Local Council chair helped the process by explaining to Kapere that Kato was very young and from a poor family, so he should be lenient in his demands.*
- *Group 2: Initially no agreement was reached, so the mediators arranged separate meetings. After this Jane offered to pay the 8000 shillings back and Kapere forgave the 2000 which had already been spent. Here the LC official started by chairing the meeting and then handed over to the mediators.*
- *Group 3: In this scenario it turned out that Kapere's son had also been involved, so Kapere forgave Kato, and both children were cautioned. In this group the mediators welcomed the LC chair - but later the LC chair said he should be chairing the meeting.*

The discussion tried to clarify the role of the LC representative: to be acknowledged at the beginning but not to interfere with the role of the mediators.

Role play stage 5 (making the agreement) include a more complex scenario with a 15 year old girl Nandawula who ran away from her parents because they did not want her to get married to her boy friend Opiyo. The mediation was to include a disagreement which needed separate meetings to resolve it, so that participants could also practise these. Both sets of parents and an LC person were involved, bringing the total number of participants to 10, including the mediators and the observer.

The two groups carried out this complex mediation very well. It turned out that Nandawula was pregnant, and after much discussion, the parents allowed them to have a customary marriage. Arrangements were made for the baby and for

Nandawula's return to school, and various payments of cattle and money were agreed. Only afterwards did the mediators express some doubts about the whole thing: they had been part of an agreement which was illegal! The legal marriage age in Uganda is 18 - and Opiyo could have been put in prison for this very serious offence of defilement. This led to a very interesting discussion about dilemmas for mediators if participants want to come to an illegal or unethical agreement.

The last role play on the final morning had a complicated scenario, although everyone agreed it could easily happen. Two boys aged 17 took a car, picked up two friends and then the driver lost control of the car, crashing into a small shop - causing damage to both shop and car. The two passengers were also injured. Thus there were two straightforward victims (car owner and shop owner), one clear offender (driver) and two young people with who were victims but also partly offenders (passengers). The two role play groups included all of these, and in real life would also have included the young people's parents. The role play took all morning and included separate meetings with several parties, and devices such as mobile phone calls to some of the parents to achieve an agreement within the time available! The agreement reached by one of the groups was:

- *Initially the car owner thought his car was damaged beyond repair. But as the mediation proceeded he mellowed and accepted an offer from the driver's father to pay for the damage. The young man himself agreed to wash the car every day for two weeks after it was mended. His friend undertook to mend the damage to the shop wall, and the shop owner forgave them the cost of the crates of drinks that had been smashed. The two young people who were injured agreed that they were partly responsible, having accepted the lift in the first place. One of them came from a family with more money, who offered to help with the other's medical expenses. The one with less money offered to help in the shop for a time to make up for the damage.*

In the feedback from the role play, we noted the danger in complex scenarios of focusing on the details of tangible reparation and forgetting the important emotional aspects of healing.

Exercises and skills which proved difficult

At each stage we explained the skills needed and sometimes provided exercises to practise them before using them in a role play. Most of them were readily understood and proved useful and enjoyable. There were just two which caused problems: 'I and you' statements; and re-framing in mediation. When asked to change the 'you' into 'I' statements, most people simply toned down the 'you' statements to be slightly less insulting. In the re-framing exercise it was difficult for people to see how it worked, and to agree the cultural nuances of acceptable language - there was a danger of a re-framing being seen as ridiculous.

Although we worked hard on ways of presenting these exercises over the next two weeks, demonstrating them and putting up examples on the flipchart, there was little progress. In the end we concluded that these language-based exercises and techniques did not make sense culturally, so it would be better to talk about the need to 'clean up' language so that people could hear each others' concerns, and leave it to local groups to find the best way of doing this.

The way forward for local groups

The course finished with a session on the way forward, action planning and goal setting. For this session people worked in their local groups - Masaka, Hoima and Gulu. They were asked to contribute any changes to the Training Manual and write down any questions still remaining. We gathered in their suggested changes and had a session exploring their questions.

The group also worked on Mediation Standards (I had written a set based on those in the UK Youth Justice Board guidelines (2001), because I had brought them with me, and knew that many people in the UK had been consulted about them. Group members suggested changes, additions and deletions to suit circumstances in Uganda, and I promised to send more material (e.g. standards from Mediation UK and from the Restorative Justice Consortium) to Grace so that she could complete this task. There was also an awareness that there were other kinds of mediation being practised in Uganda (civil, commercial, political) and contacts with these might also produce relevant material.

Then local teams were asked to consider how victim/offender mediation skills might be applied in their district. Goals were set by the large group and then local teams worked on plans for their next steps - including detail of when and by whom. The plans were ambitious and involved all the groups in delivering at least one course in their community before the end of 2002.

There were the usual 'finishing off' tasks to do, such as evaluations, reflections on skills gained, and an affirmation/closing ritual. The course finished earlier than programmed on the Saturday morning, to allow the Gulu and Hoima groups time to travel back in the light - with the renewed trouble in the north, they were nervous about travelling in the dark. In general it was agreed that the course should not run on weekends in future, because of people's family commitments.

3. WEEK TWO: TRAINING MASAKA TEAM TO BE FACILITATORS

Introduction

Grace and I sat down over the weekend to plan this course. I had been under the impression that we would be training three separate groups in victim/offender mediation skills, working from Grace's prepared manual, so I had not brought any 'Training the Trainers' materials with me. However, Grace had brought the Alternatives to Violence Training for Facilitators Manual, which contains much material on training facilitators. We photocopied sets of handouts from this for the group. In fact there are not that many 'Training the Trainers' manuals or handbooks; and I do not know of one for victim/offender mediation in the UK.

We started by making a list of what we needed to cover. It was a long list and the task seemed daunting - even foolish and wrong-headed to attempt! How could we turn newly-trained mediators into trainers in one week, and without any mediation

practice? But then I remembered that most of them were already mediating, so it did not seem so ridiculous, just a very tall order.

Again, we had a double task: to train the Masaka group to facilitate a course the following week, and to develop material for a manual that other groups could use. We developed a set of objectives to reflect this:

Objectives for Week 2:

1. Look at what being a trainer means
2. Prepare people to deliver mediation training next week
3. Look at training methods
4. Amend the course agenda (from the previous week's experience) for Week 3
5. Share material for a Training for Trainers Manual
6. Practise delivering some training
7. Clarify any concepts not clear about

We divided the week as follows:

Day 1: Looking at the skills needed to be a good trainer/ facilitator

Day 2: Practice in facilitating exercises (in two teams)

Day 3: Practice in facilitating role plays (in two teams)

Day 4: Preparation for following week and allocation of tasks

Day 5: Detailed preparation for the first two days of course the next week

The Masaka group comprised 8 individuals, including the team secretary, who typed and photocopied extra material as we developed it. She attended most of the sessions (as she had done the previous week) to make a full record of the whole course. Others were the local Save the Children team leader, two Probation and Social Welfare Officers, a respected elder of the community, a primary school headmaster, a young man involved in a UNICEF project and a young man working with street children.

Training skills

Day 1 focused on the skills needed to be a good trainer/ facilitator. We worked through the following list, trying as far as possible to model the skills as we went, and drawing on the group's experiences - all had done some training work, some a considerable amount.

- What a trainer is
- Empowerment
- List of training skills
- Giving and receiving feedback
- Team building
- Crafting agendas
- Handling disruptive behaviour
- Task and maintenance in group dynamics
- Use of flipchart and presentation skills
- Evaluation skills

So, for instance, for 'handling disruptive behaviour', we made a group list of all the disruptive behaviours they had met, then split into pairs to work on strategies to

handle two each, then came together to share these. And for flipchart work, we asked each member to demonstrate one skill, e.g. write clearly, keep it brief, use different colour markers, talk to your audience not the flipchart, prepare flipcharts before the session, speak clearly, etc.

We also asked the group to raise any items from the previous week which they had not understood well. They asked for more input on mediation and restorative justice, which we provided. The other exercises requiring revision (the 'I and you' statements and 're-framing' as mentioned above) were included as part of the facilitation practice on the next two days - presenting something is an excellent way of gaining a real understanding of a topic.

Facilitation practice

Days 2 and 3 were given over to practising delivering a piece of training. We divided the group into two teams, A and B, with an equal spread of experience. Each team was asked to deliver a two hour session:

- Agenda review
- Gathering (e.g. a round such as 'One thing I like about mediation is...')
- Opening talk including setting of group ground rules
- Main exercise
- Game
- Break
- Main exercise
- Evaluation
- Closing (e.g. a song)

They had an hour's planning time to do their team building, craft the agenda (we gave them the items above and timings, but on separate cards in an envelope, so that they would have to think about the order), allocate tasks, gather materials and write out any flipcharts they needed. Then they had two hours to deliver their training session to the rest of us.

At the end of each session, we gave feedback, using the process we had already introduced for feedback on the mediation skills, i.e. What went well? What didn't go so well, etc. We started with the team evaluating their own performance, then the participants, and finally Grace and I made our comments. We tried to model what we had taught the day before, giving constructive and practical feedback to each team.

At this point Grace and I took different roles. Grace focused on getting a flavour of the overall learning and any large gaps we needed to fill. I concentrated on detailed feedback to each person of their strengths and of any particular points they needed to work on.

The following day we repeated the process but with each team practising directing a role play. On both days the teamwork was excellent, but there still seemed some way to go in understanding some of the concepts, and in leading games and directing role

plays in a lively way. It became clear that we needed to write some more handouts on how to train others to direct role plays

Preparations for the course

Day 4 was devoted to preparations for the course and allocating tasks. There were several important decisions to be made. It was decided (by Save the Children head office) that there would not be any certificates of attendance until members had shown that they were committed to being part of the ongoing project. We devised a brief written evaluation form to save time the next week. We agreed to ask the District Police Commander to make a short closing speech. (He agreed but in the event was called away to a crisis so did not come).

We practised games and closings and coached group members in these skills. We talked through some of the more complex exercises. We decided on role play scenarios. We re-cast the initial talk on restorative justice to include local examples from their own experience. We made lists of materials we would need, and the Save the Children team leader undertook to get them.

A big decision was how to work in such a large team - 8 of us including me (but not Grace who decided she needed to observe the next week and concentrate on finalising the Training Manual). After discussion, we adopted a model of 3 main facilitators each day (for the main exercises and role plays), with everyone else taking on the smaller roles of facilitating the games, gathering and closings. It was quite a complex feat of organisation to allocate tasks in a fair and sensible way. We 'walked through' the first two days to ensure everyone was clear about their roles.

The original thought had been to 'go into the community' to deliver the community-based training in the third week, but no suitable venue had been found that was free for the whole week. We explored the possibility of a larger room at the hotel, as our training room was comfortable for 20 but too small, we thought, for 30 people (participants and trainers). None was available, so we asked the hotel to take out all the furniture except for the chairs, flipchart and one table for materials, and this proved just large enough.

Finally we spent some time on individual planning - writing flipcharts, coaching individuals, checking handouts, and so on. This continued over the weekend as people came and went. By Sunday evening the room was ready and the flipcharts in place.

Language

The group decided to facilitate the course in the local language (Luganda), but to keep the handouts and flipcharts in English, as the Training Manual would have to be in English to be accessible to trainers all over Uganda. I would also have to facilitate my sections (the exercises that others still felt unconfident about) in English, with a member of the team translating. And I would need a team member to whisper in my ear while others were facilitating, to keep in touch with what was happening.

Then we realised that the group needed some consensus on the words to use in Luganda. Most of the group were used to doing their professional work in English, and so there was considerable discussion about the right words to use for such concepts as 'restorative justice' 'mediation' and so on. It was not always straightforward to find a translation that everyone agreed on.

The group member with the best writing did a flipchart glossary of all the important terms in English and Luganda. The Luganda version took much longer to write out. For instance, 'role play' translated as 'okwesa mukifanannyi ky'omuntu omulala nga oli mumuzannyo' (literally 'someone who is pretending and is in a play'). I wondered if this would mean allowing more time for the whole course, but we managed it within the time.

4. MASAKA TEAM DELIVERS COURSE TO LOCAL COMMUNITY

Running the course

On the Sunday we heard that one of the most experienced members of the team had decided to take up some work he had been offered supervising the forthcoming census. This was very disappointing as he had been aware of this choice before agreeing to the 3 week victim/offender mediation training programme. On the Monday we discovered that another person had made a similar decision, while a third wanted to try and do both. This meant that he came and went throughout the week, facilitating parts of the course when he was not doing census training. Our team was down to 4 steady members, two of whom were quite young and inexperienced. In fact they did well, and one of the lessons we drew from this was that it may be easier for younger not-so-experienced people (with potential) to give the commitment needed. Experienced people have many demands on them in Uganda, and also need to take up any possibility of earning money that presents itself.

We had done two days of detailed planning, but that still left the rest of the week to do. We adopted a pattern each evening of:

1. Feedback and sharing of the whole day; any lessons learned; anything we needed to come back to later.
2. Allocate tasks for the day after next (so on Monday for Wednesday).
3. Walk through in detail the next day (so on Monday for Tuesday).

This worked well, though team members were pretty exhausted at the end of each day, and it was hard for them to focus on the feedback and de-briefing. The member who was doubling up on census training was not always able to be present, although he tried to attend. But the members of the team found they were enjoying the work, seeing concepts being grasped as they explained them, and leading exercises and role plays.

My role during this week was mainly one of coaching and taking notes, giving feedback and organising the planning, though I facilitated a few exercises too. As the week progressed, I did less facilitating, especially as the role plays were in Luganda.

The teamwork was excellent, with few hitches, late lunches being one of the main difficulties. Grace acted as observer, putting the finishing touches to the Training Manual as we went through the week. The fine tuning included such things as adjusting words in handouts, e.g. replacing 'springboard' (unknown in Uganda) with 'basis'.

We overran on several of the exercises, partly due to the time taken for translation when I was facilitating, partly due to the extra words needed to speak and write in Luganda, and partly because one or two people got slightly carried away! But it gave the team experience of thinking on their feet and adapting exercises, so that we managed to get back on track by the end of each day.

The local team leader had invited a group of 20 participants from the local community. There were 10 women and 10 men (a better balance than the first week), of all ages and all religions. 11 were Local Council members, 7 were from Community Based Organisations, 2 were volunteers with the local Probation Office. Some of the women wore traditional dress, the other participants wore neat but not formal western dress. To my surprise (after my experiences last time in Uganda and also in West Africa), most people turned up on time. It was a very enthusiastic group, which appointed its own timekeeper (and we borrowed a school bell for him from the headteacher's primary school), 'discipline officer' and welfare officer. These roles were quite usual for groups in Uganda. Several participants were also keen to teach the group songs for the closings.

Experiences of the week

The first day included the usual introductions and ground rules. There was some concern about being forced to do things in a new and strange way, but Grace explained that we were just offering them one more tool which they could use if they felt it appropriate.

Since the first week, we had re-cast the introduction to Restorative Justice principles by including local stories from the Masaka team illustrating the principles. Members of the team took it in turns to tell the stories:

- *A boy's grandmother had a radio which she used for listening to the news and to announcements, otherwise locking it away to save the batteries. The boy stole a neighbour's radio to listen to music and the neighbour called the police. The youth leader was asked to intervene. After discussion, the neighbour relented and the boy returned the radio. There was also discussion involving the grandmother, and the boy undertook to raise some money for batteries, so that both could listen to her radio.*
- *An educated couple spent most of their money on drink, and did not pay the school fees for one of their 8 children. This son left home to work to pay his own school fees, but his landlord gave him notice. The boy went to ask his youth leader for help, and agreed to go home if his parents would support him at school. The youth leader and the Local Council chair went with the boy to see his parents, who agreed to cut down on their drinking to pay the school fees.*

- *A boy's mother died and he thought he was being mistreated by his father (who had more than one wife). He ran away from home and did casual work, and people from the community became concerned about his welfare. The Probation and Social Welfare Officer brought father and son together. The father said that the reason he had stopped paying for fees and school uniform was that the son had been misbehaving at school and had not done his homework. The son then understood the reasons and agreed to do his homework if his father would pay for fees and uniform again.*
- *A husband left money for his wife to buy paraffin, but when he returned the house was in darkness. He was furious. His wife said the stepson (the son of another wife) had stolen the money and was a thief, whereupon the father got hold of the boy, tied him up and burnt his fingers. The police were called. A Local Council member intervened and talked to the father, who now realised the incident was the fault of his wife. He did his best to put things right for the son and vowed not to do such a thing again.*
- *A woman complained to a Probation and Social Welfare Officer that her common-law husband had left her without any assistance for their children. The PSWO invited them both to meet with him. The man realised the suffering his children and ex-wife were going through, and agreed to pay 10 000 Uganda shillings per month plus medical care for the children.*
- *Two brothers aged 16 and 17 stole matoke (green bananas), were arrested and went to court. It turned out that they were orphans and had stolen the matoke to sell for money to buy clothes. The court granted them a court bond and sent them home to their village, where their uncle gave one of the boys haircutting tools, as he had skills in this. At some point uncle and son quarrelled and the uncle took back the tools. A member of the community then bought the boy some more tools so that he could continue his trade.*

The team also replaced the 'I and you' statements exercise with one on 'looking for the positive', in which participants were given some negative descriptions of certain animals and were asked to come up with positive qualities - an activity they found quite easy and also relevant.

The first role play (indirect mediation) concerned a 15 year old boy (Kyakuwa) who damaged the windscreen of a car belonging to Byakutaga. These were the outcomes of some of the role play groups:

- *In Group 1, at first Kyakuwa denied the offence, then he accepted he had caused the damage. Byakutaga naturally wanted the windscreen mended, and Kyakuwa asked his father to help. He agreed, but as he was poor, Kyakuwa agreed to try and get some work on a farm so that he could contribute.*
- *In Group 2, the boy had no money and the Byakutaga asked him to wash his car every day for one month instead.*
- *In Group 3, Byakutaga realised the boy and his family were too poor to pay, and was happy to accept an apology and to forgive him.*

In the demonstration of direct mediation, team members had worked out a new scenario:

- *A 15 year old boy, Ofumbi, stole a bicycle, which he exchanged for a radio. The victim (Brown) had just migrated to the village and went to market to do some shopping. He left his bicycle against a tree and when he came back it had gone. Someone had seen Ofumbi riding it, so he was soon arrested. When they met, Brown was feeling very angry and said Ofumbi should receive 100 strokes. As the mediators worked through the stages, Brown softened and forgave Ofumbi but asked him to get the bike back. He also gave him some advice about working for things rather than just grabbing them.*

When we looked at seating arrangements, the group came up with five new layouts, different from the ones described by the previous group. Several included mats for seating, but one put children on benches - if they were seated on the ground, they assumed they would be going to prison!

Discussion of Stage 1 (Opening) led to agreement by all that prayers would be said at the beginning of proceedings, and that an elder would be present, probably someone from the Local Council. For Stage 2 (Uninterrupted Time), the role play scenario was similar to the first week.

In the role play scenarios for Stage 3 (Exchange), participants involved a parent on each side, beginning to work with a larger group even earlier than during the first week. There were 3 groups of 7, each comprising two mediators, victim, offender, two parents, observer. And there were 3 different seating arrangements. The case concerned two boys fighting, Lutalo (15) and Kayipini (17).

- *In Group 1, Kayipini said he had been sent to the shop to buy flour. On the way he found Lutalo playing dangerous games throwing stones, and tried to stop him. He said Lutalo had thrown a stone at him in revenge. Lutalo agreed he had got angry about being stopped in the middle of his game, and had thrown a stone, but said he had not intended to cause any injury. Kayipini's mother said that a lot of maize flour had been lost, and she wanted an undertaking that such a thing would not happen again. She wanted Lutalo's mother to caution him about this. She agreed, and Lutalo apologised. Everyone shook hands.*
- *In Group 2, Lutalo took responsibility for the offence, but said it had happened in response to provocation - Kayipini had been insulting him, saying he was poor. Kayipini denied this and said Lutalo had appeared from nowhere. Kayipini asked for medical treatment and a new jerry-can as compensation. Lutalo's mother asked Kayipini's mother for forgiveness - she was initially reluctant but later agreed, provided the medical treatment and jerry-can were forthcoming. This was all agreed.*
- *Similar things happened in Group 3, but the mediators slipped into persuading the victim's mother to accept a settlement, and so were not seen as impartial. However, the presence of the parents was helpful in reaching an agreement, which involved some digging as reparation. The mediators agreed to follow up to see if the agreement was kept, and we had a lively discussion about whether and how agreements should be followed up.*

For the Stage 4 (Building an agreement) role plays, the groups were the same size but of a slightly different composition: an offender (Kato, aged 12), his mother (Esati),

the victim (Mukabi), a Local Council member (Mukasa) and an observer. Kato had stolen money from Mukabi to buy some marijuana

- *The mediators asked Mukabi to tell his story. He said he had gone to church for the Sunday service, leaving some money on the table to buy sugar later. When he came back the money was gone. He asked his wife if she had seen the money - no - then asked their house-girl if she had taken it - she said no, and that she had seen someone running out of the house. She thought it was Kato, the son of a neighbour. Mukabi said he hadn't believed the house-girl and had sent her away, so he was glad to find out that she had spoken the truth. He was impressed too that Kato and his parents had taken responsibility for this.*

Kato told his story. He was part of a group whose members brought substances to sniff together. They challenged him to find some marijuana for the group. He went looking for money and entered Mukabi's house while he was out, making sure noone could see him. He came across the money and took it. He bought the marijuana, and took it back to the group proudly, but the other group members grabbed it from him and beat him up. He went home crying and told his mother. She was very upset and shocked. A friend of hers (Mukabi's wife) told her that her son was keeping bad company. Esati offered to sell their goat to pay the money back, but asked for time to do this.

Mukabi was very sympathetic when he heard the story. As a parent himself, he felt it could easily have been his son. He was thankful for Kato's and Esati's attitude and as they had been friends and neighbours a long time and they had never harmed him, he felt it was not right to force them to sell their goat. He was happy to forgive the boy and help them to fight against the peer pressure he was experiencing. At the end of this, Kato knelt in front of Mukabi to ask for forgiveness, which was granted.

There was a tendency for some of the men, probably more used to leading roles in Ugandan society, to take over as mediators - leaving little for their co-mediators to do, and sometimes also slipping into an advisory role. This is a common problem in mediation training everywhere, as people who have been in advisory roles often have difficulty giving up these roles, especially if they have occupied them for several years.

One of the concerns expressed in the group had been about the increasing number of street children in Masaka. So we tried to include this in the role play for Stage 5 (Making an Agreement).

In this scenario a boy of 12 (Basajjabaka) ran away from home to live on the street, then stole a shirt from a stall in Nyendo (a small town near Masaka) Market. The mediation meeting included the boy, his father Muzira, the stall-holder Mr Kyu, two mediators, a Local Council member Mukasa and an observer.

This was the first time that father and son had been in the same place for some time, so the atmosphere was a bit strained. Even so, when Basajjabaka explained that he had taken the shirt while the stall-holder was nowhere to be seen, Muzira defended his son by saying that Mr Kyu could not be serious about his business. Mr Kyu wanted his shirt back, but it had been spoilt, so he asked for a similar shirt or 5000 Uganda shillings. Basajjabaka had no money so expected his father to pay - he,

however, felt his son should take this responsibility as he had run away from home. The LC official intervened to suggest some more conciliatory attitudes and the mediators then held separate meetings with the victim and with the offender's side. They came back together and Muzira offered to sell two cocks to pay for the shirt. This was accepted and a written agreement drawn up.

With some prompting from me, mediators then raised the question of why the boy had run away and was living on the streets, and what should happen about this. Muzira said that he wanted his son home with him. His son agreed to go with him, and also to go back to school. However, the issue of why the boy had left home in the first place was not addressed.

Many discussion points came out of this role play. One of these concerned the role of the LC member, who had (in one of the groups) forced his way into the conversation in an authoritarian way. Participants agreed that it was necessary to talk to the LC member first and agree roles and procedures before the mediation meeting.

Another point concerned corruption. Should mediators continue with a mediation if the LC member attending turned out to be 'injected' (their local expression for 'bribed')? Most people thought that mediators should call off a mediation meeting if they discovered corruption, and talk to LC members before arranging the next one. A few thought it was OK to go ahead but raise the issue at the beginning of the mediation session. They thought mediators would be safe from corruption because their role did not include making decisions.

In this role play and the next, the young offender said very little. This was in accordance with Ugandan culture, in which offenders are expected to be quiet and show their sense of shame by hanging their head in the presence of others. Participants said that it was the family's duty and responsibility to put things right if their children did wrong. However, this does not fit in with the fact that, in Ugandan law (no doubt inherited from British law), the age of criminal responsibility is 12, and children aged 12-17 are expected to take responsibility for their actions. So we encouraged mediators to do more to engage the young offenders in the mediation session.

The final role play was the complex one we used in the first week, and similar issues emerged: the danger of losing sight of the emotional aspects in the detail of agreements about money, the need to guard against 'illegal deals', the usefulness of separate meetings to move things forward when stuck, and the value of paying attention to forgiving attitudes from either side. Once again the offenders were less involved than their parents, and we commented on the clash between family expectations and the law. We followed up the discussion about enforcing agreements with reflections on the importance of trust in Ugandan society.

The last afternoon was spent on Mediation Standards (further additions were made to these), personal reflections on mediation skills, the way forward for mediators and looking at the 'Unanswered Questions' of the week. Participants also had some time to share their personal goals, such as:

- dealing with home problems

- mediating between youth and old people
- teaching other Local Council members about mediation so that cases can be diverted
- trying to live the skills to set an example
- using the skills to help children and parents

As the District Police Commissioner did not come, the course finished with a speech and thanks from the local coordinator from Save the Children. Certificates were held back for some weeks until it was clear that participants were prepared to commit themselves to practising mediation as part of the local team. Participants filled in written evaluations for the whole course. One thing they had especially appreciated was the contribution of the younger members of the training team.

After a short closing ceremony, a quick photo and some interest from local radio, the local participants went home. There was no budget for a party and participants could not contribute from their travel allowance as they needed this to get home.

The team of new trainers still had another task. We spent the Saturday morning working through all their remaining queries and looking at what was still needed to make mediation viable in the local area. It had become clear over the course that a victim/offender mediation service would be needed to hold things together. We looked at what action was needed to make this a reality.

There was also a lot of interest in work in schools, especially working through existing Child Action Research Groups. Save the Children was keen to work through and strengthen existing structures rather than create new ones.

We also asked the group of trainers to evaluate the 3-week model they had participated in. On the whole they thought it had worked well, but had been too compressed - they thought it would be better more spread out. Certain topics needed more time spent on them. And follow-up training was needed.

After a final lunch we loaded all the flipcharts from the three weeks into Grace's car, for her to work on in production of the manual.

5. FINAL DISCUSSIONS AND EVALUATION

On our return to Kampala, Grace and I set aside some time to evaluate our experiences. We had accomplished the task - there were now some trained mediators and some trainers in Masaka, and plans to undertake the same in Hoima and Gulu. We had completed the material for the Training Manual, adding material in five stages. We had made a start on a Training for Trainers Manual. We had explored the use of local languages to make the course more accessible, and grappled with the issues around translation and interpretation. We had considered the relevance of each stage of learning to the local community and customs, and developed a model of victim/offender mediation which drew on aspects of mediation and conferencing techniques. We drafted a list of points for Grace's report, which she completed after I left.

We felt we had achieved the goals of the three weeks, but of course this was just a start. Grace and some of the new trainers moved on to facilitate the same two weeks in Hoima and then Gulu. Meanwhile I returned to the UK and spent the next month gathering more materials for Grace to work on: several sets of Mediation Standards from different organisations, materials and leaflets from victim/offender mediation services, and so on. I managed to send these with someone going to Uganda for work.

This was a very exciting and worthwhile project to be involved in, as it contained the potential for spreading the skills. It built on previous training and skills: Grace's participation in a previous course, her knowledge of facilitation (partly through experience in AVP); but also participants' experiences in social work. In a country like Uganda (as in many African countries), mediation training is not something strange, but more of a reminder about skills they already possess to a considerable degree. Ideas of forgiveness also seem to be more readily understood and part of their tradition; this may be linked to the fact that religion plays a larger role than in Europe, although not all religious people are necessarily forgiving.

The opportunity to work with a Ugandan co-facilitator also meant that the work could be adapted and rooted in the local culture, so that it was more useful to participants and more likely to take hold and spread. And I learnt so much from them about how they see justice issues, relationships and the way forward. I shall look forward to hearing how things progress.

References

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