Confidentiality and Victim-Offender Mediation

Victim-offender mediation is increasingly used around the world as a way of dealing with crime. The growing attention for victim-offender mediation and its benefits has instigated the call for principles and rules governing the practice of penal mediation. This has led to the development of international protocols that promote and facilitate the institutionalization and use of victim-offender mediation. One of the key elements of these protocols is the principle of confidentiality, which requires the secrecy of everything that is said and done during a mediation session. Such a broad interpretation of confidentiality may, however, cause problems in practice, especially since the context of penal mediation is often that of criminal and civil law. This book reports on a research project into the appropriate level of confidentiality for mediation-delivered information. It describes various exceptions to the default high level of mediation confidentiality, and it explains how the advocated levels of mediation confidentiality can be implemented in practice.