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Dr Christa Pelikan  
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Dear Dr Christa Pelikan,

While being currently involved in organizing international conference on the access of the victims of domestic violence cases, that would be held in Warsaw in May this year, with the leading paper on positive experience of Austria, we have learned that the recent draft of an amendment to the Austrian Criminal Code contains clauses, that would lead to the termination of the victim-offender practice in such cases.

We would not dare to comment this in the context of the Austrian criminal law system, but we would like to stress, that present Austrian solutions concerning victim-offender mediation are known as carefully designed and well evaluated. We are aware with the fact, that the research results led in your country have proved benefits in particular for women victims and in preventing further violence.

In our country there is also discussion on the controversies of applying mediation in domestic violence cases. We are convinced that it obviously should not be recommended in every such case, especially when the violence is long-lasting and grave.

However also, we consider that victims should not be deprived totally of this possibility when the positive results are to be expected and then their access to mediation should not be cancelled.

As in Poland in few months important amendments of criminal law and criminal procedure come in force, enabling wider use of victim-offender mediation, looking at Austrian highly esteemed experience and good practices is an inspiration in creating special standards and safeguards for the victims in domestic violence cases, like using special techniques and well trained mediators working in pairs.

Therefore we would strongly hope that the law-makers would find appropriate legislative means and ways of keeping and continuing this practice of applying the victim-offender mediation in the field of intimate or domestic violence.

With our best regards,

Dr Konrad Buczkowski, Dr Beata Czarnecka-Dzialuk,  
Dr Witold Klaus, Prof. dr hab. Anna Kossowska,  
Prof. dr hab. Irena Rzeplińska, Mgr Monika Szulecka,  
Dr Paulina Wiktorska, Mgr Justyna Włodarczyk,  
Dr Dagmara Woźniakowska-Fajst

In the name of the above listed

Zastępca Dyrektora  
Instytut Nauk Prawnych PAN  
  
dr hab. Irena Rzeplińska, prof. INP PAN