UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Attività di tirocinio - Turni A e B: Lo spirito della mediazione

2526-2-F8701N028-TA-TB

Learning objectives

In relation to the objective of knowledge and understanding:

- To acquire an in-depth understanding of restorative justice programs and their practical implementation
- To gain in-depth knowledge of mediation as a practice used in managing conflicts in criminal, social, educational, and family settings
- To thoroughly understand the role of the mediator, their position of neutrality and impartiality, with a focus on the concept of equidistance (equiprossimità), highlighting the distinctions and interactions between this role and other social professions

In relation to the objective of applying knowledge and understanding:

- To experiment with tools used by expert mediators in restorative justice programs, approaching the practical skills required in this professional role
- To identify useful techniques for listening and conflict management
- To be able to act in conflict situations with enhanced analytical capacity
- To be able to use specific tools for empathic listening
- To be able to describe the process of a mediation program in all its phases
- To be able to take on a role in promoting restorative justice programs within professional contexts where there is a legal duty to inform beneficiaries

Contents

The Mediator’s Listening
Conflict
Restorative Justice and Mediation
Reparation

Detailed program

The Mediator’s Listening

- Characteristics of empathic listening
- The role of equidistance (equiprossimità) in expert mediators working in restorative justice programs
- The mediator’s listening in relation to conflicts arising from the commission of a crime
- Empathy and sympathy

Conflict

- First- and second-generation conflicts
- Conflicts and disagreements
- What types of conflict are addressed by restorative justice
- First- and second-generation conflicts (repeated – kept for consistency)
- Avoidance, denial, struggle, violence

Restorative Justice and Mediation

- The development of restorative justice in Italy and internationally
- What restorative justice is: its principles, characteristics, and tools
- Mediation as the main tool in restorative justice programs
- The process and structure of a mediation meeting

Reparation

- Reparation as the outcome of a restorative justice program
- The restorative outcome
- Symbolic and material restorative agreements
- Reparation, compensation, restitution
- Repairing the irreparable

Prerequisites

No prior knowledge required

Teaching methods

In relation to critical thinking and judgment skills, the following activities are planned:

- Exercises focused on listening and communication
- Group discussions
- Role-playing and simulations

Trainers will provide appropriate support to participants in exploring conflict dynamics and the meaning of dialogic mediation. Dedicated time will be ensured for reflection and evaluation of the outcomes of these exercises.

In each session, starting from a theoretical prompt, trainers will guide participants in developing skills by linking theoretical reflections with practical actions.
Learning through experience will be the core methodology.

In relation to communication skills, the following are planned:

- Group work analyzing conflict situations
- Use of diverse forms of language (legal texts, literary works, audiovisual materials)

In relation to learning skills:

- Each participant will have the opportunity to take on different roles during the workshop sessions (e.g., mediation participant, mediator, observer), thus developing a broad and multi-perspective view.
- Furthermore, the practical exercises will promote teamwork, allowing participants to practice collaboration and cooperative work, essential skills in professional settings.

Assessment methods

The course is structured as an experiential workshop.
The trainers, who are expert mediators in restorative justice programs, will provide each participant with appropriate support in understanding and analyzing their individual skills in conflict management. They will highlight areas of learning and improvement based on the outcomes of the exercises, and identify aspects that may require further development.

Textbooks and Reading Materials

Bertagna G.,, Ceretti A.,, Mazzucato C., (a cura di), Il libro dell'incontro. Vittime e responsabili della lotta armata a confronto,
Saggiatore, 2015
Bortolato M, Vigna E., , Oltre la vendetta. la giustizia riparativa in Italia, editori Laterza, 2024
Greco T., La legge della fiducia, alle radici del diritto, ediatori Laterza, 2023
Scaparro F. (a cura di), Il coraggio di mediare, Guerini e Associati, Milano, 2023 nuova edizione
Mannozzi G., La giustizia senza spada. Uno stadio comparato su giustizia riparativa e mediazione penale, Giuffrè, Milano, 2003
Danovi F., Ferraris ADR Una giustizia complementare, 2018 Giuffrè
Nociti A., Guarire dall'odio, ed. Franco Angeli, 2000
Bertolini, B., La giustizia riparativa in Italia. Stato dell’arte, esperienze e prospettive future, Edizioni Re-Justice, 2022
Autorità Garante per l’Infanzia e l’Adolescenza, La giustizia riparativa in Italia. Mappatura dei programmi e delle esperienze, 2023
Bortolato, M., e Vigna, E., Oltre la vendetta. La giustizia riparativa in Italia, Laterza 2025
Ceretti, A., e Mazzucato, C., Oltre la punizione. La giustizia riparativa e il paradigma della responsabilità. Cortina, 2024
Ceretti, A., Di Ciò F., Mannozzi, G., Giustizia riparativa e mediazione penale: esperienze e pratiche a confronto, in F. Scaparro (a cura di), Il coraggio di mediare, Guerini & Associati, 2001
Ceretti A., Vita offesa e lotta per il riconoscimento in F. Scaparro (a cura di), Il coraggio di mediare, Guerini & Associati, 2001
Mannozzi, G., Lodigiani, G., La giustizia riparativa. Formazione, norme, pratiche, Il Mulino, 2017
Mazzucato, C., Giustizia riparativa. Esperienze e riflessioni. Milano: FrancoAngeli, 2002

Mazzucato, C., La giustizia riparativa tra diritto e prassi: percorsi di responsabilità e riconciliazione. Diritto penale contemporaneo, 2010
Mazzucato, C., La giustizia che incontra. Responsabilità, riconciliazione, dialogo. Milano: Vita e Pensiero, 2022
Pellegrino, V., Giustizia riparativa e comunità: una prospettiva sociologica. Quaderni del CIRS, 5, Università di Parma, 2021
Scaparro, F., Riparazione e giustizia riparativa. Il servizio sociale nel sistema penale e penitenziario, FrancoAngeli, 2021
Scivoletto, C., Giustizia riparativa e lavoro sociale: una prospettiva sociologica. Sociologia del diritto, 2019
Scivoletto, C., Riparare relazioni, ricostruire comunità: il ruolo dei servizi sociali nella giustizia riparativa. In Diritti, società, civiltà. Quaderni del CIRS, 5, Università di Parma, 2021
La società degli individui, quadrimestrale di filosofia e teoria sociale, n. 81/2024, Franco Angeli 2025
Carrere, E., V13, Adelphi, 2023
McCann C., Apeirogon, Feltrinelli, 2022
Manzini, A., Gli ultimi giorni di quiete, Sellerio, 2020

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS