

# Strengthening Bonds: Restorative Justice & Restorative Practices

DPI Summer Institute  
June 19, 2012

# Begin with a simple situation

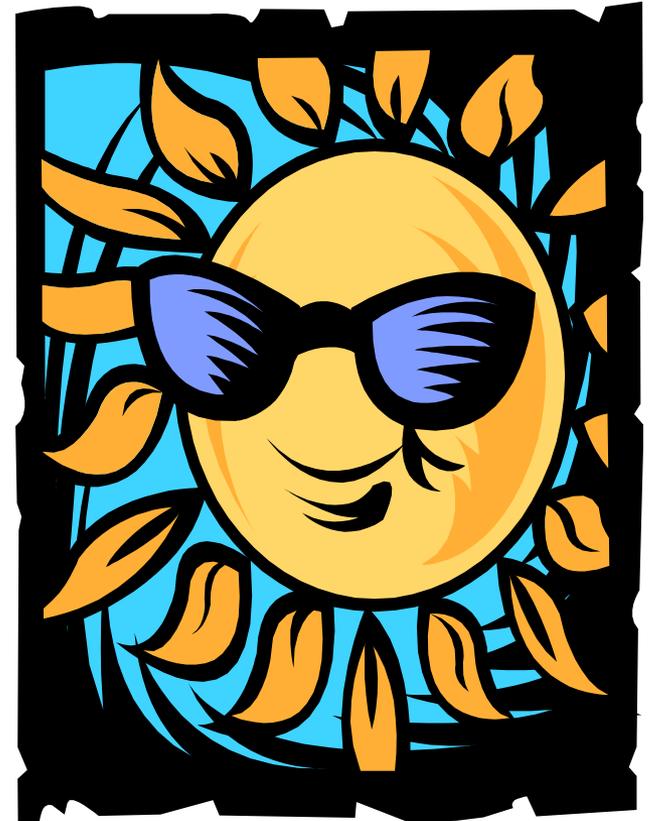
You are at home, in your backyard, enjoying a peaceful evening after a long week of teaching. You are with your spouse and just enjoying talking about the week and what you are planning to do on the weekend. But, the peacefulness of the setting is broken up by the incessant barking of a couple dogs not too far from your home.

You tolerate it for a while, assuming that the owners will take care of it relatively soon. But, it continues, and pretty soon you are getting very annoyed – to the point where you are trying to decide whether you should just go inside to shut out the sound/disruption or do something about it.

- What are you thinking?
- What do you do?

# There's Nothing New Under the Sun

- Conflict is not new – what we do about it has changed over time
- Cultural heritage of restorative justice practices – *For We Have All Stumbled Ourselves*
- Transformation of legal processes
- Religious roots of “forgiveness”
- School-based practices (e.g. peer mediation, common practice, etc.)
- Common Sense



# The Five Justice Sanctions

- 1) Retribution
- 2) Incapacitation
- 3) Deterrence (GENERAL/SPECIFIC)
- 4) Restoration
- 5) Rehabilitation

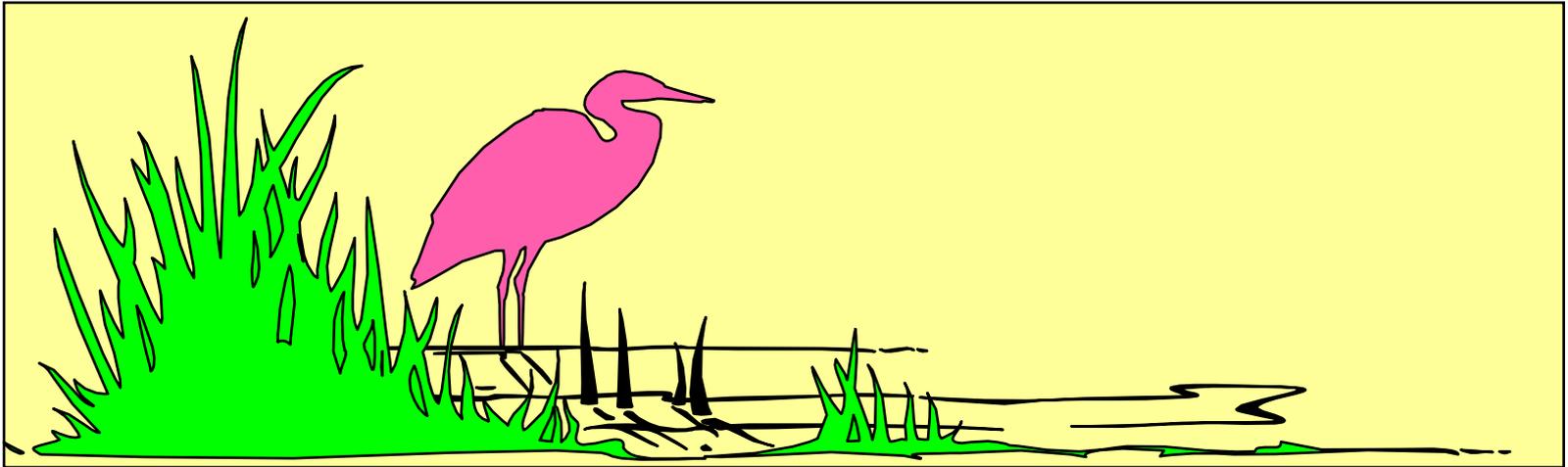


# Questions currently asked

- Who done it?
- What laws are broken?
- How will we punish the offender?

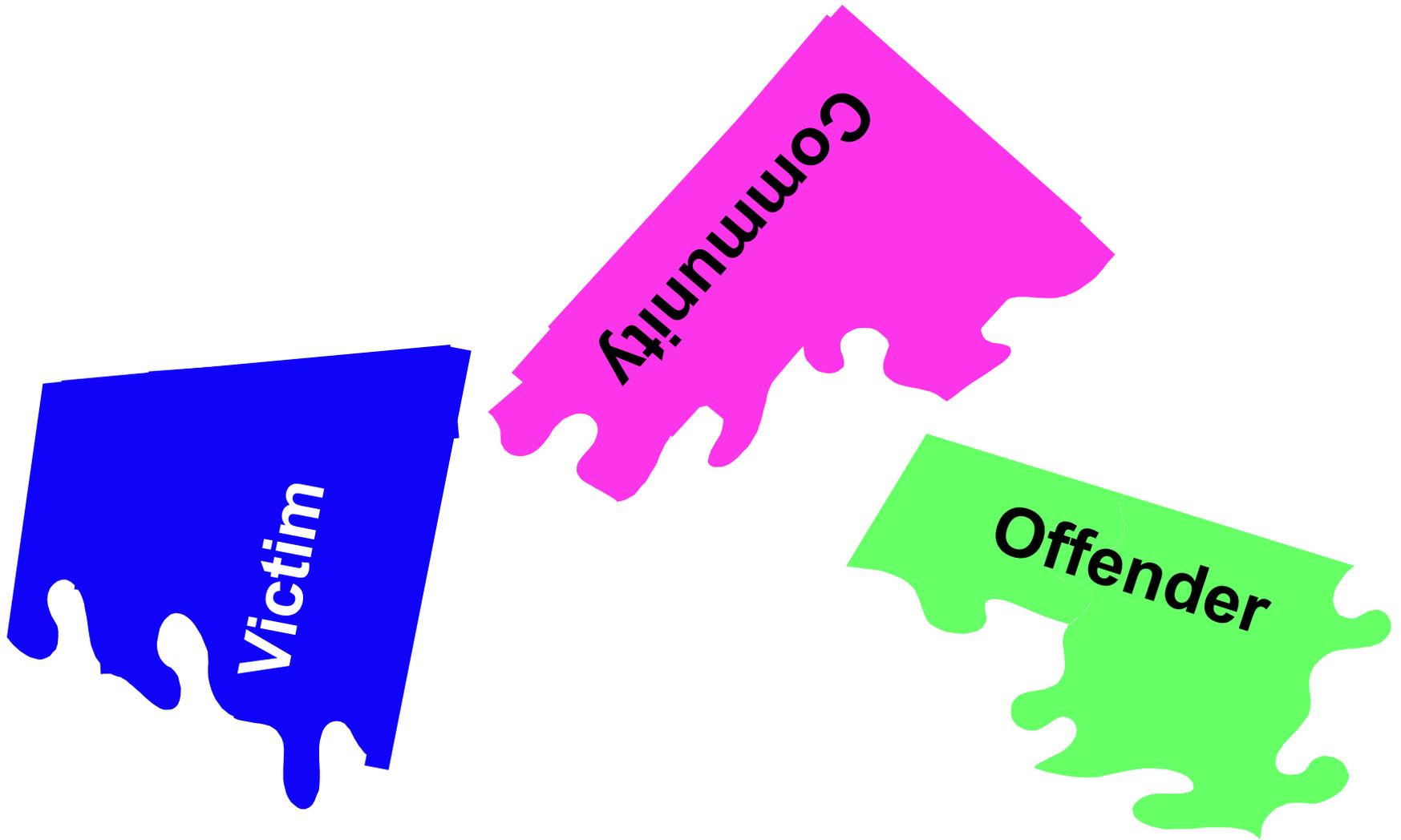
Restorative Justice views the crime through a different lens.

# Crime is a wound



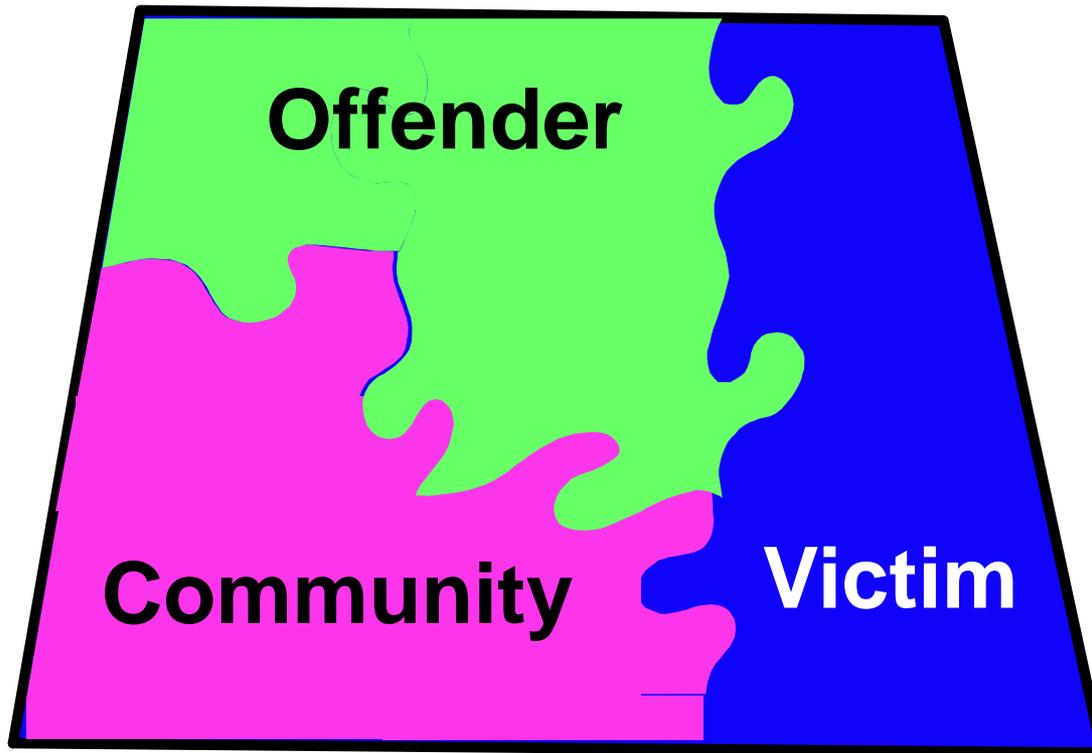
## Justice should be healing

# Crime weakens relationships



# Reconnecting . . .

Restorative process reconnects



# Howard Zehr's questions

- What is the harm?
- What needs to be done to repair the harm?
- Who is responsible for this repair?

# Key RJ Principles

- Crime is an injury against another
- Crime creates an obligation, first and foremost, for the offender to make things right
- Restoration is the primary goal of justice
- All affected by the crime should be part of the response
- The victim's perspective is central
- The community is responsible for the well-being of all of its members, including victims and offenders
- Crime control cannot be achieved without active involvement of the community

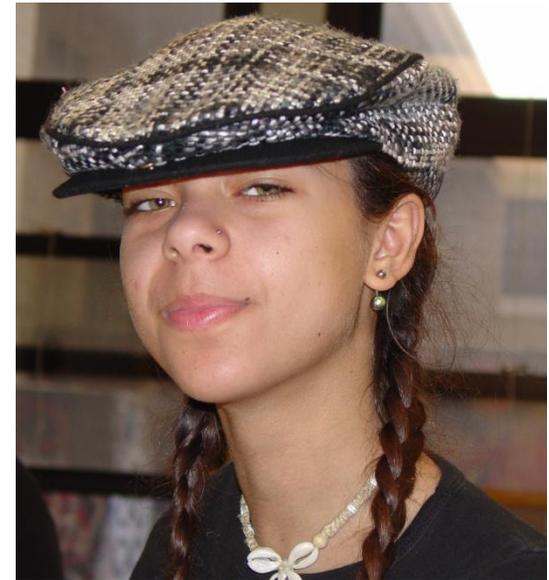


# Sample Practices

- 1 Circle sentencing
- 2 Community service work
- 3 Family group conferencing
- 4 Community reparation boards
- 5 Victim impact classes/panels
- 6 Victim offender mediated dialogue
- 7 Victim impact statements

# RJ and Adolescent Development

- Remember that youth need to:
  - Participate
  - Gain experience in making decisions
  - Discover with who and how they fit in (and don't fit in)
  - Discuss conflicting values and formulate their own value system
  - Try out various roles
  - Develop a sense of accountability
- Human beings are “hardwired to be in relationships and to learn”



# Applying RJ Questions in School



- More traditional questions:
  - Who done it?
  - What rule was broken?
  - What consequence do we need to impose to:
    - Change the behavior of the student “offender”?
    - “Send a message” to other students?
    - Maintain a safe learning environment?
- More restorative questions:
  - Who was harmed & what is the nature of the harm?
  - What needs to be done to repair the harm and set things right, so everyone can get back to learning?
  - Who is responsible to repair the harm and promote a safe learning environment?

# Exclusion vs. Inclusion

- Traditional school discipline relies too much on exclusion – suspension or expulsion
- Restorative school discipline relies on inclusion, repairing and/or building relationships that address both the initial situations as well as build strengths to prevent future incidents.

# What should we tolerate?

- Zero Tolerance
  - Harm is taken seriously
  - Specific consequences are applied uniformly
  - Detention, isolation, suspension, expulsion are common
  - More equitable than fair
  - Emphasis on upholding the letter of the law
- No Tolerance
  - Harm is taken seriously
  - Consequences are varied and may include restoration of some kind
  - Students are engaged and included
  - More fair than equitable
  - Emphasis on upholding the spirit of the rules and a larger purpose

# Discipline – to teach a lesson?

- When there is a misconduct episode in school, what is it that we want to teach?
  - Teach a lesson? – what lesson?
  - Teach respect? – respect to who? What?
  - Teach new behavior? – what behavior?
  - Teach responsibility? – to who?



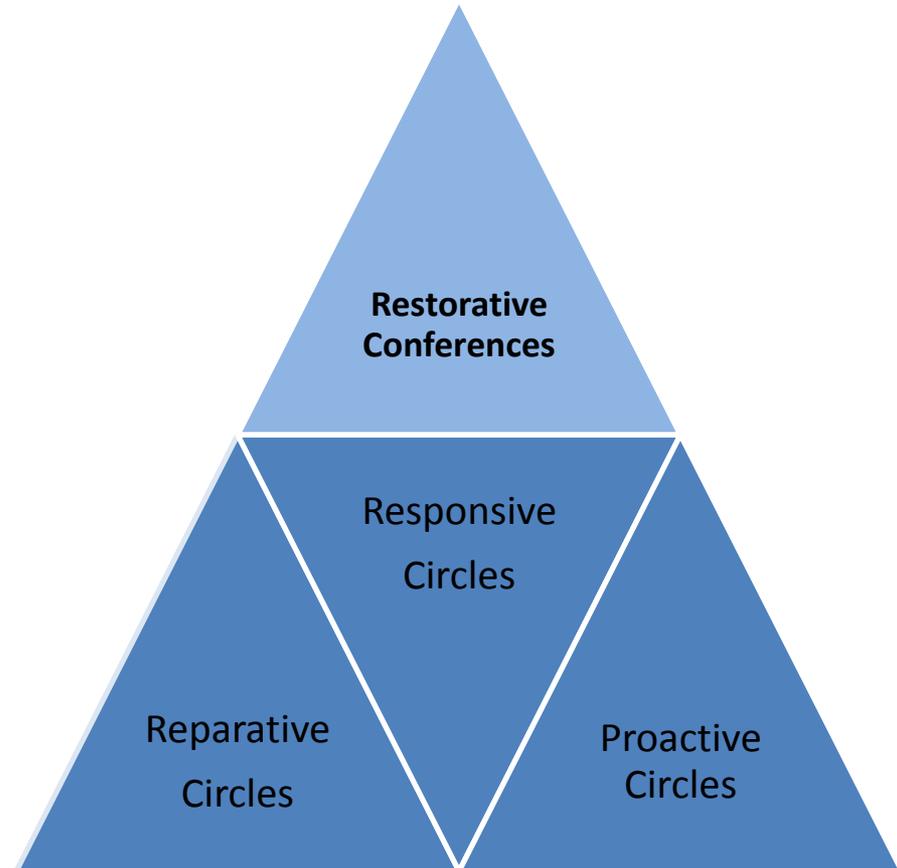
# Discipline that restores



- Discipline that restores can be used to teach:
  - **Ownership** – self-awareness of personal choices and self-responsibility
  - **Empathy** – raising “other-awareness” of affected people
  - **Reparation** – future awareness of positive contributions

# Using Circles to Build a Restorative Continuum

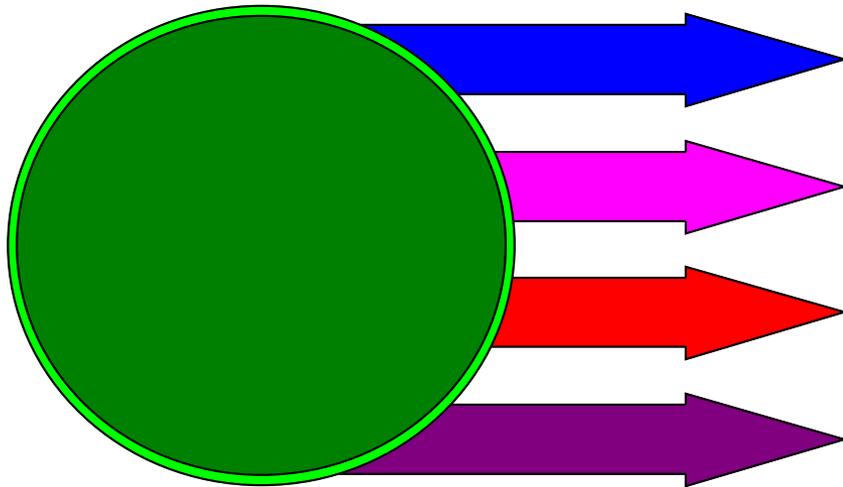
- Use Proactive Circles
  - Seminar circles
  - Lesson circles
  - Topic circles
- Use Responsive Circles
  - Circles for prevention
  - Circles for intervention
- Use Reparative Circles
  - Circles after trauma
  - Circles for re-entry
- Restorative Conferences
  - Circles to re-build relationships
  - Circles with selected individuals



# A Restorative Process generally includes the following elements:

- Addresses the needs of the person harmed
- Expects the person or persons who have done harm to admit they did something wrong, even if both sides have been harmed and done harm
- Expects that all participants will work to solve the problem
- Uses consensus as the way of making decisions
- Creates an agreement that outlines ways of repairing the harm – and a plan for changing behavior
- Creates a plan for safety and support for victims
- Creates connections to caring adults for all students who have been affected

# Community (School) Response to Crime (Harm)



- Responsibility to:
  - Rally around the victim
  - Provide opportunity for offender to make amends
  - Establish norms and hold community members responsible
  - Address underlying issues revealed by crime

# Toward a Whole School Model

*Based on Whole School Approach – Brenda Morrison*

**REBUILDING**

5% (?) of population

**RELATIONSHIPS**

Through intensive dialogue that includes a broad social network

**REPAIRING RELATIONSHIPS**

Through facilitated and supported dialogue

**REAFFIRMING RELATIONSHIPS**

Through developing social and emotional skills

Whole School

# Taking the Road Less Traveled

- Challenges - Implementing more RJ practices:
  - Can be a culture shock
  - Can take more time at first
  - Doesn't solve everything
  - Can be confusing to parents
- But, taking the road less traveled can lead to:
  - Strengthened relationships
  - Greater parental support and involvement
  - Increased capacity of students to solve their own problems
  - More time spent on learning



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