

Restorative Justice P³ Philosophy, Principles, and Practices

Michigan Department of Education
Segment 2: RJ Revealed

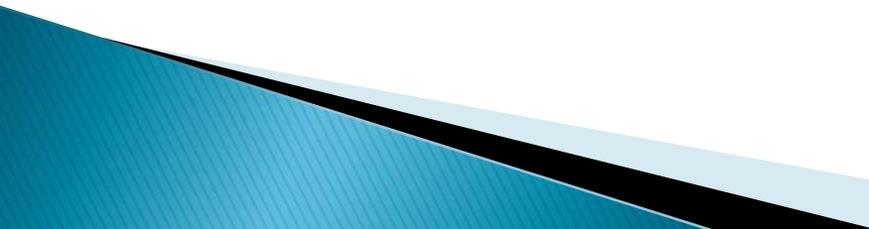
Training Goals

1. Introduce Restorative Justice (RJ) Philosophy.
 2. Establish foundational principles of the RJ process.
 3. Engage in thinking about an actual school district and how its restorative discipline compares to other discipline options.
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Restorative Justice (RJ) is . . .

- ▶ . . . an approach to addressing conflict and misconduct that focuses on healing, rather than punishment, and engages those directly affected in addressing the misconduct.
- ▶ RJ assumes that misconduct and conflict injure those directly involved (victims and offenders) as well as the broader community to which they belong.
- ▶ Rather than relying on punishment, RJ expects those who cause injuries to make things right with those they have harmed and with their community.

(Zehr, 2002; Umbreit, 2011)



Remember this comparison slide from Segment 1?

A Different Approach

Traditional Discipline Asks:

- ▶ What rules have been broken?
- ▶ Who did it?
- ▶ What do they deserve?

Restorative Justice Asks:

- ▶ Who has been hurt?
- ▶ What are their needs?
- ▶ Who has the responsibility to make things right to restore relationships?

Howard Zehr,

From his Keynote Address to the 12th International
Institute for Restorative Practices , October 2009

Foundations of RJ

Foundational concepts of healing, respect, accountability, and engagement, build empathy and speak to fundamental human values, ethics, and practices common in ancient cultures from First Nations (Canada) to Maori (New Zealand).

(Pranis, 2005; Umbreit, 2011)



Foundational Concept: Respect

Restorative Justice is respect.

Respect for all, even those who are different from us; even those who seem to be our enemies. Respect reminds us of our interconnectedness, but also of our differences. Respect insists we balance concerns for all parties.

If we pursue justice as respect, we will do justice restoratively.”

---Howard Zehr,
The Little Book of Restorative Justice

Foundational Concept: Accountability

“Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender and the community in a search for solutions which promote repair, reconciliation and reassurance.”

---Howard Zehr,
Changing Lenses

Foundational Concept: Engagement

- ▶ Solution is determined by affected parties coming to consensus, NOT imposed by an outside source. **Participants do the work, the facilitator creates the safe space to let them.**
 - ▶ Those affected by the conflict or misconduct determine consequences which are designed to restore relationships by, as much as possible, healing the harm that resulted from the incident.
 - ▶ The facilitator is there to ask questions that empower participants to decide how to best heal the harm.
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Foundational Concept: Empowerment

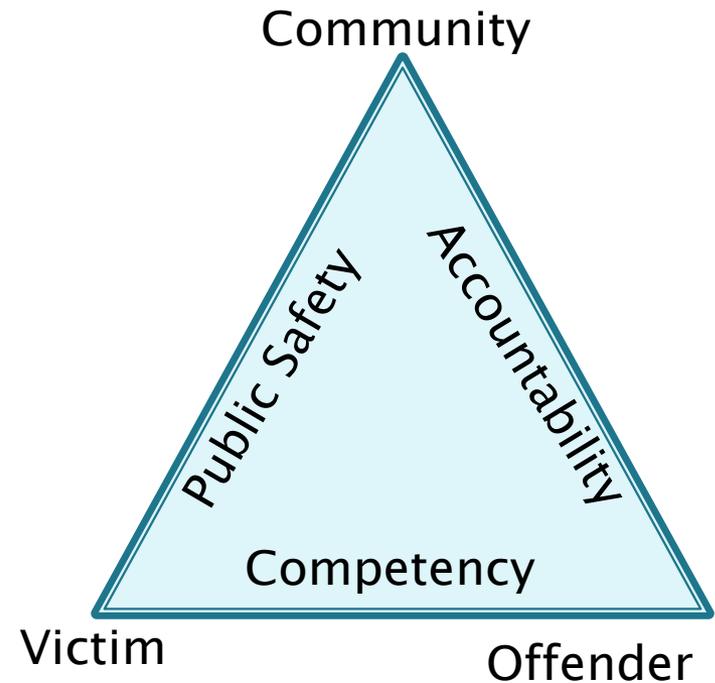
- ▶ The affected parties develop the solution. As noted earlier, the solution is NOT dictated by an outside authority such as a principal or judge.
- ▶ Each participant has a voice in deciding how best to heal the harm. The resolution is determined by consensus, so if any person objects to any element of the final agreement, the circle continues until all participants agree on every word and provision.
- ▶ While the process is guided by the facilitator, s/he is not responsible for the solution.

Participants work together to determine the final agreement and outcome.

Remember this slide from Segment 1?

Balanced and Restorative Justice

- ▶ Restorative Justice brings together the person who has been harmed (victim) with the person who caused the harm (offender) and others affected less directly (community) by the situation of misconduct or crime.
- ▶ Together, they work through three main points represented by the three questions on the next slide.



BARJ Triangle, based on design by US Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention Division (OJJPD)

Restorative Questions

▶ **What Happened?**

- All participants share their perspective so the group can come to a common understanding.

▶ **Who has been affected, and how?**

- Each participant identifies who s/he thinks has been affected, including him- or herself, and explains how.

▶ **How do we make things right?**

- Each participant offers ideas of what should be done to heal the harm or address the issue so all can move forward.

These are guidelines. Ask additional supplemental or clarifying questions as needed.

Get the Complete Story

As noted earlier, the facilitator helps participants resolve their conflict by asking questions that guide the RJ process. When/if any of the three restorative questions from the previous slide don't provide a complete answer, the facilitator should ask clarifying questions to help participants fully understand what happened, who has been affected and how, and what should be done to make things as right as possible. Clarify details such as timing, sequence of events, details that differ between participants' versions of the story, and more.

Some additional clarifying questions, might include:

- ▶ What were you thinking about at the time?
- ▶ What have you thought of since?
- ▶ Can you think of anything you could have done differently?
- ▶ What has been the hardest thing for you?
- ▶ What would you like to see from this circle?

The Restorative Philosophy

Restorative justice IS NOT:

- ▶ a program can be bought and implemented
- ▶ a training to take and never bother with again
- ▶ words to be said while continuing to suspend and expel students for minor infractions

Restorative justice IS:

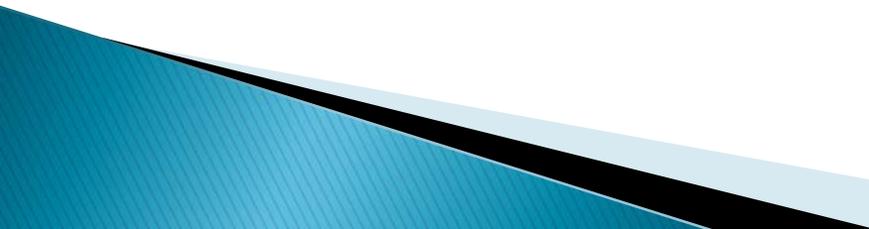
- ▶ a way of approaching misconduct and conflict that values healing the harm over punishment
- ▶ a discipline process that builds community instead of relying on exclusion
- ▶ a development process that prioritizes empowerment over centralized authority

Make it the way your school does business every day.

Adopt the RJ Philosophy for Your School

- ▶ Look for ways to heal the harm instead of going immediately to the punishment rubric.
 - ▶ Listen to understand the stories of those affected by misconduct or conflict.
 - ▶ Ask if those most affected have any ideas for how to make things right.
 - ▶ Trust the wisdom of our shared human experience and facilitate students' success.
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See How RJ Works in Schools

- ▶ This [Restorative Resources video](#) offers a great introduction to restorative justice philosophy and practice. It also illustrates a number of ways school communities in California have benefitted from adopting a restorative justice paradigm for discipline.
 - ▶ As you watch, think about how these schools have changed their approach to discipline by adopting a paradigm of restorative (instead of traditional) discipline.
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Circle Closing

- ▶ If you are taking this training alone, skip to the questions at the bottom of this slide and think about their answers. If you are in a group, arrange your chairs in a circle with everyone facing into the center.
- ▶ Taking turns so that only one person speaks at a time, go around the circle so that each person answers the first question listed in bold below.
- ▶ Once everyone has answered the first question, follow the same process to answer the remaining two questions. Keep track of the time you have—if necessary apply time limits to each answer.
 - **What is one benefit of using a RJ approach to school discipline?**
 - **What is one challenge of using a RJ approach to school discipline?**
 - **What one thought about RJ would you like to share?**