

Restorative Justice



Welcome



What is Restorative Justice?

Restorative justice is a community based approach to addressing crime and other harmful behaviours, wherein all parties who are affected meet to discuss the incident, explore the needs of those impacted, and agree collectively on how to deal with the aftermath and implications for the future.



The Philosophy

Restorative justice encompasses a shift in thinking from blame and punishment to addressing impacts (focused on victims and their needs), restoring relationships and reintegrating everyone successfully back into their community.



Restorative Justice Principles

- Crime/harmful behaviour is a violation of people and of interpersonal relationships
- Violations create obligations
- The central obligation is to put right the wrongs



Crime/Harmful Behaviour in This View

- Represent a wound in the community, a tear in the web of relationships
- Damaged relationships are both the cause and the effect of crime/harmful behaviour.
- Crime/harmful behaviour are a symptom that something is out of balance in the web



The Questions

Criminal/Retributive Approach

What laws/rules have been broken?

Who did it?

What do they deserve?

Restorative Approach

Who has been hurt?

What are their needs?

Whose obligations are these?



The Mechanics

- Crime/harmful event takes place
- Offending party(s) take accountability for the offence
- Referral to VRJS
- Pre-screening
- Pre-process work
- The process
- Agreement completion and support
- Closure

Victim Needs Met Through Restorative Justice

- Obtain information – Asking questions of the offender to understand why they did what they did
- Express impact - Telling the person who caused them harm directly how their actions affected them
- Empowerment – Being part of the decision making process regarding what will happen next and how to deal with the aftermath of the incident
- Restitution – Being able to ask for restitution, both concrete and symbolic

Offender Needs Met Through Restorative Justice

- Accountability – Opportunity to **transform their shame**
- Personal transformation – Opportunity to address and heal the underlying issues that contributed to their offending behaviour
- Reintegration – Through taking accountability and righting the wrongs offenders may successfully re-enter the community

Community Needs Met Through Restorative Justice

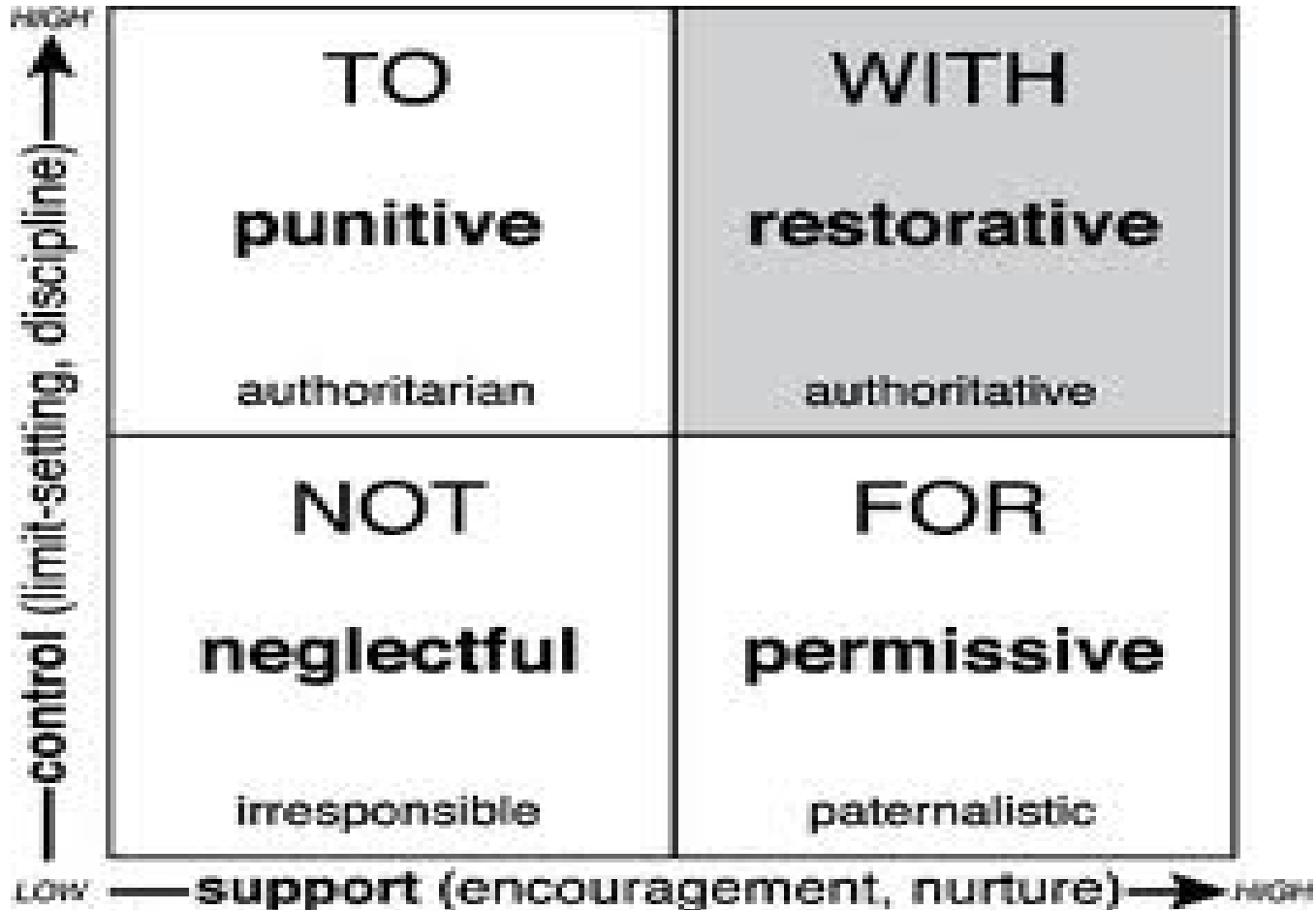
- Secondary victims - Attention to their concerns as victims
- Responsibility - Opportunities to build a sense of community and mutual accountability
- Empowerment – Opportunities to take on their obligations for the welfare of their members

Restorative Practices

Restorative practices have developed as a result of the success of restorative justice, and involve more than an intervention to deal with harmful behaviour. They are a foundation of programs and school environments that focus on building respectful relationships and providing ongoing opportunities for youth to take responsibility for their behaviour and their lives.



Social Discipline Window



How to Create a Restorative Environment

Restorative Practices

Informal ←————→ **Formal**

**Affective
Statement**

**Affective
Questions**

**Small
Impromptu
Conferences**

**Group or
Circle**

**Formal
Conference**

Affective Statements

- Means telling another person how they have *affected* you
- Makes explicit the impact another's actions have had on you
- Ensures that if a norm or rule has been violated that the other person knows it is also the relationship with you that has been some way violated



Affective Statements

“Good job today, Jeff.”	”It was a real joy for me to see the way you worked on the project today, Jeff.”
“Stop teasing Sandy.”	“I feel uncomfortable when you tease Sandy because I want her to feel safe at school.”
“I don’t want to see you pushing Peter!”	“I was shocked and disappointed to see you push Peter.”

Affective Questions

- Restorative practices believes that conflict is normal and can be positive when dealt with appropriately to foster learning and build relationships
- To capitalize on these opportunities, affective questions are used
- The questions are asked one on one with each participant individually



When Challenging Behaviour – Person who Caused Harm

- What happened?
- What were you thinking at the time?
- What have you thought about since?
- Who has been affected by what you've done?
- In what ways have they been affected?
- What do you think you need to do to make things right?



To Help Those Affected/Harmed

- What did you think when you realized what had happened?
- What impact has this incident had on you and others?
- What has been the hardest thing for you?
- What do you think needs to happen to make things right?



Small Impromptu Conferences

- These are used for small, negative events
- It consists of using a combination of affective statements and affective questions with the participants together versus apart
- Can be used when there is no clear “victim” or “offender”



Circles

- Can be used as a response to wrong doing or a general practice
- Can be used proactively to deal with potential problems
- In a circle there is typically a “keeper” who asks a question or makes a statements that people respond to one at a time (often using a talking piece)



Formal Conference

- To be used in more serious incidents of crime and harm
- Process is facilitated by 2 facilitators
- Pre-process work essential
- Harms-based process
- Agreement
- *Important to look to outside agencies/groups to facilitate process as those affected need to participate*



Resources

- International Institute for Restorative Practices www.iirp.org/
- Victoria Restorative Justice Society www.vrjs.org



Thank You For Coming

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