



RESTORATIVE  
JUSTICE  
PRACTICES



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-Writes publications around these and other themes



I. Restorative and Transformative Justice

II. Feminism and Intersectionality

III. Inclusive Practice

~~IV. Strategies of implementation in an  
organization~~

What is  
RESTORATIVE  
JUSTICE ?

Restorative justice is a process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm. This means that rather than being told they committed a crime and then being punished for their indiscretions, offenders are asked to acknowledge their crime and attempt to atone for it.

-or-

The process of rehabilitation of perpetrators through reconciliation with survivors and the community at large.

# Restorative Justice in schools

- Restorative justice is a philosophy and practice of taking responsibility for actions that have hurt or harmed someone else and/or yourself. Rather than focus on punishment and isolation from the community, restorative justice focuses on meaningful accountability, which includes actively engaging in understanding what harms have been done and how to repair those harms. Mediation, circling, family conferencing, victim/offender meetings and other collaborative processes are commonly utilized through a restorative framework.



# Restorative Justice in schools

- The goal of restorative justice, on the school level, is to look at the effectiveness of restorative justice in addressing the disproportional number of students of color being affected by major discipline referrals (in-school suspension, suspension and expulsion). On a juvenile justice level, the pilot project aims to look at options that keep students in school and break the connection between exclusionary practices in education and rates of juvenile incarceration. It allows administrators to reduce or eliminate major referrals depending on the outcome of the meetings, as well as provide support for students, families, and staff to find meaningful accountability and repair relationships that have been harmed.



What is  
TRANSFORMATIVE  
JUSTICE ?



While coming from the same background as restorative justice, transformative justice (TJ) takes a bit of a bolder approach. Instead of simply seeking to restore the actors, TJ sets out to transform them for the better. As expressed by [Wozniak \(2008\)](#), TJ seeks to change the larger social structure as well as the personal structure of those involved. Realizing the unjustness of our current criminal justice system, transformative justice wants to be productive by providing victims with answers for why they were victimized, recognizing the wrong that has occurred, providing restitution, and restoring/establishing peace and security.



*There is no one-way to do TJ work and we offer our work with humility and a commitment to interdependence.*

Transformative Justice recognizes that oppression is at the root of all forms of harm, abuse and assault.

Seeking to see problems, as not only the beginning of the crime but also the causes of crime. Looks at root causes and attempts to achieve comprehensive outcomes. Sees it as an educational opportunity.

TJ works for intersectional oppressions, because each situation and power dynamic is unique. And therefore each outcome is unique.

Of the belief that food, housing, shelter and freedom are what create healthy, stable, secure neighborhoods and communities.

The principles of a Transformative Justice approach to addressing all forms of violence include:

- Liberation
- Shifting power
- Accountability
- Safety
- Collective Action
- Respect Cultural Difference/ Guard against Cultural Relativism
- Sustainability

***Justice, accountability, and reducing  
power differences  
go hand in hand.***

***Ask ourselves how to create a professional community that does not seek to blame and shame.***



THERE WILL BE A BREAK IN 30 MINUTES!



***The TJ approach is a philosophy.***

***There is a continuum of how diligently  
we want to practice or implement it.***

## IN SCHOOLS:

- Can work in conjunction with a punitive process, if desired.
- Achieves aims that punitive system may not address, depending on survivor's wishes, such as:
  - \* Prevent future violence and harm
  - \* Achieve reparations or reconciliation
  - \* Cultivate healing, accountability and resiliency for all — survivors, bystanders, and those who have caused harm



# IN AN EDUCATIONAL CONTEXT

**CURRENT PUNITIVE MODEL FOR KIDS, WHEN AN INCIDENT OF HARM OCCURS:**

- **Loss of time**
- **Loss of freedom**
- **Loss of privileges**

**(isolation leads to lost learning opportunities)**



Current system sometimes ignores the survivor, often becomes between those that did harm and the school, or those that did harm and the state (in more serious situations).

Eg.

Many criminologists believe that punitive criminal justice systems do not work at preventing crime. According to the Washington State Institute for Public Policy, sex offenders who received alternative sentencing that includes outpatient treatment and supervision are less likely to return to sexual violence than those who are sentenced to traditional jail time.

# IN AN EDUCATIONAL CONTEXT **RESTORATIVE JUSTICE LOOKS LIKE:**

- HONORING THE INDIVIDUAL
- MEDIATION
- REPAIRING THE RELATIONSHIP
- EQUALIZING POWER
- COMMUNITY-BUILDING CIRCLES (MORE LATER)

**ENCOURAGE THE  
STUDENT'S  
UNDERSTANDING OF:**

- EMPATHY,**
- ACCOUNTABILITY AND**
- RESPONSIBILITY AS A  
COMMUNITY MEMBER**



HAVE A BREAK !

# Feminism, Race and Intersectionality





What is Feminism and what does it seek to achieve?



What do I mean by Power Dynamics?



# Power Dynamics

Being othered

Invisibilized

Silenced

Gaslighting

Minimized or diminished

Being ignored

A mere “accessory” due to patriarchy

Less credibility, etc

Gendered labor, eg. Cooking, cleaning, doing most of the work in a collaborative setting or group.



Experiences in a school setting?



# WHAT IS INTERSECTIONALITY?

Eg. Double Intersectionality –

Of Race and Gender



**DO YOU OR SOMEONE  
YOU KNOW HAVE AN  
INTERSECTIONAL  
IDENTITY?**



# UNDERSTANDING THE TRAUMA INHERENT IN SOME INTERSECTIONAL IDENTITIES:

- Survivor – centered
- Trauma informed care
- Focus on what has happened and NOT what is wrong with the survivor.

# RJ with students in the last few weeks:

- OFFER space for youth to voice their fears, concerns, feelings, and questions in a safe and supportive environment.
- REINFORCE to students that hate speech and actions at school will not be tolerated – civil discussions on topics will be prioritized.
- ENGAGE students in actively participating and being a part of movements for positive change and action in their community (school or elsewhere).
- INFORM students that these times are reminders of how vital our education is and that we are active participants in it.

[ResolutionsNorthwest.org](https://ResolutionsNorthwest.org)





CIRCLES:

FOR AFFIRMATION  
AND COMMUNITY BUILDING



1. WHAT IS SOMETHING YOU ARE EXCITED ABOUT?
2. WHAT IS SOMETHING YOU FEEL STRONGLY ABOUT?
3. WHAT IS SOMETHING YOU LIKE ABOUT YOURSELF?



## INCLUSIVE PRACTICE WHEN CIRCLING:

- What is being expressed?
- Who is facilitator?
- Who is taking up the most space?
- Are those silent/saying less getting an opportunity to share?



Examples of inclusionary  
action in schools with conflict  
resolution soon!

## RJ and CONFLICT RESOLUTION

- **MOVING AWAY FROM THE IDEA OF “VICTIM” AND “BULLY”**
- **UNDERSTANDING THAT EVERYONE HAS THE CAPACITY TO DO AND RECEIVE HARM, DEPENDING ON THE CONTEXT.**

**WE WILL CALL THOSE HARMED AS A “SURVIVOR”,  
AND THE OTHER PARTY “THOSE WHO CAUSED HARM”.**



## **Trauma-informed care** – alternatives to seclusion and restraint

- *Realizes* the widespread impact of trauma and understands potential paths for recovery;
- *Recognizes* the signs and symptoms of trauma in clients, families, staff, and others involved with the system;
- *Responds* by fully integrating knowledge about trauma into policies, procedures, and practices; and
- Seeks to actively resist *re-traumatization.*”



- Safety, healing, and agency for survivors
- Accountability and transformation for those who harm
- Community action, healing, and accountability
- Transformation of the social conditions that perpetuate violence
- Such as systems of oppression
- exploitation, domination, and institutional violence (that institution can be cultural, toxic masculinity, family, a past environment a student has just left)

- The survivor's need to be respected, informed, connected, and hopeful regarding their own recovery
- The interrelation between trauma and symptoms of trauma such as substance abuse, eating disorders, depression, and anxiety
- The need to work in a collaborative way with survivors, family and friends of the survivor, and other human services agencies in a manner that will empower survivors and consumers





# Inclusive Practice

# Point 6 of Trauma-Informed Care

- Cultural, Historical, and Gender Issues:
- Actively moves past cultural stereotypes and biases (e.g. based on race, ethnicity, sexual orientation, age, religion, gender-identity, geography, etc.); offers, access to gender responsive services; leverages the healing value of traditional cultural connections; incorporates policies, protocols, and processes that are responsive to the racial, ethnic and cultural needs of individuals served; and recognizes and addresses historical trauma.



## ACTIVITY:

How does your experiences, history and culture inform your triggers, and preferences around justice?



# WITHIN SCHOOLS



BRAINSTORM:

How can we practice inclusivity?



# Element of community support in Transformative Justice

The survivor can choose to be part of the transformative process.

Participants agree only on what constitutes effective [harms reduction](#), which may include separating or isolating perpetrator and victim.

May involve mediation, negotiating terms, or methods for reparation or making amends.

## **CURRENT STRATEGIES:**

Is there risk of triggering or retraumatization? Does she feel empowered? Does she have autonomy? Do her peers feel like they can take action to continue make themselves more safe?

What are people learning from sentencing or current strategies?

Is the harm or violence likely to repeat itself?



AS A CONFLICT RESOLUTION TOOL:

We center the survivor's experiences.



## PROCESS:

1. HEAR THE SURVIVOR
2. ASK WHAT THEY NEED
3. TALK TO ONE WHO DID HARM (separately or together)
4. FACILITATE OR MEDIATE
5. RECOGNIZE POWER IMBALANCES
6. ASK FOR DESIRED OUTCOME FROM SURVIVOR
7. COME TO AGREEMENT OF TERMS



# EXAMPLE SCENARIOS



## EXAMPLE SCENARIOS

- 1. Leonard, 7<sup>th</sup> grade, hit Trinh, 5<sup>th</sup> grade in the stomach after Trinh took the ball from Leonard at recess**



## EXAMPLE SCENARIOS

**2. Jonae, 5<sup>th</sup> grade, is crying because Stephanie, 4<sup>th</sup> grade was mean**



## EXAMPLE SCENARIOS

**3. Alfonso, 3<sup>rd</sup> grade, called Mariam, 3<sup>rd</sup> grade, “poor”**



## EXAMPLE SCENARIOS

**4. Alexander, 6<sup>th</sup> grade, called Monique, 5<sup>th</sup> grade, a racial slur.**

# Part of TJ practice in an organization

- Referrals
- Counselling
- Financial assistance
- Employment
- Housing
- Clothing / Warmth
- Advocates
- Case workers that accompany them to apply for housing, other processes
- Childcare assistance
- Boundary setting practice
- Help making plans, time management and scheduling

# Empowerment of survivor

- **Empower** the survivor (eg. A child in a CSA case), interlocking nature of oppression and intersecting power dynamics – gender, age, size, autonomy, (and at times differing abilities)
- Survivor Centred TJ process: focus on their needs, self-definition – Is the individual's own definition of emotional safety included in treatment plans?
- What their wishes are, to come out of the situation  
(eg. financial reparations, funding for therapy, distance, isolation from community)
- Collaborate with their family members, chosen family and other support network members.



- Action plans, confidentiality, safety strategies (ways to avoid retraumatization)
- Determine immediate safety
- And long-term healing and reparations while holding people who commit violence accountable within and by their communities
  
- MEDIATION (if required) between survivor and person doing harm – establish guidelines or meeting with the person doing harm, etc.
- Determine amount of transmission btw two parties (if at all)
- Determine level of education of perpetrator, if desired
  
- Regular check-ins with survivor
  
- And Regular check-ins and debriefs with service staff.

IN THIS CASE,  
THE ORGANIZATION WORKS IN THE ROLE OF FACILITATOR



In centering survivor  
needs and preferences,  
we are practicing  
inclusively and with  
trauma-informed care.

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THANK YOU!

HAVE A BREAK !



# Strategies of implementation

## WRITTEN AND ONLINE RESOURCES

Staff orientation and in-service training – online delivery

Leadership, guidance, support and modelling

Written into Handbook or Policies and Procedures

Eventually to permeate daily practice, similar to trauma-informed care

Regular check-ins and debriefs, keeping on track with evaluations and feedback, assess effectiveness of training, monitor the school's progress



Support circles or groups – for service users or employees, peer support

Ensuring that physical environment supports confidentiality and safety

Organizational processes and staff practice does not trigger or retraumatize, strategies to address power differentials

Regular professional development and training

Collaborators and partners for support – with similar approaches?



- **LEARNING TOOLS** - care, compassion, and patience as tools for critical dialogue, fearless visioning, and transformation
- **STRATEGIES**
- **SUPPORT OR COUNSELLING**
- **ENSURING SUSTAINABILITY**
- **EVALUATE CAPACITY** (to incorporate RJ)

LATER: questions for staff members / services:

How does workforce development/staff training address the ways identity, culture, community, and oppression can affect a person's experience and approach to empowerment?

What are strategies for leveling of power differentials between staff, families, certain groups of varying access, and students?



Ask ourselves what we value about the person's contribution, their strengths, and their context.

Set common goals, and how to achieve them

Validate each other's experience by listening

Explore what you want to have happen and how you want the relationship and professional setting to look like.

Educate and inform the person doing harm and their community, to ensure it doesn't occur again.

# ACTIVITIES FOR FUTURE REFERENCE:

[https://niastories.files.wordpress.com/2013/08/tjcurriculum\\_design\\_small-finalrev.pdf](https://niastories.files.wordpress.com/2013/08/tjcurriculum_design_small-finalrev.pdf)

... and TWO HANDOUTS to read in future!

**Thank you!**