Approaches to Restorative Practices in our Schools and Communities

“People are assets not problems, Human beings not feral animals – The Restorative Task”

Dr. Derick Wilson, Reader in Education
(Community Relations and Restorative Practices)

Overview of themes in this talk.

A. The use of feral:
   • the development of a society where relationships are more liquid;
   • the growth of individualism;
   • the creation of an underclass;
   • the loss of interdependent feelings, one for the other.

Restorative practices coming from three strands, at least:

B. Reactive:
   attending to the harm done through harmful behaviours in the vicinity of the criminal justice system; here the emphasis is on building open engagements between the victim, the offender and the community that is impacted so that the behaviour does not occur again; that the offender makes reparation and is invited to still belong; that the victim is no longer fearful and that the wider community has an overview and relationship;

C. Proactive and Developmental:
   paying attention to relational and organisational cultures in which people move so that the experience of being harmed is less likely; that there are relational ways of meeting, informally and formally, that promote sentiment and understanding; that dilute or resolve tensions as well as organisational practices and cultures that promote understanding, that lessen the likelihood of harm and conflict and that offer agreed procedures if conflicts arise.

D. Respectful Engagements:
   that restore strength and vitality to civil society and politics and that widen the reach and scope of restorative practices into daily life.
   Strang and Braithwaite, Maxwell, Wright, Wright, Wilson, Morrison, Johnstone

E. The restorative challenge
   The need to take responsibility for relationships.
   Asserting that we are human beings because of our relationships.

F. The Restorative Confidences we need to develop
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A. When asked for a title I deliberately used the word ‘feral’ as a challenge.

So many public discussion programmes and articles in tabloids recently have glibly promoted this word “feral” when condemning children, young people and parents whom they see as irresponsible and involved in disruptive behaviour.

In ascribing this term to so many fellow human beings, with whom these same speakers have no contact or understanding relationship at all, such ‘so called’ popular programmes feed a societal scapegoating mechanism and drive many people into becoming an unthinking mob, that, like all mobs, generate their own unthinking sense of righteousness, seeing the ‘others’ as useless and of no worth.

Society is dead in such a worldview. Any sense of interdepending on one another is driven out.

A feral child is understood as someone who has lived isolated from human contact from a very young age. (Oxford reference)

The word feral means someone that has been cut off from human relationship and contact. Is this the substance of the society we want to promote with some children, young people and their families written off, driven out and isolated?

Interestingly Bauman¹, a critical thinker about how modern western society is developing, suggests that modern day achievers are all being encouraged not to be interdependent citizens but to be individual ‘hunters’, more often than not, meeting other hunters as lonely, isolated people.

For him modern societies are becoming relationally impoverished places² that still desperately need people to take responsibility and make where we live better! To become restorative.

Bauman writes of modern life being characterised by ‘liquid relationships’³- where relationships are temporary and people disposable; where others are only useful to us for as long as they enable you and I, if we are ‘hunters’, to bypass them and succeed beyond them. When that happens we dispose of them.

² See the earlier debates about the ‘Politics of Well Being’ (Prospect, February 2005). This is the debate about why more successful societies are increasingly less happy places. Richard Layard, Happiness: Lessons from a New Science, Allen Lane, 2005. Layard, an LSE economist argues for a ‘well-being’ objective and more focus on values in education rather than ‘what you need to get ahead’. ³ Bauman, Education in Liquid Modernity. Review of Education, Pedagogy and Cultural Studies. ISSN: 1071 4413 Vol: 27 (4) 2005
He also argues that the development of an ‘underclass’ culture, where people are excluded and deemed worthless, is a deep humiliation, denying so many fellow human beings any dignity, value or worth.

He argues that this is the first time in modern culture where fellow feelings for the most vulnerable cannot be assumed as a civic value.

“I read a horrifying account of the new American ghettos as the dumping grounds of unnecessary people and how they become greenhouses of hatred. ...I think we underestimate often the pain of humiliation, being denied the value of your worth and identity, ..(being denied) earning your living and keeping your commitments to your family and neighbours."^4

So, if we hear the word feral used, it may well be a sign of something very unjust happening beneath the surface, and being unmasked. Remember the word scapegoat entered the English language in the 1800’s just as scapegoating—driving others out and taking no responsibility for that act - could no longer be efficiently and silently actioned^5.

**So: For me Restorative Task 1 emerging from this section is:**

**We need to work to restore a renewed sense of interdependence between different citizens from diverse social, economic and cultural backgrounds.**

The fact that the Comenius Restorative Approaches Programme started with DES Schools in Dun Laoghaire / Rathdown but that the practice is now being taken up on a wider front with schools serving a wider social catchment is important.

Even if only to be linked by a similar approach and language, the wider theme of inter-depending grows among a body of children, young people and teaching staff.

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B. For me the restorative task currently has its roots in several fields of activity:

The reactive: attending to the harm done in the vicinity of the criminal justice system; e.g. restorative conferencing; diversion; victim offender mediation

The proactive and developmental: promoting relational and organisational cultures in which people move so that the experience of being harmed is less likely. e.g. peer mediation; whole organization/whole school approaches; year/class meetings; circle time

The respectful civic and political engagements: restoring strength and vitality to civil society and politics and extending the reach of restorative practices in daily life. e.g. rituals of acknowledgement; political and civic meetings; opening up societal silences; civic fora; public meetings

C. THE REACTIVE STRAND: Restorative Conferencing; Diversion; Victim Offender Mediation associated with the CJ System

This practice comes from a criminal justice background with restorative justice practice and its emphasis on holding people to account for the harm they have done. Where possible, this practice seeks to build a renewed sense of community where victims are not fearful, feel safer and where offenders make reparation and continue to be held by a community of care that demands and expects them to change.

It is practiced in the Republic through good youth diversion programmes, a number of court led initiatives and, in the North, with all young people who acknowledge their guilt in the Youth Justice System.

Emerging evidence from diverse jurisdictions points to the effectiveness of Restorative Conferencing being greater, the more serious the crime or offence. There are a number of such programmes being developed and researched in diverse jurisdictions. e.g. In New Zealand with the Parole Board; Australia with Prison Staff facilitation for long sentence, high tariff cases.

The research suggests that this works best when the victim has initiated the process and they have to be the arbiter on whether or not the process moves. Many victims who do wish this, speak of feelings of greater safety and ease as a result.

For me this knowledge means that, in the current Comenius Programme, the experience accumulated with some young people is always important but that the programme may wish to push this practice higher up the tariff scale and so considerable advocacy effort is required.

DOES IT WORK?

Joanna Shapland’s recent Random Control Test (RCT) study of people being assigned a restorative conference after conviction, if the victim was open to it, in London Courts was so compelling that Joanna has said she will no longer do any similar research because the evidence in favour of those conferenced was so compelling.

In a study of RJ Conferencing Strang et al

This long programme of research has yielded some rigorous findings about the effects and effectiveness of RJ conferencing.
In brief: RJ is usually more effective than prosecution through the courts in reducing reoffending
- most victims who decide to participate in RH conferences are satisfied with their experience and are glad that they did so.
- Most victims, especially women, who experience post-traumatic stress as a result of the crime recover more quickly if they meet their offenders in RJ conferences
- both victims and offenders usually feel that RJ conferencing is a fairer process than court

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- RJ is more cost-effective than court when costs associated with the criminal justice process and material harm to victims is taken into account.

In Strang and Braithwaite’s study across a variety of jurisdictions RJ, as compared to traditional justice methods:

- substantially reduced repeat offending for some offenders, but not all;
- doubled (or more) the offences brought to justice as diversion from CJ;
- reduced crime victims’ post-traumatic stress symptoms and related costs;
- provided both victims and offenders with more satisfaction with justice than CJ;
- reduced crime victims’ desire for violent revenge against their offenders;
- reduced the costs of criminal justice, when used as diversion from CJ;
- reduced recidivism more than prison (adults) or as well as prison (youths).

In Property crimes

Five tests of RJ have found reductions in recidivism after property crime.

Victim benefits

Two RCTs in London show that RJ reduces post-traumatic stress;
In four RCTs RJ reduces the desire for violent revenge;
in four RCTs victims prefer RJ over CJ.

In discussion with Gabrielle Maxwell about her study of Restorative Conferences three years after the conference, she found a considerable footprint and legacy in terms of: the reparative actions being acted on; victim satisfaction and feelings of safety being high and changes in the lives of the young people being substantial and maintained.

Where it is well prepared and facilitated; where the professionals work interdependently and do not overwhelm it; and where all the family and supporters attend on a voluntary basis; the research evidence is that it does work effectively and where reparation is made, and honoured, the legacy of the conferences lasts beyond three years in terms of offender behaviour.

The Second and Third Restorative Tasks evolving from this are

Restorative Task 2: Restoring the potential of relationships as a space of healing and change between people

Restorative Task 3: Establishing reparation as an option between some victims and those who have harmed them where the victim is agreed and all parties are open to meeting and volunteer to do so, may be preferable to a formal justice procedure alone.

(In serious cases this approach may be either as an alternative to court (under supervision) or alongside formal court proceedings.)

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[1] Lawrence W Sherman and Heather Strang Restorative Justice: the evidence, the Smith Institute, 2007
D. RESTORATIVE ROOTS IN PROACTIVE AND DEVELOPMENTAL RESTORATIVE PRACTICE

This strand of practice comes from an educational practice where restorative is understood as meaning “restoring right relationships, bringing new strength or vigour”\(^\text{11}\).

It is about creating more open relational ways between different people in public and civic institutions and attending to the cultures and practices of those organizations and institutions.

Zehr (in Weitekamp) states three central themes of the restorative process with victims as being characterised by the movement from:

- disorder to order;
- disconnected relationships to a sense of connectedness
- disempowered voice to empowered voice;

If we apply these practices to day to day life together in a school community, in our families, in a cared for children’s unit, in a youth reach centre, in a youth club or youth project, a faith centre or trade union group or in the day of a teacher or tutor who has felt vulnerable or uncertain about working with children and young people who test them the restorative task then is about:

- building, or re-building, a sense of relatedness between people who share a space or a place or a society together;
- enabling the voices of all to be heard, especially those who have been demeaned or put down, ‘shushed’, ‘denied’ or locked out;
- bringing many people into a new order or structure where people feel safe, the talents of all are pooled, where our vulnerability is held and where our talents and gifts are released;
- speaking and working with people in an open and non judgemental manner (using a narrative discourse approach. (Drewery\(^\text{12}\))

Underpinning Values

For me, our restorative style is to be marked out by working to values such as equity, diversity and interdependence\(^\text{13}\) in the relational ways we safeguard our class or learning group or children’s unit or group and in the ways our structures work also:

We ensure that the boundaries of the group are fair and open-all are treated according to need (equity); all are valued as being different (diversity) and, when we really do our work well all experience belonging and that ‘zing’ of learning and working together (interdependence).

DOES IT WORK?

There is anecdotal evidence in Ireland from numerous sources and the research evidence is beginning to accumulate. Dun Laoghaire / Rathdown, Tallaght, Ballymun, Donegal, Sligo and Limerick, among other

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\(^{11}\) Jenkins, A., Shame, Realisation and Restitution - The Ethics of Restorative Practice, ANZJFT, Vol 27


\(^{13}\) Eyben, Morrow & Wilson, 1997; 2001; 2002.
locations, all have restorative school cultures developing and staff as well as some external researchers are beginning to document developments.

In Scotland\(^{14}\), there have been a number of longitudinal studies developed that show a definite increase in school safety, school culture, ways of relationally dealing with conflict, reduced suspension rates and increased pupil attainment.

In England there are a number of major developments, too numerous to do all credit. Some known to me are the major turning round of a Middlesborough Second Level School; and the work in Norfolk at Secondary level as well as with parents and inter professional teams. The developments in Lancashire, especially that of Skelmersdale\(^{15}\) and Burnley, where a number of primary schools, some previously designated as failing, have now through a restorative practices consortium developed:

- a town cluster of schools with restorative cultures at their centre;
- raised all levels of school performance and pupil attainment in one of the most depressed areas of Lancashire;
- and are now moving to an agreed ‘no exclusion policy’ across all schools.

The attainment levels of children have all been raised and a large number of these schools are excellent or awarded outstanding with excellent features.

The work of Drewery\(^{16}\), Kecskemeti, Kaveney and others in a number of large and diverse primary and secondary schools in New Zealand. There are many others in other European Countries. For me, the major and sustained developments where school culture has become rich and open and where school safety has increased and school attainment increased across all categories, has been accompanied by whole school commitments by senior managers and governors.

Where that has been accompanied by trusting the parents and children and young people to also be partners in this enterprise the reach has been so much deeper. Finally where peer mediation and restorative skills have been developed with young primary children upwards they have shown an ability to absorb the practices and refine them in their own ways but, more importantly, it becomes:

- an inter generational learning project,
- they take it into their next schools;
- they take it back home and
- they even will take it into their own families as parents, when they reach that stage.

Time does not permit me, but there are also some very strong youth programmes and children’s unit practices of an excellent restorative practice nature.

**Restorative Task 4: A restorative task emerging form the above is to promote relational ways of respecting and valuing one another as assets in working relationships; and institutional procedures where people treat one another well and move to resolve conflicts in a restorative manner before they escalate.**

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E. RESTORATIVE ROOTS IN RESPECTFUL CIVIC AND POLITICAL ENGAGEMENT AROUND CITIZENSHIP

The restorative task is about re-envigorating citizenship. In this current time of economic stringency it is important “not to shy away from the politics of citizenship and the conditions in which we are expected to act (together) as citizens”\(^{17}\).

A restorative task is to build new and relevant understandings of being citizens. It is not to give into the impulses of exclusion and partisan identities, turning away from being fellow citizens with those different to us, socially, culturally and economically, but to find common cause and interdependence with those we share this place with.

Citizenship is about thinking together of re-inventing politics, a process which has to be ‘cared for and cultivated in company with others’\(^{18}\). To be a modern citizen is to engage with other citizens and, with political representatives, about the relationship between ‘means and ends’.

“Without this constant and continuous re-invention of the political, societies become morally bankrupt. It is essential for the health of democracy that the educational space for this (restorative and) creative, democratic work be cherished and expanded”\(^{19}\).

To act restoratively must be an all age experience—not just tricks for children at school. The need for citizenship education for children and young people needs couched within a wider inter-generational commitment to see one another as equal citizens of one place—not separating the deserving from the undeserving; or the capable from the incapable; or the well to do from the poor.

It is also to look again at the limits of ‘narrow nationalisms’ in an international age and encourage people to also strive to become ‘international citizens’ (see Shami Chakrabtti, Prospect, 2012).

**Building a restorative culture in society is:**

**RELATIONALLY**

To see one another as potential assets and gifts to society;
To enable people to transgress established boundaries of class, identity and ability and met together;

**ORGANISATIONALLY**

To build a new practice that works critically and reflectively within existing institutions;
To create new, or enliven old, institutions that have inclusion, possibility and hope at their centre;
To support existing organisations re-envision their role in the light of a new restorative vision;
To set free initiatives that are transformative.

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\(^{17}\) Ian Martin 2003
\(^{18}\) Zygmunt Bauman (1999)
\(^{19}\) Ian Martin 2003
To lift our eyes to the reality of being citizens of a deeply interconnected world in an island that has, at different times and within different traditions, associated themselves with narrow ethnocentric positions and being ambivalent about violence.

DOES IT WORK?

This is the least developed aspect of the restorative agenda. My colleagues and I currently have a module on this theme within our Masters in Restorative Practices Programme and students find it very challenging.

When you look at the reactive strands from criminal justice and the developmental strands in developing relational and institutional cultures that build capacity to resolve difficulties, such strands would be easier if they were swimming in a wider societal culture that was open to restorative ways and that, especially, wished our children and young people to grow up with more social skills, at ease and safe, confident that they were well able to anticipate conflict and resolve it.

Recently, in the work of long established restorative practitioners, this wider societal task is coming to the fore from New Zealand, Australia, Britain, Canada, Belgium, Hungary, Finland Brazil and elsewhere. (Maxwell, Morrison, Wright, Strang and Braithwaite, Johnstone, Wilson)

Restorative Task 5: To restore strength and vitality to civil society and political life and widen the reach of restorative practices in daily life.

Restorative Task 6: To recognise that the future security of states and societies will be enhanced by restoring more robust engagements between civil society actors and those elected to political office. (Strang and Braithwaite; Johnstone; Maxwell; Wright; Wilson)

http://prospectus.ulster.ac.uk/course/?id=9188
F. DO RELATIONSHIPS REALLY MATTER? OF COURSE THEY DO

You and I are the products of relationships right from conception. We are created and cared for in relationships, we have fought for our place in some relationships and some of us may have had relationships where we have been cut off or rejected. All these patterns of relationships make us who we are today, with our strengths and possibilities, with our fears and vulnerabilities.

To be human is to be formed in relationships. To be restorative is to work so that the relationships each of us experience are nourishing and enlivening and that the relationships we experience that are demeaning, hurtful and violent are less likely.

Without Relationships We Would Not Exist

Some relationships live on in us in a positive manner. Such relationships can dissolve other relationships that leave me hurt and uneasy. They give us the potential to accept others, to show compassion, to understand, to be patient and even to forgive and start again.

Do relationships really matter, most certainly!

The kinds of relationships I have enjoyed until now influence so many of my possibilities or difficulties from now on- relationships do matter!

- If you have ever been or still are in love!
- If you have ever given birth, been present at the birth of your child, been entrusted with the care of a child.
- If you have ever stood at the burial of a loved one and been at peace in yourself for all that passed between you or been choked with grief or overcome with regrets at what was never shared between you or what was never healed-relationships matter!
- If you have ever felt the elation and comfort of being valued by friends at difficult points in life.
- If you have ever been hurt and know how that hurt gnaws at you and the people associated with that hurt when you meet them, avoid them or think of them. Of course relationships matter!

Restorative Task 7: We need to give a renewed primacy to the importance of relationships that affirm, cradle, nurture and support people-assuring them of their place and dignity.

21 See Kaptein earlier
IN CONCLUSION

G. THE CONFIDENCES WE NEED TO DEVELOP

Building trust through relationships and structures where people have their place secured is a restorative challenge.

Quality relationships are essential to our human growth and possibilities. Any community educator, formal or informal; any organisational learning or training officer, needs to acknowledge the relational dimension of learning and create a quality relationship base for her/his work.

To make relationships freely and responsibly, to cross lines of difference with greater ease, to be open to others regardless of their identity, are all gifts that each person needs in the modern world.

Open and trusting relationships are at the heart of daily well being that human beings continually need with others. To hear other experiences, to build understanding, to develop shared respect and shared values are key experiences in creating and sustaining fair and open societies, societies continually working to lessen inequality and addressing inequalities of access and opportunity, societies that restore, enable and heal.

Laying foundations for a more restorative culture in society

Right relations between different people are platforms on which to build commitment cultures around ‘right and just relations’ between people of different religious beliefs, political opinions and racial groups. This is possible only on the base of equality and fundamental human rights laws.

Where right relations are experienced relationally in groups, clubs, sports, schools, youth centres, civic organisations, music, cultural and artistic groups people will grow tall and know, in their being, something about the need for dignity between people.

Restorative Task 8: A renewed recognition that a more restorative culture will lessen the dominance of hurtful and harmful relationships in daily life that cause insecurity, thwart growth and attainment; impact on health and well being; drain scarce resources; limit imagination. (See Drewery: Strang: Shapland)

There is a Madagascan proverb, “words are like eggs: When they are hatched, they have wings (Atran, 2010, pp 373).

Restorative practice, over many years, has been incubating healing, hope and possibilities where once they did not exist or were not known about so that these experiences and the relationships and structures that made them possible, can soar above pessimism and disbelief. It is important that these relationships are now used in the practical task of restoring equity, promoting more inclusive institutional cultures and relationships where all people are welcomed and enabled to mix and move more freely, at ease with different others.


See Nicola Lynagh & Mary Potter, Joined Up, Corrymeela Press, 2005