The Impact of Restorative justice

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Agenda

- What is Restorative Justice?
- Restorative Justice in Higher Education
- Key Tenants of Restorative Justice
- Common Restorative Justice practices
- RJ in Action
- Potential Resources
- Questions
“Restorative dialogue...[is where] the problem rather than the person is put in the center of the circle”

- John Braithwaite
  Law Professor, Australian National University
RJ Defined

Restorative Justice (RJ) is a philosophical approach that embraces the reparation of harm, healing of trauma, reconciliation of interpersonal conflict, reduction of social inequality, and reintegration of people who have been marginalized and outcast. RJ embraces community empowerment and participation, multiparital facilitation, active accountability, and social support. A central practice of restorative justice is a collaborative decision-making process that includes harmed parties, people who caused harm, and others to seek a resolution that includes...
KEY Tenants of Restorative Justice

- Inclusive Decision Making
- Active Accountability
- Repairing Harm
- Rebuilding Trust
RJ IN HIGHER EDUCATION

RJ is a *collaborative decision making process* that includes victims, offenders, and others who are seeking to hold offenders accountable by having them:

- Accept & Acknowledge responsibility for their offenses
- Repair the harm they caused to victims and communities
- Work to reduce the risk of re-offense

We work from the lense of learning

*Little Book of Restorative Justice for Colleges and Universities* (Karp, 2015)
Impact

Karp, 2015

Little Book of Restorative Justice for Colleges and Universities
Harmed Party Satisfaction with Restorative Justice Process

1. To what extent would you recommend this process to others in a similar situation?
2. Overall, how satisfied are you with the way the process was handled?
3. Comfort level in seeing others involved in incident on campus?
4. To what extent did you feel the student was held accountable?
5. To what extent were you able to meaningfully contribute your ideas to the outcome?
6. To what extent did the process invite discussion of personal values and ethical responsibilities?
7. To what extent was the process fair to all parties involved?

Options:
- Just a little
- A fair amount
- A great amount
Barriers

- Lack of understanding/knowledge
- Limited research
- Potential for continued harm (*especially if not conducted appropriately*)
- Personal considerations
- Resistance to vulnerability
- Challenge to go beyond black and white thinking
- Less control over the process and outcomes

*RJ is not always the best or right option*
COMMON PRACTICES

- Conferences
- Circles
- Circles of Support & Accountability
- Boards
- Administrative Hearings
Conferences

- Focuses on facilitated dialogue between the offender and harmed parties
- Also includes support people for both parties in order for them to feel more comfortable and speak openly and honestly
- Process give the opportunity for students to have a chance to meet face to face with individuals they have impacted then collectively decide together what steps to take from this process.
  - Also includes pre-conferencing
Circles

- Similar to conferences but more parties involved
- From Indigenous traditions
  - Native American talking piece
  - Creates a rhythm of dialogue
  - Centerpieces
- Organized in rounds
  - Introductory
  - Shared feelings and perceptions about the issue
  - Sharing ideas of what needs to happen for a resolution
  - Final comments and observations about what this meant
Boards/Administrative Hearings

Restorative Justice Boards

- Traditional Conduct Hearing Boards
- Focus on RJ principles of identifying harm and rebuilding trust.
- Harmed parties are invited, but are not required for the board to proceed.

Administrative Hearing

- RJ principles are incorporated into the hearing
  - Focusing on what harm was caused and how it can be repaired.
- Harmed parties may participate
Circles of Support & Accountability

Model of Reintegration

● Students, faculty, and staff may serve as volunteers in the circle
  ○ Supported by trained staff and administrators
● Repairing team dynamics and rebuilding trust
RJ Language Integration

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

“I had no idea this was an option. I am so happy I went through this process because it gave me exactly what I wanted and needed to heal.” - Harmed party

“I didn’t want this, but when I was able to learn more about the process and what it could provide me, I got there.” - Harmed party

“This is a great option more people should have access to.” - Attorney for Responding party

“I wanted the opportunity to atone for my actions; harming the person who meant the most to me and I destroyed that.” - Responding party
References
