

**STATEMENT OF RESTORATIVE  
JUSTICE PRINCIPLES**  
**As applied in a school setting**



**Restorative Justice Consortium 2003**

# **Acknowledgements**

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**Lyndsey Sharp**

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## **Restorative Principles as applied in a school community**

These principles refer directly to schools. The various restorative processes referred to in the following guidelines include restorative empathic listening; restorative discussion; mediation (peer and adult -led), problem-solving circles, restorative conferencing and family group conferencing (FGC). A restorative school may have some or all of these in place, or be working towards developing some or all of these processes.

Relationship and community building processes are also referred to in the context of proactive initiatives that schools can take to pre-empt anti-social and/or offending behaviour.

**A summary of the Principles are given below. The Principles are accompanied by an explanation of how to apply them in a school community on pages 7-15.**

### **1. PRINCIPLES RELATING TO THE INTERESTS OF ALL PARTICIPANTS**

- a) **Participation to be voluntary and based on informed choice.**
- b) **Avoidance of discrimination, irrespective of the nature of the case.**
- c) **Access to be available to relevant agencies for help and advice.**
- d) **Maintaining access to various established methods of dispute resolution.**
- e) **Processes that do not compromise the rights under the law of the participants.**
- f) **Commitment not to use information in a way that may prejudice the interests of any participant in subsequent proceedings.**
- g) **Protection of personal safety.**
- h) **Protection and support for vulnerable participants.**
- i) **Respect for civil rights and the dignity of persons.**

### **2. PRINCIPLES RELATING TO THOSE WHO HAVE SUSTAINED HARM OR LOSS**

- a) **Respect for their personal experiences, needs and feelings.**
- b) **Acknowledgement of their harm or loss.**
- c) **Recognition of their claim for amends.**
- d) **Opportunity to communicate with the person who caused the harm or loss, if that person is willing.**
- e) **Entitled to be the primary beneficiary of reparation.**

### **3. PRINCIPLES RELATING TO THOSE WHO CAUSED THE HARM OR LOSS TO OTHERS**

- a) **The opportunity to offer reparation.**
- b) **Reparation to be appropriate to the harm done and within their capacity to fulfil it.**

- c) **Respect for the dignity of the person(s) making amends.**

#### **4. PRINCIPLES RELATING TO THE INTERESTS OF LOCAL COMMUNITY AND SOCIETY**

- a) **The promotion of community safety and social harmony by learning from restorative processes, and so take measures that are conducive to the reduction of anti-social behaviour, crime or harm.**
- b) **The promotion of social harmony through respect for cultural diversity and civil rights, social responsibility and the rule of law.**
- c) **Opportunity for all to learn mediation and other methods of non-violent resolution of conflict.**

#### **5. PRINCIPLES RELATING TO SCHOOLS THAT WORK ALONGSIDE THE JUDICIAL SYSTEM**

- a) **Matters to be settled outside the judicial system except where this is unworkable due to the level of harm done, risk of further harm, issues of public policy, disagreement about the critical facts or wishes of the participants and their families.**
- b) **Avoid unfair discrimination by ensuring that rights under law are not compromised.**
- c) **Provide a wide and flexible range of opportunities to enable those who have caused loss or harm to make amends.**

#### **6. PRINCIPLES RELATING TO THE SCHOOL**

- a) **Primary aim to be the repair of harm.**
- b) **Restorative requirements to be fair, appropriate and workable.**
- c) **Where a restorative requirement is appropriate, but victims decline to participate there should be opportunities for reparation to the school, or reparation to others who have suffered harm or loss.**
- d) **Voluntary offers to repair harm or loss, by those who have caused it, to be valued.**
- e) **Contents of restorative meetings to be considered confidential.**

#### **7. PRINCIPLES RELATING TO RESTORATIVE AGENCIES WORKING ALONGSIDE SCHOOLS**

- a) **Commitment to needs based practice.**
- b) **Safeguarding of legal human rights.**
- c) **Restorative practitioners who are seen to be neutral and who act impartially.**
- d) **Maintaining neutrality and impartiality, restorative justice practitioners should play no other role in the case.**
- e) **Restorative agencies making a commitment to keep confidential the content of restorative meetings, subject to the requirements of the law.**

- f) Participants to be encouraged to keep confidential the contents of restorative meetings.**
- g) The engagement of weaker parties in negotiation to be facilitated.**
- h) Upholding respectful behaviour in restorative processes.**
- i) Upholding equality of respect for all participants in restorative processes, separating this from the harm done.**
- j) Commitment by the school to the use of constructive conflict resolution in general, and specifically the internal grievance and disciplinary procedure, and in handling complaints by students, parents, and other relevant 'service users'.**
- k) Commitment to the accreditation of training, services and practitioners, and to continually improved practice.**

## **Restorative Principles as applied in a school community**

The following Principles include an explanation of how to apply restorative principles in a school community.

### **I. PRINCIPLES RELATING TO THE INTERESTS OF ALL PARTICIPANTS**

#### **a) Participation to be voluntary and based on informed choice**

Processes such as conferencing, mediation and FGCs need to be voluntary, with the preparatory conversations being carried out in a respectful, non-threatening way, so that there is no pressure to take part, and that other options are also explored.

Preparatory conversations need to be carried out by those trained in restorative skills, since these initial conversations can, in themselves, be part of the healing process if carried out in a way that is restorative.

Documents in easily understood language\* need to be available for all potential participants. Some schools have prepared sheets for young people; sheets for parents and sheets for teaching staff, so all of these people understand the various restorative processes on offer.

#### **b) Avoidance of discrimination, irrespective of the nature of the case**

Once protocols are in place, for the appropriate restorative process in any given situation, these need to be available to anyone, regardless of their actions, their initial responses, their previous behaviour and factors such as time and availability of facilitators. The availability of restorative processes need to be perceived as just and fair to the whole school community, and available to everyone, however minor or however serious the incident.

#### **c) Access to be available to relevant agencies for help and advice**

All support agencies working in schools need to be familiar with restorative processes and able to, at the very least, apply restorative principles in their approach to any given situation:

What has happened?

Who has been affected?

How can those affected by an incident work together to put matters right as far as possible, and repair the harm?

How can the school support and reintegrate those directly involved in the conflict?

And how can people learn from the incident to avoid it happening again?

Consistency is important so that students do not receive pockets of restorative practices. This awareness will ensure that any participants in a

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\* Attention needs to be given to the first language of all potential participants.

restorative process will receive a similar approach if referred on for further help.

**d) Maintaining access to various established methods of dispute resolution**

There must be an awareness of the range of processes available to those involved in, and those assisting with, conflict resolution. Schools may decide to develop their own individual protocols for particular incidents such as those that involve serious injury. However the restorative process's used should, in general, not be 'pigeon holed' but remain flexible to accommodate each individual case.

**e) Processes that do not compromise the rights under the law of the participants**

This is as important in school as elsewhere. Other factors include union regulations for staff. It is important that all relevant unions become acquainted with restorative principles so that Union representatives support the use of restorative processes in schools, rather than oppose them.

**f) Commitment not to use information in a way that may prejudice the interests of any participant in subsequent proceedings.**

Every school needs to hold a confidentiality policy. It is the facilitator's responsibility to explain the policy to every potential participant, ensuring the limits to this confidentiality are made clear.

**g) Protection of personal safety**

Everyone in a restorative process has the right to feel safe and this sense of safety needs to be a prime consideration in the preparation, the running and the follow-up to each process. Perceived risk may be a reason for halting or postponing the restorative process and agreements about alcohol and drugs may need to be explained. If any participant is suspected to be under the influence of either then it is often best to re-arrange the process.

If it is suspected that anyone is likely to attend a restorative process carrying a harmful weapon then this will need to be addressed by the facilitator in the preparation. The fears of the weapon holder will need to be addressed, rather than rules made without discussion, so that such matters are dealt with respectfully and empathically.

**h) Protection and support for vulnerable participants**

Participant sensitivity being a crucial part of any thorough restorative justice training, facilitators will be aware that vulnerability is often disguised by bravado and threats. Good preparation is needed for all participants and even in a busy school day it should be allowed for. Those involved should be given the option as to when these meetings take place, so as to cause the least inconvenience to either party. The quality of the intervention will depend in large part on the quality of the preparation. With regard to face-to-face interventions it is crucial that the facilitator has spoken to all parties involved, prior to its taking place. This helps build trust and rapport, ease fears, create space for venting feelings and helps participants clarify their needs. It is also an

additional opportunity to ensure the case is fit for a face-to-face meeting (conference or mediation). There should be sensitivity to diversity whether this means using a facilitator (where possible) that is more likely to understand cultural differences or simply ensuring that the harmed person or person causing the harm, is not the only one of their group – gender, race, age group etc.

**i) Respect for civil rights and the dignity of persons**

Everyone in the restorative process is worthy of respect, whatever they have done or been subjected to. All sides, young and old, need to be prepared for the level playing field that a restorative process creates. This can challenge some preconceptions, particularly about the adult/child relationship, and the issue is best addressed ahead of the process.

Conflicting behaviour should not be associated with a persons intrinsic worth. Students who bully should be referred to as such and not labelled ‘bullies’, likewise students who have been affected by bullying should not be referred to as victims. In a school setting the terms victim and offender are not used. Any terms that label people, for example, victim and offender should be avoided. It is the behaviour and damaged relationships that should be the focus.

## **2. PRINCIPLES RELATING TO THOSE WHO HAVE SUSTAINED HARM OR LOSS**

**a) Respect for their personal experiences, needs and feelings**

Initial meetings need sensitive handling, with empathic, non-judgemental listening being the key to creating safety and rapport. Such listening may be all the person harmed needs in the first instance.

However valuable the restorative process may be for a wrongdoer, if the person wronged or harmed is unwilling or unready to take part, a face- to-face meeting is inappropriate. Other restorative processes may be more appropriate\*, but again neither party should be coerced to take part in any restorative process.

**b) Acknowledgement of their harm or loss**

Whatever ways forward are agreed people who have been wronged or harmed need this to be acknowledged, at first by the facilitator, and ideally also by those who have done wrong. However this cannot be rushed, or extorted from a wrongdoer who has not yet accepted full responsibility for what they have done. Enforced apology can make the situation worse, causing further pain and resentment towards the enforcers.

**c) Recognition of their claim for amends**

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\* Restorative conversations using empathic listening, shuttle mediation and restorative discussion in which the wrongdoer is invited to consider the impact of their actions on others, even in the absence of those harmed, and encouraged to explore reparative avenues.

If amends are imposed there is the potential of making matters worse between the wrongdoer, those wronged and those imposing amends. However, the need by those harmed/wronged for something to happen to help them feel better can be acknowledged and respected.

**d) Opportunity to communicate with the person who caused the harm or loss, if that person is willing**

All restorative processes available in schools need to create opportunities for this communication. However, they need to be available throughout the school community, whatever the age or status of the people involved.

**e) Entitled to be the primary beneficiary of reparation**

Schools need to be creative around reparation opportunities and make available options that primarily benefit those harmed by an incident. Young people may need encouragement to consider such options in class, in advance of any restorative process, so that problem solving and making amends becomes part of everyone's approach to wrongdoing and conflict.

### **3. PRINCIPLES RELATING TO THOSE WHO CAUSED THE HARM OR LOSS TO OTHERS**

**a) The opportunity to offer reparation**

See 2e

**b) Reparation to be appropriate to the harm done and within their capacity to fulfil it**

Part of a whole school exploration of just and fair reparation would include safety, appropriacy and capacity. This might be age and skill related, as well as including issues such as position held in school, family situation and relative affluence.

**c) Respect for the dignity of the person(s) making amends**

Schools being relatively small communities, everyone involved in an incident is likely to be known to everyone else, and will meet them most days. Reparation needs to be seen to be fair, and must never demean anyone in the eyes of the school community. Young people and adults deserve respect, and their efforts to make amends need to be valued. Humiliating tasks and negative responses can damage relationships, breed future conflicts and therefore prevent (re)integration.

### **4. PRINCIPLES RELATING TO THE INTERESTS OF LOCAL COMMUNITY AND SOCIETY**

(In this instance the school community and the wider community in which it is located)

**a) The promotion of community safety and social harmony by learning from restorative processes, and so take measures that are conducive to the reduction of anti-social behaviour, crime or harm**

In addition to restorative processes that are in place as reactive measures to deal with harm and anti-social behaviour, relationship-building processes need

to be in place as pro-active measures to increase a sense of inclusion, belonging, mutual care and respect. Such processes include regular Circle Time, School Council, Peer mediation and Peer mentoring.

- b) The promotion of social harmony through respect for cultural diversity and civil rights, social responsibility and the rule of law**  
Every school has an equal opportunities policy and this needs to be reviewed in the light of developing its restorative processes. A school needs to ensure these processes are offered in ways that are accessible and understood by every ethnic, linguistic and cultural group in the school and the wider community.

Guidelines for pro-social behaviour based on what everyone needs from each other to work at their best and feel safe, need to be negotiated across the whole school community, and respected by every age group, including all adults who work in the school.

- c) Opportunity for all to learn mediation and other methods of non-violent resolution of conflict**  
Ideally the opportunity to train as restorative facilitators is made available to all age groups, as appropriate, on a regular basis. Some schools develop a rolling programme of training, so that existing facilitator teams, (such as the peer mediation team) regularly take on new recruits and induct them in the process during regular support meetings, and by giving them opportunities to observe best practice.

Conflict management training and emotional literacy need to be available to every young person in their PHS (Pastoral, Health and Social Education) and Citizenship lessons, and such options need to feature as a regular part of the INSET (In-service Education and Training) Programme so that adults can model such skills too.

## **5. PRINCIPLES RELATING TO SCHOOLS THAT WORK ALONGSIDE THE JUDICIAL SYSTEM**

- a) Matters to be settled outside the judicial system except where this is unworkable due to the level of harm done, risk of further harm, issues of public policy, disagreement about the critical facts or wishes of the participants and their families**  
In some incidents there maybe a need for matters to be dealt with via the judicial system. Parents for example, may deem an incident as too serious to be dealt with by the school alone and wish to take further action.
- b) Avoid unfair discrimination by ensuring that rights under law are not compromised**  
Parties should not be precluded from seeking redress through the judicial system if they wish to do so.

- c) **Provide a wide and flexible range of opportunities to enable those who have caused loss or harm to make amends**

See section 3

## **6. PRINCIPLES RELATING TO THE SCHOOL**

- a) **Primary aim to be the repair of harm**

The primary aim is for a positive outcome for all parties, where individuals understand the harm they have caused and have been given the chance to put right that harm, as opposed to condemning, punishing and excluding individuals. See also 1c and 2e.

- b) **Restorative requirements to be fair, appropriate and workable**

See section 3

- c) **Where a restorative requirement is appropriate, but victims decline to participate there should be opportunities for reparation to the school, or reparation to others who have suffered harm or loss**

Where parties are willing, those that have caused harm or loss could meet with others who have experienced similar harm or loss. Therefore still providing the opportunity for the person causing harm to realise the impact of their actions and make amends.

- d) **Voluntary offers to repair harm or loss, by those who have caused it, to be valued**

See 3c

- e) **Contents of restorative meetings to be considered confidential**

See 7e and 7f

## **7. PRINCIPLES RELATING TO RESTORATIVE AGENCIES WORKING ALONGSIDE SCHOOLS**

- a) **Commitment to needs based practice**

When harm has occurred both the person harmed and the person causing the harm have needs, often very similar ones. From the outset of any action taken to deal with a situation, these needs should be borne in mind and enquired about, so that all sides get their needs met where possible.

Conflict management training, through Circle time or in Citizenship lessons, could stress the importance of expressing feelings and attentive listening for feelings and needs. An emotional literacy curriculum will also help develop such an approach, and should reduce challenging situations brought about by frustration due to difficulties interacting and communicating with others.

- b) **Safeguarding of legal human rights**

Staff and students need to be aware of human rights, including the United Nations Convention on the Rights of the Child, which the United Kingdom has signed up to. It may be worth discussing the implications of this

convention in the school context during PHSE and Citizenship lessons, and taking the issues arising to the School Council and the Board of Governors.

**c) Restorative practitioners who are seen to be neutral and who act Impartially**

This requirement has implications in a school community where most people know each other and relate to each other on a daily basis. In a restorative process thought needs to be given to how power can be balanced amongst participants. But also who can facilitate without pre-judging the issues. Issues of neutrality are as much about perception, as about the skills of the facilitator/s.

Factors to consider when choosing facilitators include: issues of status in the school hierarchy; gender; race; ability and articulacy in the language used for the process.

Options include:

- Partner schools providing facilitators to facilitate each other's conflicts/situations
- Trained facilitators from other agencies offering their services
- Using a pair of facilitators of different gender/age/race/status
- Ensuring interpreters/signers have an understanding of restorative philosophy and principle.

Neutrality and impartiality are also challenges for the classroom. Circle facilitators need to differentiate between their role as a class teacher and as a Circle facilitator. A class teacher might benefit from neutrality and impartiality at times, but a Circle facilitator must be very conscious of their responsibility to allow the whole group to own the restorative process. Negotiated ground rules can help the group recognise their shared responsibility for the good running of the Circle.

**d) Maintaining neutrality and impartiality, restorative justice Practitioners should play no other role in the case**

In theory conference facilitators should play no other role in an incident. As this is not always possible in a school setting facilitators need to be aware of the other roles they may have in or out of school. Whilst this issue is of more relevance the more serious the incident, it may be worth considering the extent to which a teacher or teaching assistant can nevertheless facilitate a restorative discussion between students following for example, a conflict in lesson. In a school setting the need for complete impartiality from someone not present at all when an incident occurred, needs to be balanced against the need to resolve minor incidents as quickly as possible before they escalate into something worse.

**e) Restorative agencies making a commitment to keep confidential the content of restorative meetings, subject to the requirements of the law**

Schools will need to consider how they record the use of restorative measures in schools, who sees these records, and who is involved in making them. Peer

mediation schemes will have different systems from those used for conferencing or mediating the point of exclusion or re-entry, for example.

Every potential user of a restorative process (and this would be the whole school community) needs to know the extent of the confidentiality promised in a meeting, and whether they have access to the records of meetings in which they were involved.

**f) Participants to be encouraged to keep confidential the contents of restorative meetings.**

Part of training in restorative skills includes an awareness of what can be kept confidential and what would need to be disclosed, and this is much the same for any information divulged to adults in a school context. Requesting participants in a process to share this commitment is to be encouraged but cannot be enforced. Nevertheless experience has shown that participants are often so relieved to have resolved an issue that they do not wish to make matters worse again by revealing what has been said, a potential risk of breaking the confidentiality of the meeting.

This confidentiality agreement might also be a feature of class circles, but adults and young people need to honour this equally – and everyone needs to know the limits to this confidentiality.

**g) The engagement of weaker parties in negotiation to be facilitated**

All participation in restorative processes should be voluntary. It takes great skill from a facilitator to strike a balance between reassurance and persuasion (or even coercion) when broaching the possibility of a restorative meeting. This issue is particularly relevant in a school context if the facilitator is in a more powerful position (statuswise or by virtue of age) than potential participants.

Issues to consider include:

- Ensuring that trained facilitators are involved at the outset of the process and thus avoiding situations where the arrangements are made by people who may use more forceful, threatening or judgemental techniques.
- Time is given to address the needs and concerns of all sides. Class Circles are often not voluntary, but a part of the PHSE (Pastoral, health and Social Education) or Citizenship lesson. Nonetheless, if someone feels very uncomfortable it might be possible to offer them an alternative activity. During Circle session itself however, everyone needs to have the right to pass on any activity.

**h) Upholding respectful behaviour in restorative processes**

People do not lose the right to be treated with respect even when they have caused harm to others. It is important to remember to separate the person from their actions, and to acknowledge that the facilitator is not there to judge the worth of the people in any restorative meeting.

**i) Upholding equality of respect for all participants in restorative processes, separating this from the harm done**

The issue of maintaining equality of respect for all participants in a school setting is a challenging one. Adults, and especially adults who have been harmed, may expect to be treated differently from a young person who may be responsible for the harm caused. The facilitator will need to prepare everyone for the potentially novel situation of the 'level playing field'.

Another delicate situation is one in which adults themselves need to be accountable for their actions, without experiencing a loss of face. Schools need to have considered these and other situations and discussed them with students, all staff (teaching and other) and parents.

**j) Commitment by the school to the use of constructive conflict resolution in general, and specifically the internal grievance and disciplinary procedure, and in handling complaints by students, parents, and other relevant 'service users'**

It was felt this principle was self-explanatory and therefore no further explanation has been provided.

**k) Commitment to the accreditation of training, services and practitioners, and to continually improved practice**

Accreditation for teachers in restorative skills is still fairly rare, but commitment to good quality training and ongoing support is important. Similarly very few opportunities currently exist for young people to have their restorative skills recognised, but it is envisaged that this will ultimately become part of the curriculum and that qualifications can be gained.

## How restorative is your school?

As each school will find their own way of introducing restorative approaches, measuring the extent to which a school is 'fully' restorative can prove difficult. However, using the continuums on the following pages, which are based on Dan Van Ness' assessment models<sup>1</sup>, a school can gauge the extent to which their school is 'fully' restorative.

Van Ness identifies four value tables when assessing the restorative character of a system; Encounter, Amends, Reintegration and Inclusion. The following continuums- Meeting, Amends, (Re)Integration (parts of the school community may never have felt integrated) and School Involvement (the extent to which a school enables it's community to partake in restorative methods) - are based on these tables. With 'Inclusion', Van Ness was referring to the inclusion of all those involved in a particular conflict. However, due to the closely-knit nature of a school community, it was felt that the involvement of the school as a whole was more relevant in this instance – for example, everyone involved with the school should have the opportunity to learn about, use and influence restorative practices in the school. Each Continuum includes a list of options ranging from a system that would be considered 'fully' restorative (with regard to that particular value) to a system that would not be considered restorative in any way. When consolidated, these continuums provide a useful tool to assess the restorative nature of a school, a particular case, or a particular program the school might be using. But as Van Ness explains:

“ When evaluating the handling of a particular case or of a program the question will be whether the response was as restorative as possible under the circumstances.”<sup>1</sup>

For example, in cases where the person causing the harm is not identified, a meeting will not be possible. However, the person affected by this behaviour may be able to communicate and meet with a surrogate person who has caused harm to someone else or others. The person affected by the harm may not receive amends from the person who caused it; nevertheless, a restorative response will ensure there is sufficient practical, moral and emotional support if and where needed.

The first step is to evaluate where a school (program or case) sits in each of the four areas (see continuums pages 17-21). The second step is to chart the results of each on the combined continuums table (pp 21). If the result lies above the triple line, the school (program or case) would be considered fully restorative, above the solid line moderately restorative, and above the dotted line minimally restorative. Of course, the result may not necessarily fit neatly into one of these groups - it may be lower or higher in one category, for example – but this offers a way for schools to assess their relative restorativeness and to pin point the areas that may need improving.

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<sup>1</sup> Daniel W. Van Ness and Karen Strong, *Restoring Justice 2<sup>nd</sup> Addition*, 2002, Anderson Publishing, Cincinnati, OH. pp. 228-238

# Meeting

## **Meeting, Communication & Agreement**

The School provides the opportunity for those in conflict to communicate, meet and agree on a response to the harm caused.

## **Communication & Agreement**

Indirect mediation where the parties are not given the chance to meet instead are offered the chance to exchange information via an intermediary and from this agree on a way forward.

## **Communication & Meeting**

The School provides the opportunity for those involved in conflict to communicate and meet therefore allowing them to talk about what happened, exchange stories, express emotions and so forth. However, they are not given the opportunity to reach an agreement themselves. An agreement made by an outside party would not be considered restorative.

## **Communication**

Indirect communication where no chance of agreement or meeting is offered to those involved. Information is passed between the parties by an intermediary allowing them to talk about what happened, exchange stories, express emotions and so forth.

## **Meeting & Agreement**

Parties are given the option to meet. However, the meeting focuses solely on the drawing up of an agreement about how to deal with what happened. Parties are not given the opportunity to talk about what happened, exchange of stories, express emotions and so forth

## **Agreement**

A school offers no chance for communication (either direct or indirect) or a meeting, but an intermediary helps the parties agree on a way forward.

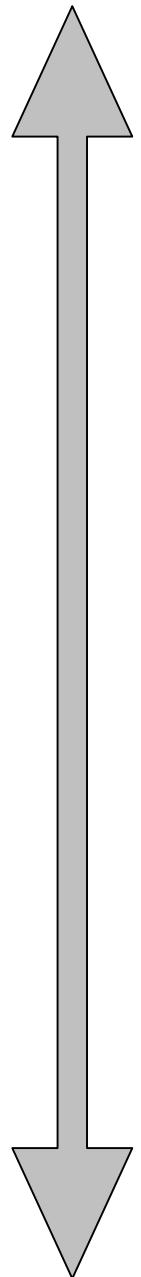
## **No Encounter**

Neither party is provided with an opportunity to communicate or meet with each other or to work together on an agreement.

## **Separation**

Parties are *prevented* from communicating, meeting or working together on an agreement.

Most  
Restorative

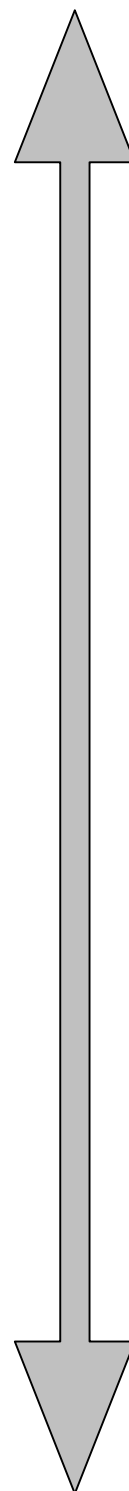


Not  
Restorative

# Amends

<p><b>Reparation, apology &amp; Change.</b> The schools provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm to take steps to repair the harm (through compensation or physical work or actions)</li><li>- The person(s) causing the harm to make an apology directly, via a third party, or by letter/email/video etc.</li><li>- The person(s) causing the harm the opportunity and assistance to try and change their behaviour.</li></ul>
<p><b>Reparation &amp; Apology</b> The school provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm to take steps to repair the harm (through compensation or physical work or actions).</li><li>- The person (s) causing the harm to make an apology directly, via a third party or by a letter/email/video etc.</li></ul> <p>The school provides the person(s) causing the harm no opportunity or assistance to try and change their behaviour.</p>
<p><b>Apology &amp; Change</b> The school provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm to make an apology directly, via a third party, or by letter/email/video etc</li><li>- The person(s) causing the harm to try to change their behaviour.</li></ul> <p>The school provides the person(s) causing the harm no opportunity to actively make amends.</p>
<p><b>Reparation &amp; Change</b> The school provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm to take steps to repair the harm (through compensation or physical work or actions).</li><li>- The person(s) causing the harm the opportunity and assistance to try and change their behaviour.</li></ul> <p>The school provides the person causing the harm no opportunity to apologise.</p>
<p><b>Apology</b> The School provides the opportunity for:</p> <ul style="list-style-type: none"><li>-The person(s) causing the harm to make an apology directly, via a third party or by letter/email/video etc– No opportunity for reparation or the opportunity and assistance to try and change their behaviour.</li></ul>
<p><b>Reparation</b> The school provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm to take steps to repair the harm (through compensation or physical work or actions)- No opportunity to apologise or the opportunity and assistance to try and change their behaviour.</li></ul>
<p><b>Change</b> The school provides the opportunity for:</p> <ul style="list-style-type: none"><li>- The person(s) causing the harm the opportunity and assistance to change their behaviour- No opportunity to put right, the harm that has already taken place.</li></ul>
<p><b>No Amends</b> Punishments may be given but no opportunity to repair the harm is provided</p>

Most Restorative



Not Restorative

# (Re)Integration

## **Respect & Assistance**

The schools community:

- Does not condone misbehaviour but responds respectfully to those affected by it.
- Offers practical, moral and emotional assistance to those harmed and those causing harm if and where needed.

## **Respect**

The school community:

- Does not condone misbehaviour but responds respectfully to those harmed by it as well as those causing the harm.
- Does not provide practical, moral or emotional assistance to help them successfully join/rejoin the school community (many students may never have felt part of their school community).

## **Assistance**

The school community:

- Offers practical, moral and emotional assistance to those harmed and those causing the harm if and where needed.
- Fails to respond respectfully to all parties.

## **Indifference to one or other of the parties**

The school community fails to respond respectfully or to provide practical, moral or emotional assistance to one of the parties.

## **Indifference to both**

The school community fails to respond respectfully or to provide practical, moral or emotional assistance to all the parties.

## **Stigmatisation of one or the other of the parties.**

The school community labels either the harmed person or the person causing the harm according to the role they played in the conflict, but not both. One of the parties can therefore feel excluded from the school community.

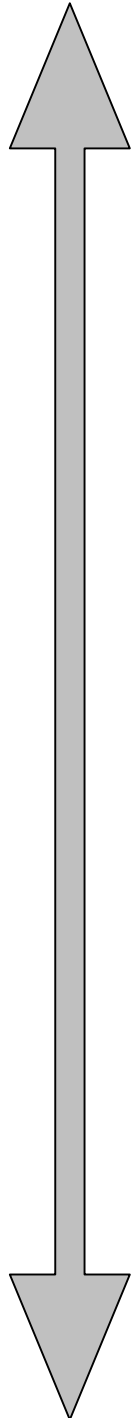
## **Stigmatisation of both parties**

- The school Community Labels both the harmed person(s) and the person(s) causing the harm according to their roles surrounding the conflict. Both parties can therefore feel excluded from the school community.
- No respect, support or assistance is provided.

## **Exclusion**

- One or both of the parties is either removed from the school community or feels excluded.

Most  
Restorative



Not  
Restorative

# School Involvement

## **Invitation, Interests, Alternatives**

The school:

- Invites students/adults to learn about restorative values and to participate in developing restorative practices.
- Applies a flexible behaviour management strategy that accommodates the needs of the whole school community.
- Invites those involved in conflict to take part in a restorative process
  - alternatives to the traditional system of dealing with conflict.
- Acknowledges any interest from the parties and acts upon their wishes.

## **Invitation and Interests**

The school:

- Invites students/adults to learn about restorative values and to participate in developing restorative practices.
- Invites those involved in conflict to take part in restorative processes.
- Acknowledges any interest from the parties and acts upon their wishes.

## **Invitation**

The school:

- Invites students/adults to learn about restorative values and to participate in developing restorative practices.
- Invites those involved in conflict to take part in restorative processes.
- Does not acknowledge any interest from the parties/school community
- Does not act upon the wishes of the parties involved in conflict.

## **Permission**

The school:

- Permits, but does not invite, those involved in conflict to take part in restorative approaches.
- Permits, but does not invite, the school community to learn about restorative practices or values.
- Does not acknowledge any interest or act on their wishes.

## **Indifference**

The school:

- Is aware of restorative values and approaches but does not use them or invite the school to learn about them.
- does not acknowledge any interest from the parties or act on their wishes.

## **Prevention**

The school:

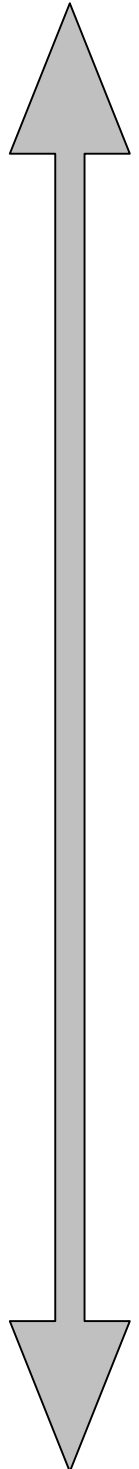
- Prevents those involved in conflict from using restorative measures.
- Prevents the school community from learning about restorative values and practices.

## **Coercion**

The school:

- Requires those involved in conflict to use non-restorative measures

*Most  
Restorative*



*Not  
Restorative*

## Combined Continuums Table<sup>2</sup>

Meeting, Communication & Agreement	Reparation, Apology & Change	Respect & Assistance	Invitation, Interests, Alternatives
Communication & Agreement	Reparation & Apology	Respect	Invitation & Interests
Communication & Meeting	Apology & Change	Assistance	..... ● Invitation
Communication	Reparation & Change	● Indifference to one or other of the parties	Permission
Meeting & Agreement	Apology	● Indifference to both	Disinterest
Agreement	Reparation	● Stigmatisation of one or the other of the parties	Prevention
..... No Encounter	..... Change	..... Stigmatisation of both	..... Coercion
Separation	No Amends	Exclusion	

**KEY**

==== = Fully Restorative

———— = Moderately Restorative

■■■■ = Minimally Restorative

Note: A school that does not include the interest of all parties, invites all parties and shows some flexibility to accommodate those interests is not considered restorative. Inclusion of all those affected is essential for a system, program or case to be considered restorative.

<sup>2</sup> Adapted from Daniel Van Ness's combined continuums table

# Glossary

## **Affective Statements**

Statements that convey the feelings of the person(s) affected by a particular incident/misbehaviour, to the person(s) causing the harm. For example '(Name)... that really upsets me when you act like that.'

## **Affective Questions**

Questions that encourage the person causing the harm to think about their actions and the people that have been affected by them. For example 'How do you think (Name) feels when you do that?'

## **Circle Time**

A process, which encourages the use of many restorative skills and values – mutual respect, empathy, active listening, impartiality, non-judgemental acceptance of difference and win-win problem solving.

Circle time can be used to begin a lesson, as a morning meeting, to close the day or at anytime. It should be used for both appraisal and dealing with behavioural issues. The process works by sitting in a circle (preferably on chairs of the same height, in an airy room where there will be no interruptions) and passing a 'talking piece'. Only when holding the 'talking piece' can a student or adult speak or say nothing if they choose.

More information on 'circle time' and its uses can be found at:

[www.transformingconflict.co.uk](http://www.transformingconflict.co.uk),

[www.bcrjp.org/forms.html#school\\_init](http://www.bcrjp.org/forms.html#school_init)

## **Community Meeting**

A meeting/conference where members of the community are invited to attend to discuss issues or a particular conflict with a facilitator present.

## **Mediation**

A face-to-face process where an impartial outside party helps two or more disputants work out how to resolve a conflict. Differs from Victim/Offender mediation in that:

'...in a mediated dispute or conflict, parties are assumed to be on a level moral playing field, often with responsibilities that may need to be shared on all sides. While this sense of shared blame may be true in some criminal cases, in many it is not.'(Zehr. H, Little book of Restorative Justice, pp.9)

## **Family Group meeting/ Conference (FGC)**

A group meeting/conference where extended family are invited to come together with the aim of resolving conflict or problem behaviour. This can involve social workers, education welfare officers etc. This approach differs from other conferences in that the offender's family is given 'private time' to discuss the issues between themselves and draw up a plan of action, which is then brought back to the whole meeting/conference.

## **Indirect Mediation (also known as ‘Shuttle mediation’)**

A mediator meets with all primary individuals involved in a particular conflict separately, passing any information between them that they wish to share.

## **Restorative Justice**

Originating from the Criminal Justice System,

‘Restorative justice seeks to balance the concerns of the victim and the community with the need to reintegrate the offender into society. It seeks to assist the recovery of the victim and enable all parties with a stake in the justice process to participate fruitfully in it.’

## **Restorative Conferencing**

What defines a restorative conference varies. Some use the term when referring to a very structured version of victim/offender mediation, which follows a prepared script, but in general it refers to a meeting with more than those primarily involved in an incident e.g. friends, families and any relevant professionals.

## **Restorative discussion**

A process involving only those directly involved in a conflict. No facilitator is present. In a school setting this can be both peer and adult-led.

## **Shuttle Mediation**

See ‘Indirect Mediation’.

## **Victim/Offender Mediation**

A process in which victim(s) and offender(s) communicate with the help of an impartial third party, either directly (face-to-face), or indirectly via a third party, enabling victim(s) the opportunity to express their needs and feelings and offender(s) the opportunity to accept and act on their responsibilities.<sup>1</sup> (In a school setting we would not necessarily refer to participants as victim and offender however, it is important to note the differences between V/O mediation and Mediation – **see Mediation**)

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<sup>1</sup> Mediation UK, victim Offender Mediation Guidelines for starting a service (Bristol, Mediation UK, 1993), p. 2.



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