

*The 16th World Conference of the
International Institute for Restorative Practices*

*Warm Welcome
To*

*'The Restorative Challenge, Knowing The Right
Conversation'*

October 21-23, 2013

Presenter: Terry O'Connell

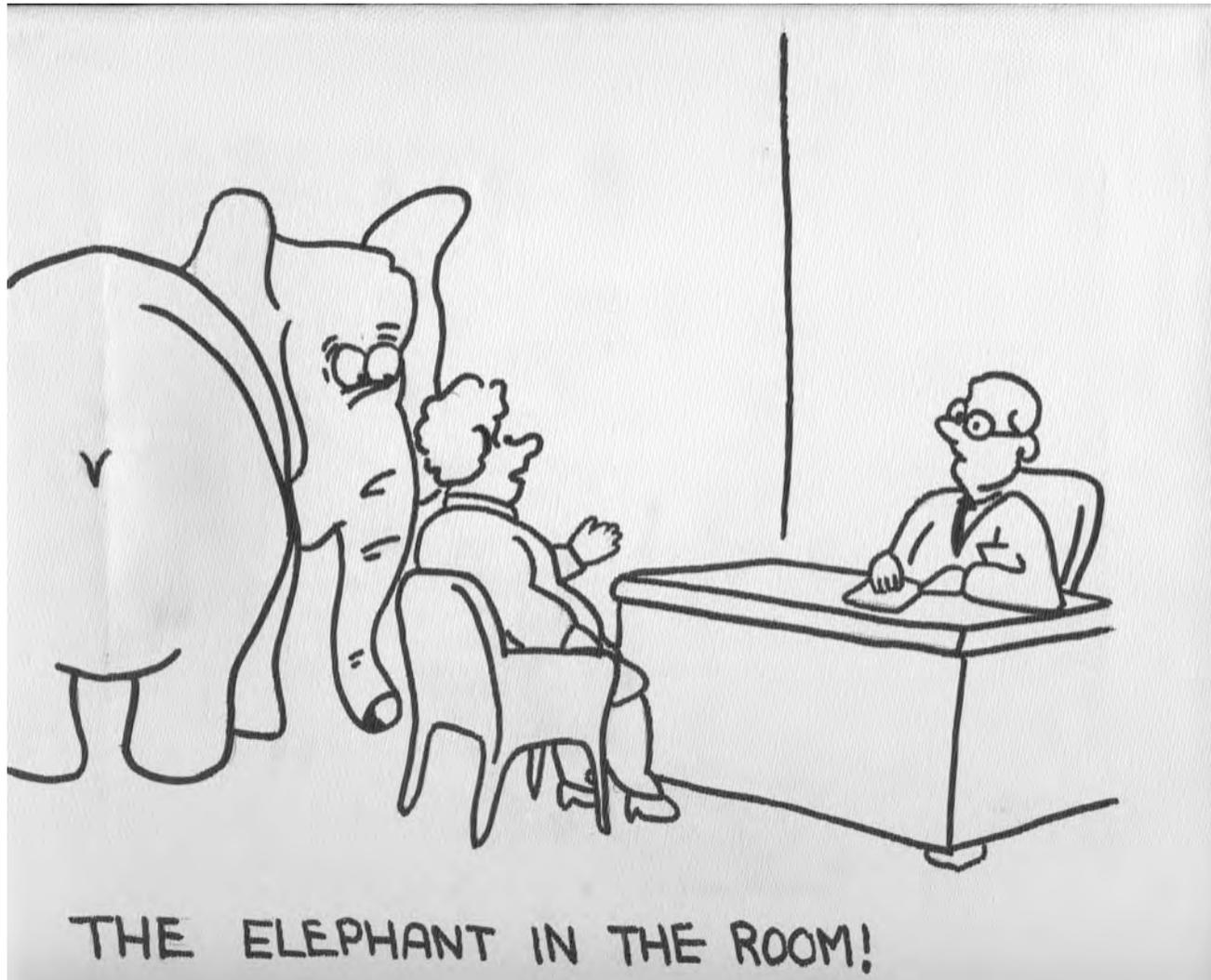
Knowing The Right Conversation

What would the 'right conversation' look and sound like when you initially engage others?

If you listened to your colleague's conversation when she or he was dealing with someone what would it reveal?

*If you managed to have the 'right conversation' with others, list those things they are likely to know or better understand?
[Work in pairs then feedback your thoughts to the group]*

Where Should We Start The Conversation?



REALJUSTICE.

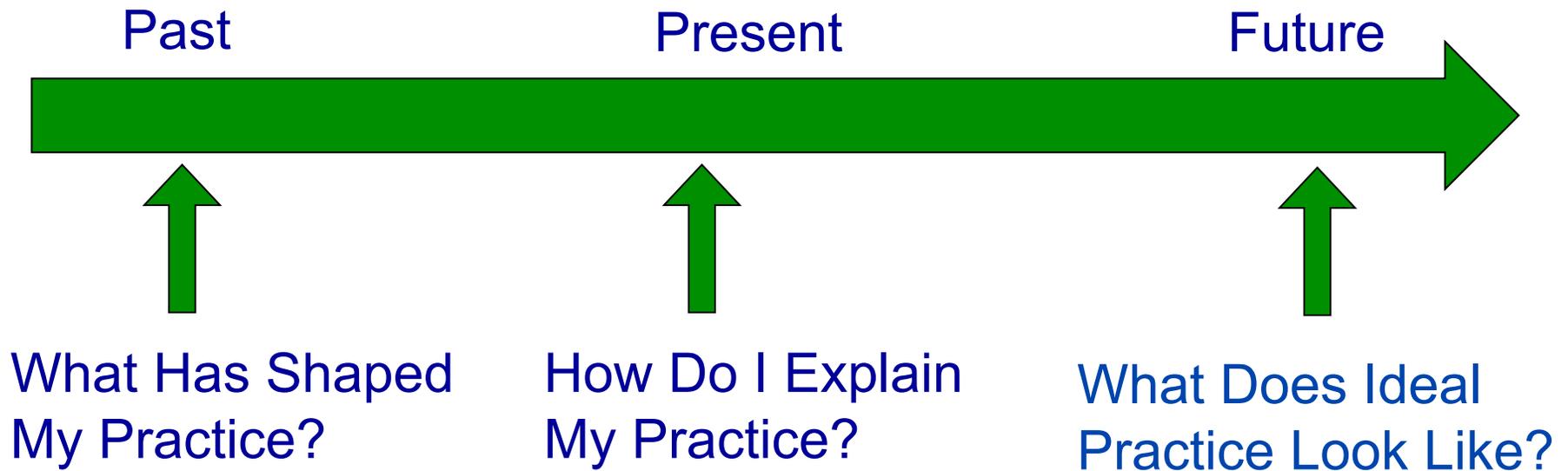
There Is Always A Elephant In Every Situation



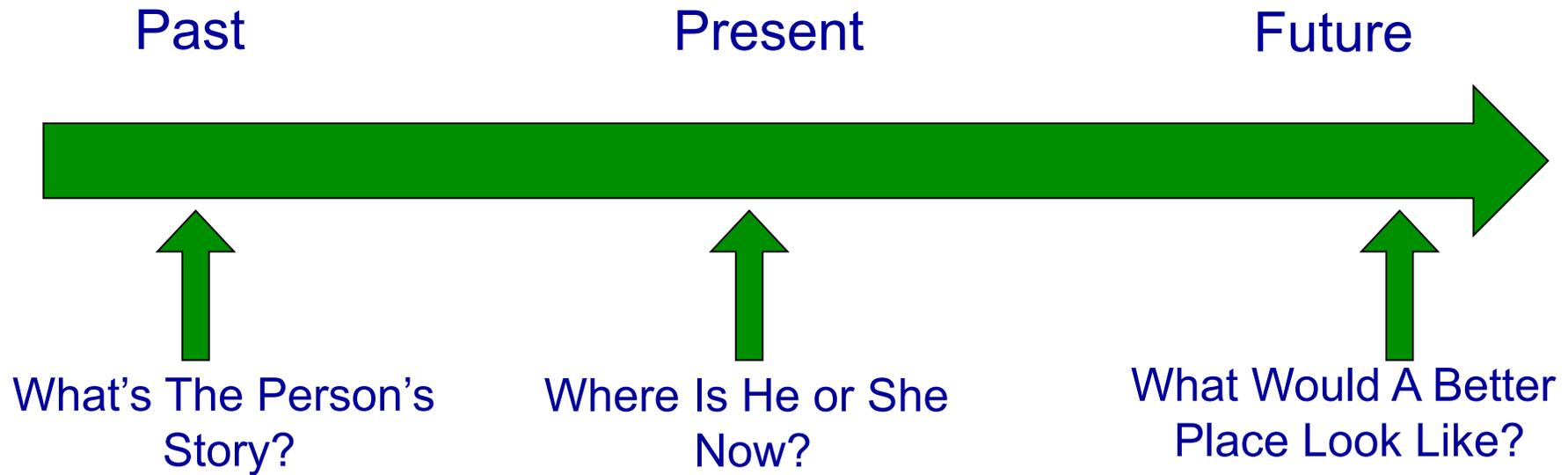
“I’m right there in the room, and no one even acknowledges me.”

What Happens When You Don’t See It?

Journey Metaphor



Framework For Engagement



Starting Point – Framing The Right Conversation

Threshold questions:

What is really happening for this person?

How is this influenced by this person's immediate environment?

What impact is this person's broader social context having?

To what extent does this person understand where she or he is and how they got there?

What would this person's story reveal? [Often the elephant]

How might I best contribute?

*Potential Wrong Conversation
Indigenous Family Violence Conference*

- *What makes dealing with family violence so challenging?*
- *What would a successful family violence intervention look like?*
- *What would need to change to get better outcomes?*

Lawyer

“Terry the real problem is that perpetrators won’t take responsibility!”

What would that involve?

“Admitting the offence!”

And what else?

“No just admitting the offence. Offenders are into denial.”

Question: “What do victims want”?

Family Support worker:

“Behaviour to stop and relationships to improve”.

Question:

Indicate by a show of hands if you work in an agency or as a practitioner where the focus is on:

- Stopping the behaviour.*
- Improving the relationships.*

Discuss:

- What taking responsibility involves and whether this is possible given how we deal with family violence.*
- Why some practitioners often ignore research.*

The video you are about to see was shown at the Indigenous Conference following discussion of the questions on the last slide.

In your groups discuss:

- What did you see happening?*
- What you found interesting?*
- What did each participant appear to take from the Red Dust Healing experience?*
- What practice would have helped these men to come to this understanding and avoid the ‘slippery slope’?*

Lawyer :

*“I **assumed** that perpetrators have some insight into what they were doing and how this impacts on victims. They are into power and control. I now realise after watching the DVD that they had no idea.”*

- What are assumptions?*

Wikipedia:

*In logic an **assumption** is a proposition that is taken for granted, as if it were true based upon presupposition without preponderance of the facts.*

- What factors things shape or influence your assumptions?*
- How do your assumptions help shape your ‘initial conversation’?*

Managing Life's Challenges

In your groups take a few moments to discuss the things that make you feel vulnerable, e.g. starting a new job.

List those things that help you deal with your vulnerability.

In the 20 minute DVD you are about to watch Brene' Brown talks about the important of being 'worthy of loving'.

In your groups discuss:

- List those things that you learned from the DVD.*
- How these insights will shape the 'right conversation'.*

Relationships

Basic Concepts:

- *Good relationships are the basis for life long learning.*
- *Anything that affects relationships [such as inappropriate behaviour] impacts on learning.*
- *Challenging inappropriate behaviour needs to be experienced as an opportunity for learning.*

“Learning is enhanced by challenge and is impeded by threat.”

What does this mean?

Impediments To Life Long Learning

As a society when someone does the wrong thing, what is our most usual response?

What is the first question we ask when someone does the wrong thing?

If we ask 'why', what answers do you expect to get?

What is the problem with the 'why' question?

How does punishment and blame impact on learning?

How did Brene' Brown describe blame?

What is this animal?



An Australian Echidna

What is it doing?



Rolling into a ball to protect itself

When are you likely to adopt this position?



If you did something and felt really ashamed, what would help you to open up?

Restorative Practice

Simple Contrast

Adversarial (Blame) approach:

“What happened, who is to blame, what punishment or sanction is needed?”

Restorative approach:

“What happened, what harm has resulted and what needs to happen to make things right?”

Adversarial

Focus is in the past

Preoccupied with blame

*Deterrence linked to
punishment*

Restorative

*Focus in past, present &
future*

*Emphasis on resulting harm
Deterrence linked to
relationships and personal
accountability*

‘Consequences are an important part of Restorative Practice. To be effective, they need to involve dialogue and respectful challenge.’

What You Did That Made A Difference

Share a story about an intervention that was successful for you:

- What did you do?*
- How did this help?*
- What do you think made the greatest difference?*
- List those things you did and then describe the impact each of these had on the person or people involved, or the outcome that was achieved because of your actions.*

What Does Restorative Practice Look Like?

- *Your practice would need to be **respectful** and **fair**.*
- *It would focus upon repairing **harm** and restoring or building **relationships**.*
- *It would help develop **empathy** and create the opportunity for **responsibility** and **accountability** to happen.*
- *It would promote **positive behavioural change** and help build **stronger relationships**.*

AIM OF RESTORATIVE PRACTICE IN COMMUNITIES

*To strengthen relationships and manage
conflict and tensions by repairing harm as a
way of building community.*

Respectful Process

Respectful Process

What would a respectful process involve?

What are rituals? How do they differ from routines?

Why might it be necessary to make this distinction?

Why are rituals necessary?

What rituals help build relationships?

Braithwaite suggests:

‘Where individual wrong doers are confronted within a continuum of respect and support, then a process of reintegration can begin’.

What does this mean?

Braithwaite's Concludes

ALLOWS:

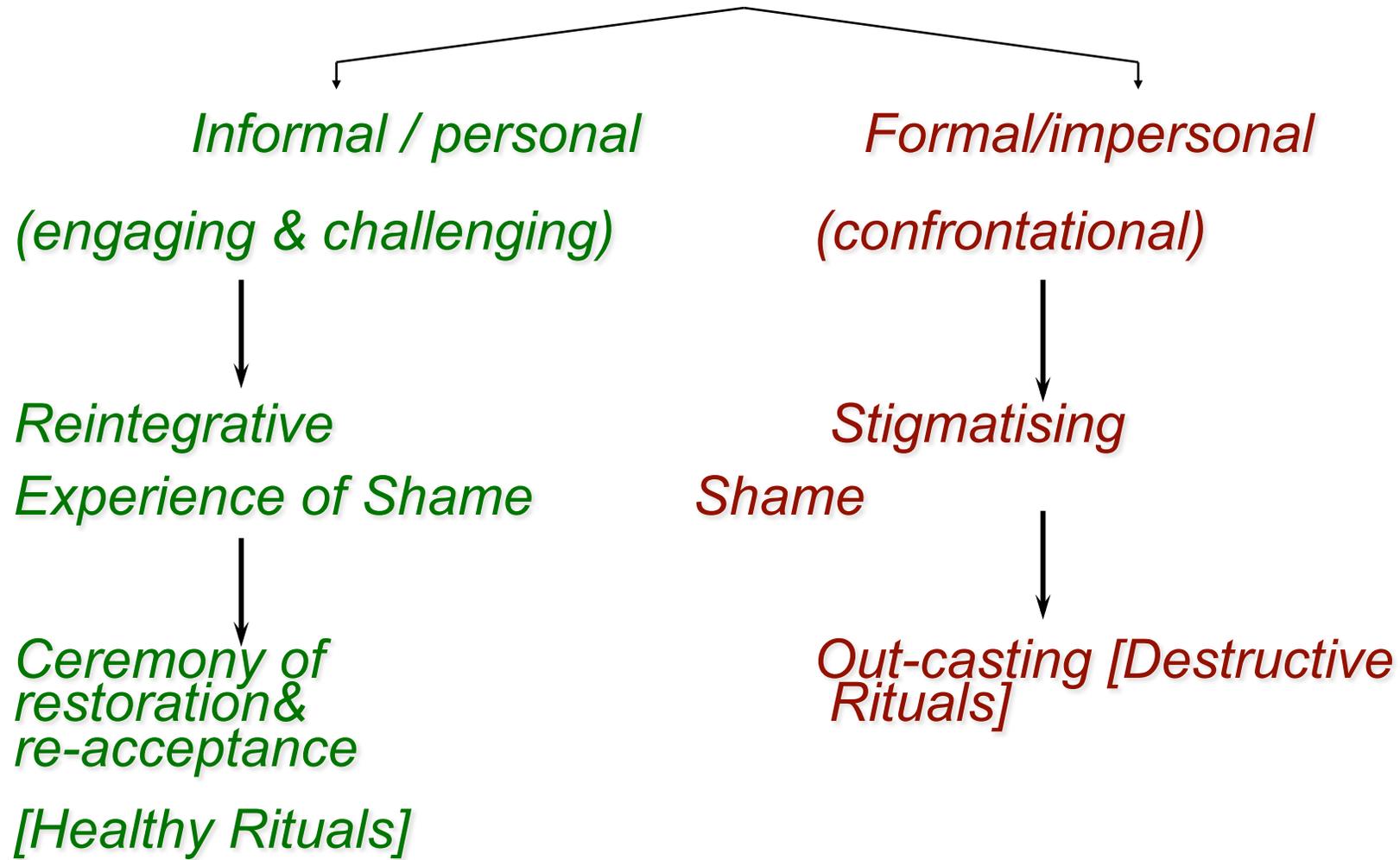
The act (unacceptable behaviours) to be rejected because they failed to reach expectations or standards

WHILE:

Acknowledging the intrinsic worth of the person and their potential contribution to their own community.

"I accept and value you but not your behaviour"

Shame And Reintegration V Stigmatising Shame Inappropriate Behaviour



Shame

What is shame?

What useful purpose does it serve?

What would happen if you never got to experience shame?

According to Nathanson, shame is one of nine affects that has the following function:

- Sets the social parameters that govern how we interact with others.*
- Interrupts our feeling good.*
- Provides a sudden awareness of something we don't really want to know about ourselves.*

Nathanson's Compass Of Shame

WITHDRAWAL

ATTACK OTHERS



ATTACK SELF

AVOIDANCE

POLAR RESPONSES TO SHAME

Withdrawal : isolating oneself; running and hiding.

Avoidance : denial; drugs and alcohol; work alcoholism.

Attack others: lashing out verbally or physically; blaming others.

Attack self: self put-down; masochism.

Fair Process

Fair Process

What is fair process?

*I know I will always be treated “.....”
by those I respect.*

(Insert The Word Which Best Describes Your Expectation)

Most say ‘fairly’

*When is someone likely to accept an outcome she/he
does not like?*

Fair Process The Central Idea...

'....individuals are most likely to trust and co-operate freely with systems - whether they themselves win or lose by those systems - when fair process is observed.'

Kim & Mauborgne, Harvard Business Review, July – August 1997

Fair Process

What needs to happen for fair process to be experienced?

Clue:

*Think of an experience in which you felt you were treated **unfairly**. What was missing or was needed to make it a 'fair' experience?*

Kim & Mauborgne, Harvard Business Review, July – August 1997

Fair Process Principles

- 1. Engagement - Opportunity to have a say.*
- 2. Explanation- Understand the reasons for the decision.*
- 3. Expectation Clarity - Shared understanding on what is
expected in terms of behaviour
and rules.*

Kim & Mauborgne, Harvard Business Review, July – August 1997

What Fair Process Achieves

Fair process builds:

- *trust*
- *commitment*
- *co-operation*

*This enhances learning, creativity, moral development
and helps build stronger relationships.*

Kim & Mauborgne, Harvard Business Review, July – August 1997

*Engagement [Challenge] Through Restorative
Dialogue*

Power of Questions

Discuss the following:

What are the benefits of asking questions?

What are good questions [as they apply to framing ‘the right conversation’]?

What questions are likely to help you engage others?

If you base your practice on ‘asking questions’ what impact do you think this would have?

Restorative Questions I

In your groups discuss some of the implications of these questions e.g. structure, benefits, likely answers and so on.

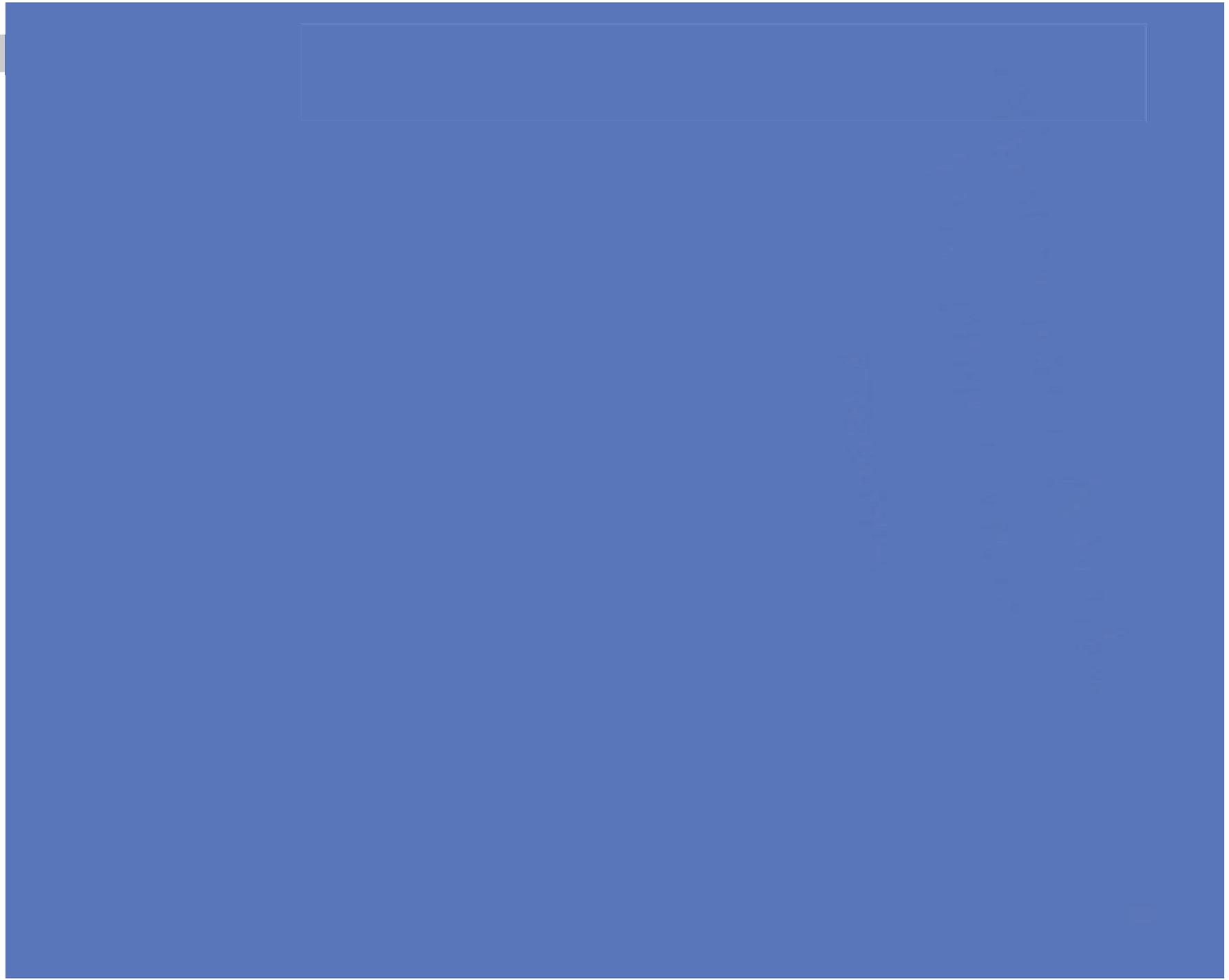
- *What happened?*
- *What were you thinking at the time?*
- *What have you thought about since?*
- *Who has been affected by what you did?*
- *In what way?*
- *What do you think you need to do to make things right?*

Restorative Questions II

In your groups discuss some of the implications of these questions e.g. structure, benefits, likely answers and so on.

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







Relationship Styles

Building Relationships

Identify which of the following words is likely to do best at building relationships: TO NOT FOR WITH

What behaviours would you see if a person's relational style is doing things:

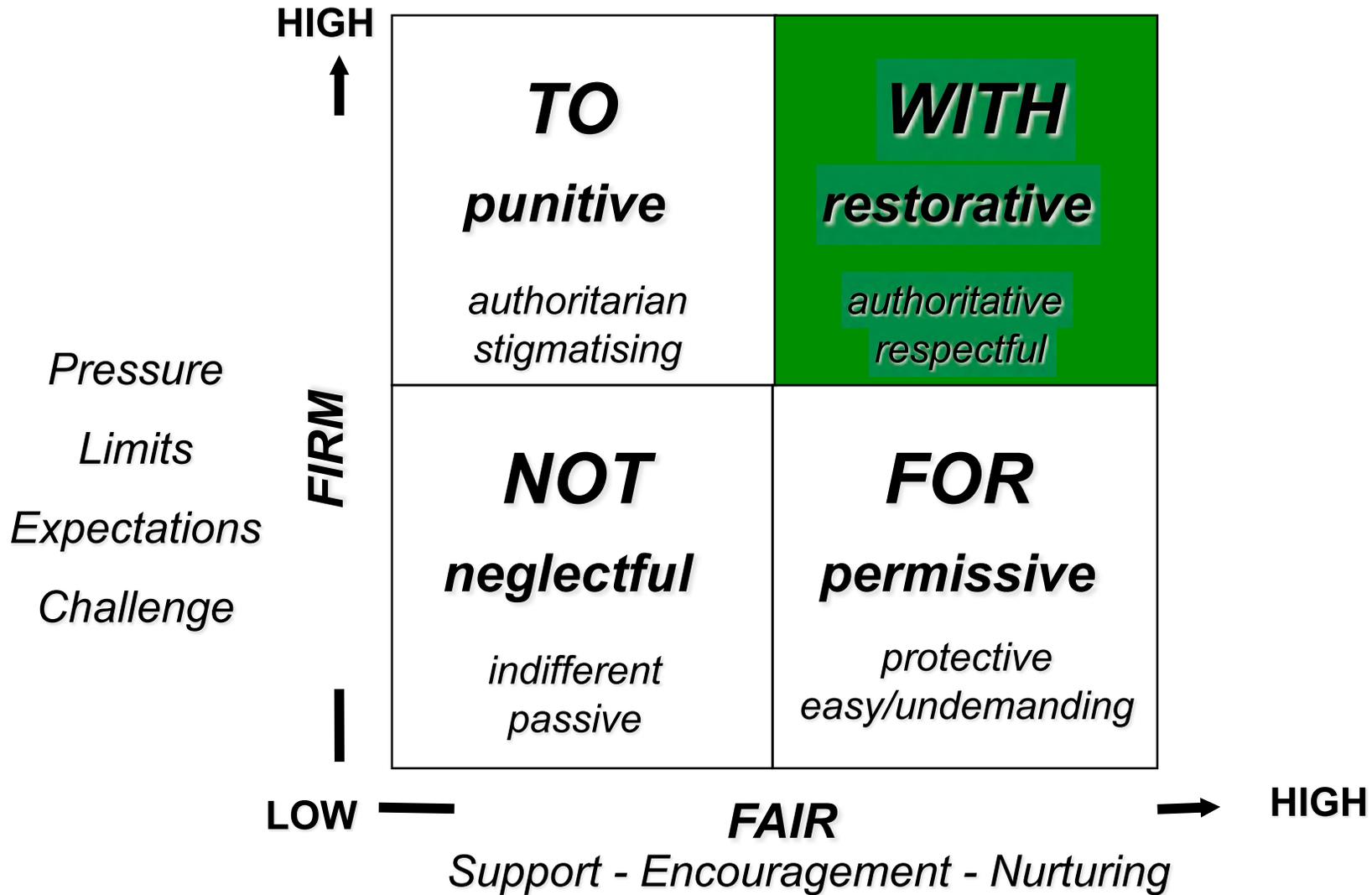
- *To others*
- *Not at all*
- *For others*
- *With others*

How We Are Treated

*What is your experience of someone
who is:*

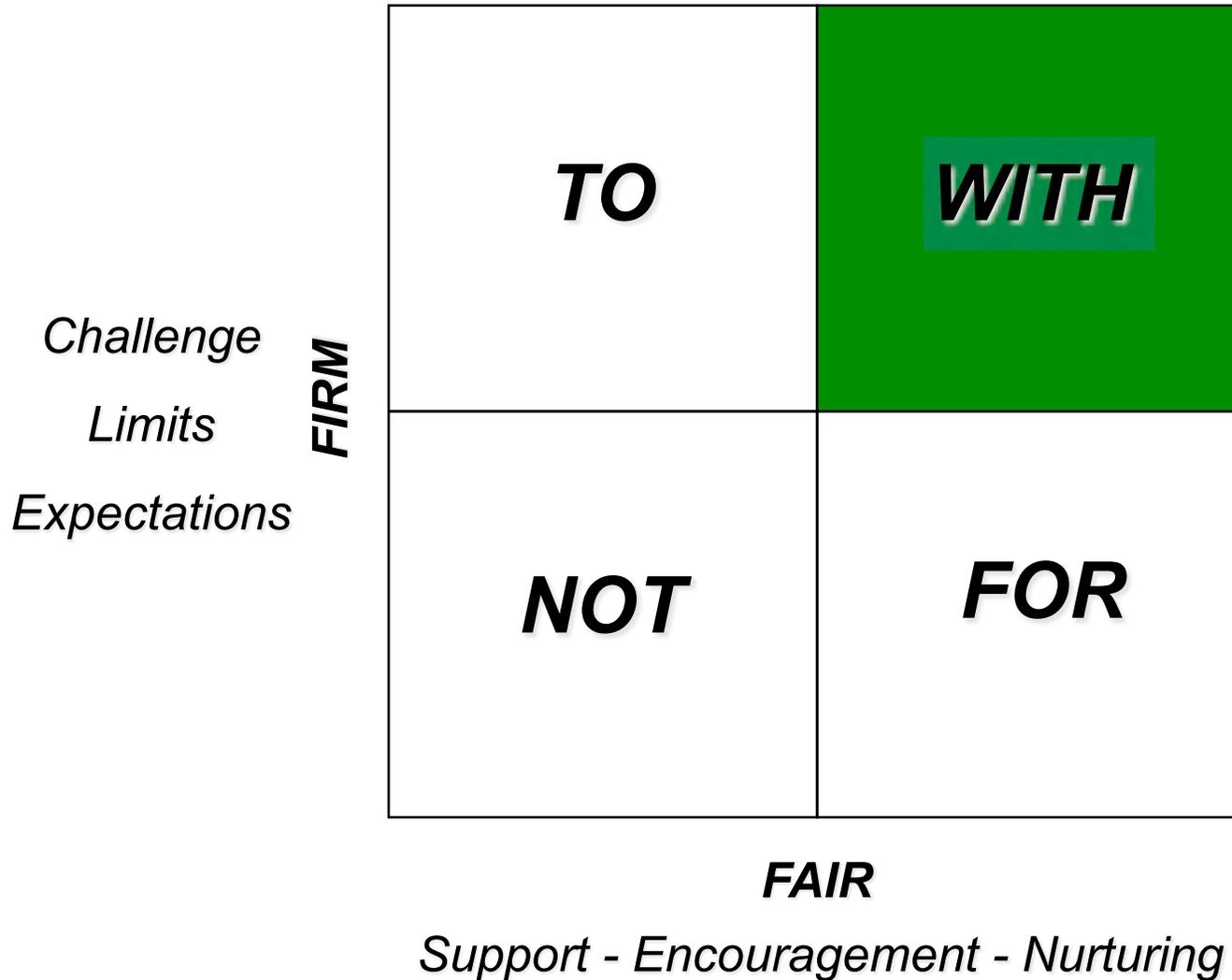
- 1. firm but not fair.*
- 2. fair but not firm.*
- 3. who was neither firm nor fair.*
- 4. who was consistently firm and fair.*

Social Discipline Window



Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000

PRACTICE DOMAINS



Which domain do you mostly practice within?

Making Sense of Restorative Practice - Why It Works!

Explaining Restorative Practice

How would you now explain Restorative Practice?

In simple terms, what is it principally trying to achieve?

If talking or sharing feelings is at the core of Restorative Practice, why does engaging in these activities [mostly] result in positive experiences?

Psychology of Affects

Let's now locate 'shame' within a psychological framework for building relationships.

Tomkins' Blueprint :

- We are 'wired' to want to increase positive affect, and;*
- Decrease negative affect;*
- We live best when we can accomplish these two goals;*
- Anything that increases our power to do this favours life.*

Nathanson 1992

Psychology of Affects

Neutral Affects

Surprise – Startle

- *Acts as reset mechanism*
- *Detaches us from whatever we had been thinking*
- *Gets us ready to focus on whatever comes next*

Nathanson 1992

Negative Affects

- *Distress - Anguish*
- *Disgust*
- *Dissmell*
- *Anger - Rage*
- *Fear - Terror*
- *Shame - Humiliation*

Nathanson's Community Blueprint

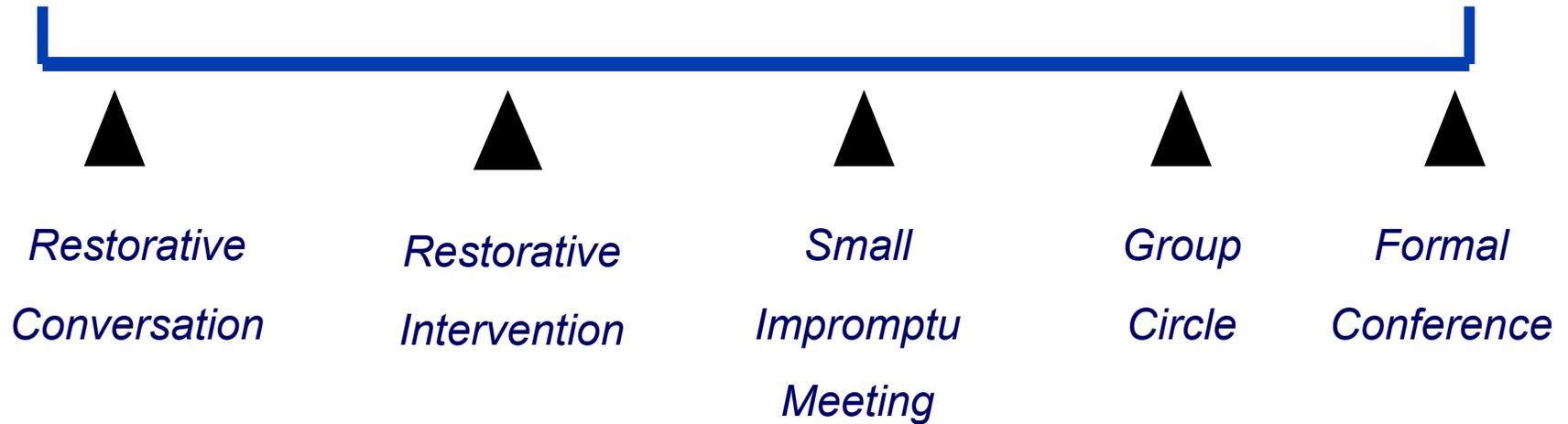
Relationships are best built when we:

- 1. Share and reduce negative emotions (best achieved by listening and acknowledging)*
- 2. Share and promote positive emotions (achieved by affirming)*
- 3. Encouraging the expression of emotions as a way of experiencing 1 & 2.*
- 4. Doing more of 1, 2 and 3 (essential for building and maintaining good relationships).*

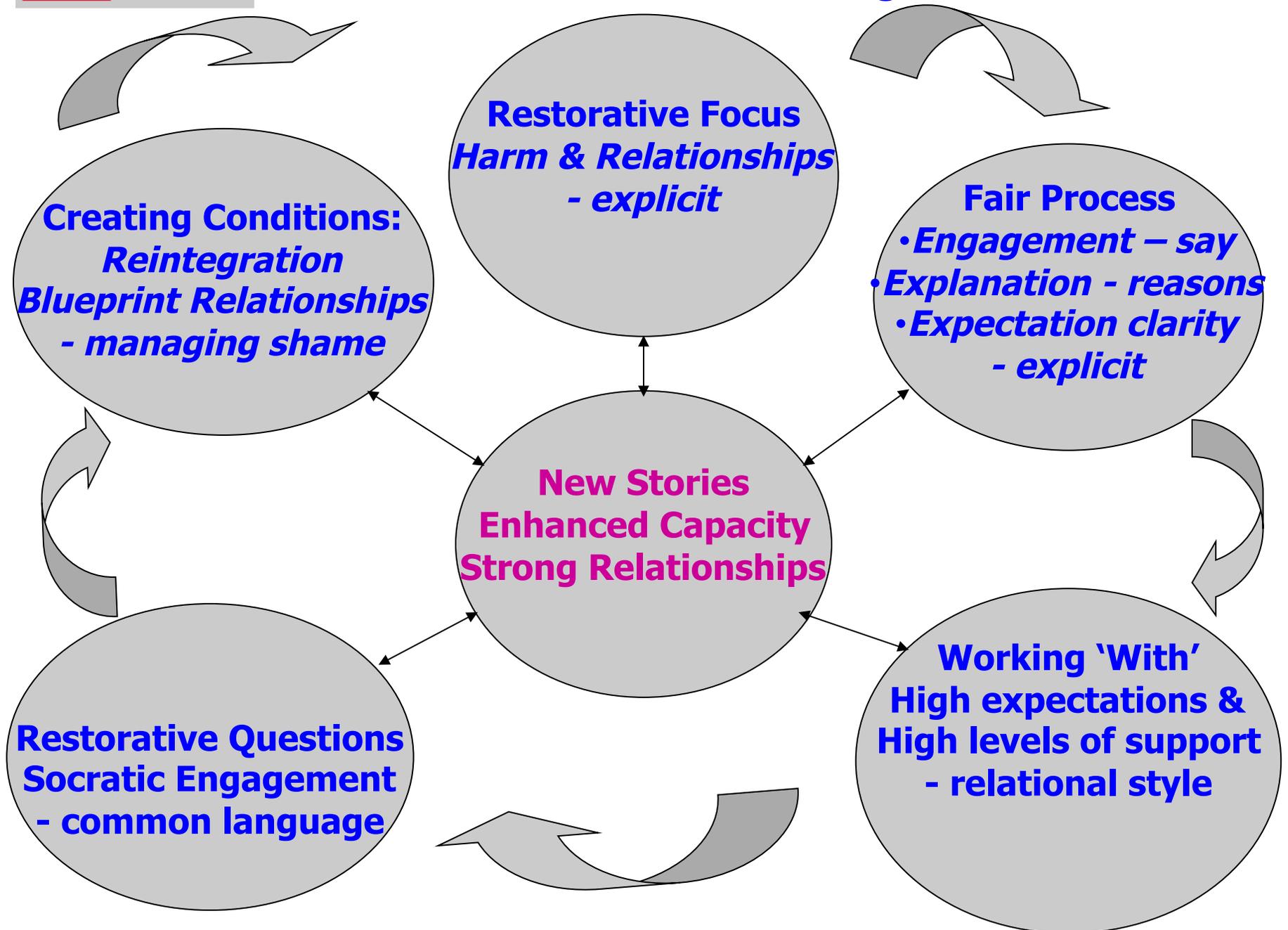
The Challenge Restorative Practice Continuum

Informal

Formal



Restorative Framework - Right Conversation



Restorative Practice Checklist

Is My Practice?

- ***Respectful*** (*Distinguishing behaviour from the person*)
- ***Fair*** (*Engaging, with Explanations & clarify Expectations*)
- ***Restorative*** *by repairing harm and building relationships*

Does My Practice?

- ***Develop Empathy*** (*through reflection, insight & learning*)
- ***Enhance*** *responsibility and accountability*
- ***Promote*** *positive behavioural change*

The Challenge

The Challenge is a practice for dealing with things that go wrong or are not working. It is a structured process and involves a series of facilitated stages. It has a Restorative focus, one that looks at what has happened, who has been affected, and then what is needed to make things right.

It brings together those involved in the wrong doing or conflict as well as their communities of care. Through a series of respectful engagements, it aims to positively influence their social context by focusing on building and strengthening relationships.

Focus

The Challenge's focus is on providing everyone involved with the opportunity to:

- *Share their story.*
- *Feel heard and understood.*
- *Be treated respectfully, fairly and with dignity.*
- *Make sense and meaning of what is happening in their relationships and to identify what must change.*
- *Assist everyone involved to build capacity through the use of explicit language and practice.*

Belinda Wheeler Case Study

Take a moment to read this document.

Discuss:

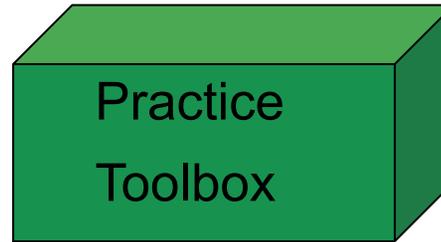
- *What appealed to you about Belinda's article.*
- *The reasons why Belinda struggled with her practice.*
- *What made the greatest difference for Belinda.*
- *How this article relates to your own [practitioner] experience.*
- *Implications of this article for your practice.*

Making Sense of Your Practice

This will involve:

- *Deconstructing your existing practice.*
- *Exploring ways to:*
 - *make your practice more explicit.*
 - *integrate restorative processes in your practice.*
 - *share your practice.*

Our Restorative Practice Toolbox



- 1. Practice Rationale – beliefs/assumptions, theories and values.*
- 2. Role- facilitator/coordinator/mentor - Socratic style.*
- 3. [Fair] Process - to engage and challenge.*
- 4. Outcomes - enhanced capacity to learn, to grow and build relationships.*

Involvement V Engagement

“If your conversation is not likely to result in change, it is probably not the right conversation or you haven’t involved those that matter.”

[Grahame Chaseling, Probation Officer 2012]

What is the difference between engagement and involvement?

How would each conversation differ?

List the elements of your practice that are essential for effective engagement.

Wrong Conversation - Involvement

Mrs Smith is a Principal of a school for students with serious behavioural issues – ages 12 to 15 years. She contacted Real Justice and ask if she and her staff could be trained in Restorative Practice.

Mrs Smith was asked what a [typical] initial meeting with a new student and his/her parents would look like. The following is a recreation of what Mrs Smith shared.

Record your observations in your workbook.

Right Conversation - Engagement

Mrs Smith is a Principal of a school for students with serious behavioural issues – ages 12 to 15 years. She and her staff have been trained in Restorative Practice, so have the students and parents.

Mrs Smith said that restorative practice is embedded in everything we do – ‘It is the way we relate, restoratively.’

The following is a recreation of how Mrs Smith restoratively engaged the student and parent.

Record your observations on the ‘Role-play Checklist’ sheets.

Modeling

Think of a situation that you would like ‘modeled’. This may involve anything that relates to your work or workplace. It may even involve something of a personal nature.

You can choose to have incident or situation that is:

- *modeled – you play a role.*
- *modeled – someone else volunteers for your role.*
- *discussed in an open forum – fishbowl process.*

Unpacking Your Practice

This activity involves you unpacking all the things you do in your day-to-day role.

Begin with listing your main tasks, roles or duties.

Identify the one that involves you personally interacting with or dealing with others and then break this task into smaller steps from start to finish.

Look closely at each step and then think about what you would need to do engage the person or others.

This will form the basis for your IPP [Individual Practice Plan].

Your Individual Practice Plan Checklist

To assist you develop your practice plan the following checklist is a useful guide to help you to effectively engage others:

- 1. Is my practice explicit?*
- 2. Has my engagement resulted in others being respectfully challenged?*
- 3. Does my practice create the opportunity for regular feedback?*
- 4. Have I created a positive and hopeful experience?*
- 5. What has been learned and what change is likely?*

Your Experience

You are now asked to reflect on your experience of the three day training:

- What have you taken personally from the training experience?*
- In what way is your practice likely to change?*