'Without the Why, the What Looks Like More of the Same'

Terry O'Connell
Appeal of Restorative Justice
Appeal of Restorative Justice

Dialogue with a Probation Officer:
Appeal of Restorative Justice

Dialogue with a Probation Officer:

Q. Why are you interested in restorative justice?
Appeal of Restorative Justice

Dialogue with a Probation Officer:

**Q.** Why are you interested in restorative justice?

**A.** It just seems like what I am looking for as presently I struggle when engaging offenders.
Appeal of Restorative Justice

Dialogue with a Probation Officer:

**Q.** Why are you interested in restorative justice?

**A.** It just seems like what I am looking for as presently I struggle when engaging offenders.

**Q.** Tell me about your practice?
Appeal of Restorative Justice

Dialogue with a Probation Officer:

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Appeal of Restorative Justice

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Q. Why are you interested in restorative justice?
A. It just seems like what I am looking for as presently I struggle when engaging offenders.

Q. Tell me about your practice?
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Q. What do you mean?
Appeal of Restorative Justice

Dialogue with a Probation Officer:

Q. Why are you interested in restorative justice?
A. It just seems like what I am looking for as presently I struggle when engaging offenders.

Q. Tell me about your practice?
A. It is based on hope.

Q. What do you mean?
A. I hope it works!
Your Practice

What appeals to you about restorative justice or practice?
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:

• Why you do what you do.
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:

- Why you do what you do.
- How doing that makes a difference.
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:

- Why you do what you do.
- How doing that makes a difference.
- What a difference looks like.
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:

- Why you do what you do.
- How doing that makes a difference.
- What a difference looks like.
- What matters.
Your Practice

What appeals to you about restorative justice or practice?
What would you say if asked to explain your practice rationale:

• Why you do what you do.
• How doing that makes a difference.
• What a difference looks like.
• What matters.

What happens if you add restorative justice/practice to your existing practice 'mix' but you are not able to explain the 'why'?
Kortrijk, Belgium 15-17 May 2019

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WELL-BEING & RESILIENCE

‘Without the Why, the What Looks Like More of the Same’

Terry O'Connell
My Journey From 'Implicit' To 'Explicit'

Our Vision is Important
My struggle was understanding the 'why'
My struggle was understanding the 'why'
My struggle was understanding the 'why'

June 1973
Gary's Story
Gary's Story - Making Sense and Meaning
Gary's Story - Making Sense and Meaning

- What factors influenced how I dealt with Gary and his mum?
Gary's Story - Making Sense and Meaning

- What factors influenced how I dealt with Gary and his mum?
- What beliefs and assumptions do you think I had that were reflected in how I dealt with the situation?
Gary's Story - Making Sense and Meaning

• What factors influenced how I dealt with Gary and his mum?

• What beliefs and assumptions do you think I had that were reflected in how I dealt with the situation?

• What did I focus on and how did this help achieve a positive outcome?
Our Vision is Important

Vulnerability
Behavioural
Behavioural

[What]
Behavioural
[What]
What Gary was doing
Behavioural

[What]

What Gary was doing

Rational decisions
Behavioural
[What]
What Gary was doing
Rational decisions
Able to make choices
Behavioural

[What]

What Gary was doing

Rational decisions

Able to make choices

Rule violation
Behavioural
[What]
What Gary was doing
Rational decisions
Able to make choices
Rule violation
Reactive - looks past
Behavioural
[What]
What Gary was doing
Rational decisions
Able to make choices
Rule violation
Reactive - looks past
Punishment deter
Behavioural
[What]
What Gary was doing
Rational decisions
Able to make choices
Rule violation
Reactive - looks past
Punishment deter

Relational
Behavioural
[What]
What Gary was doing
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Rule violation
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Punishment deter

Relational
[Why]
Behavioural
[What]
What Gary was doing
Rational decisions
Able to make choices
Rule violation
Reactive - looks past
Punishment deter

Relational
[Why]
What was happening for Gary
**Behavioural**

**[What]**
- What Gary was doing
- Rational decisions
- Able to make choices
- Rule violation
- Reactive - looks past

**Relational**

**[Why]**
- What was happening for Gary
- Emotional triggers
- Punishment deter
**Behavioural**

[What]
- What Gary was doing
- Rational decisions
- Able to make choices
- Rule violation
- Reactive - looks past
- Punishment deter

**Relational**

[Why]
- What was happening for Gary
- Emotional triggers
- Lacks insight – self awareness
### Behavioural

**[What]**
- What Gary was doing
- Rational decisions
- Able to make choices
- Rule violation
- Reactive - looks past
- Punishment deter

### Relational

**[Why]**
- What was happening for Gary
- Emotional triggers
- Lacks insight – self awareness
- Behaviour harms relationships
<table>
<thead>
<tr>
<th>Behavioural</th>
<th>Relational</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>[What]</strong></td>
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<td>What Gary was doing</td>
<td>What was happening for Gary</td>
</tr>
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<td>Rational decisions</td>
<td>Emotional triggers</td>
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<td>Able to make choices</td>
<td>Lacks insight – self awareness</td>
</tr>
<tr>
<td>Rule violation</td>
<td>Behaviour harms relationships</td>
</tr>
<tr>
<td>Reactive - looks past</td>
<td>Proactive - looks to future</td>
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<tr>
<td>Punishment deter</td>
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<tr>
<td>Behavioural</td>
<td>Relational</td>
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<td>Reactive - looks past</td>
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<tr>
<td>Punishment deter</td>
<td>Strong relationships deter</td>
</tr>
</tbody>
</table>
Relationships

Key Beliefs:
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- Good relationships are the basis for life long learning.
Relationships

**Key Beliefs:**

- Good relationships are the basis for *life long learning*.
- Anything that affects relationships [*such as inappropriate behaviour*] impacts on learning.
Relationships

Key Beliefs:

• 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.
Relationships

Key Beliefs:

- 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."
Impediment To Relationships
Impediment To Relationships

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

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?
Impediment To Relationships

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:**
Impediment To Relationships

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?
Impediment To Relationships

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?
Impediment To Relationships

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?
What is this animal?
What is this animal?

Australian Echidna
What is it doing?
What is it doing?

Rolling into a ball to protect itself.
When are you likely to adopt this position?
When are you likely to adopt this position?

If you did something and felt ashamed, what would help you to open up?
What Was Keeping Gary Out Of Relationships?
What Was Keeping Gary Out Of Relationships?

Managing Vulnerability
Gary's Inability to Manage His Vulnerability
Gary's Inability to Manage His Vulnerability

What is vulnerability?
Gary's Inability to Manage His Vulnerability

What is vulnerability?

How do we deal with vulnerability?
Gary's Inability to Manage His Vulnerability

What is vulnerability?

How do we deal with vulnerability?

What triggers vulnerability?
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‘Without the Why, the What Looks Like More of the Same’

Terry O'Connell
Shame
• What is shame?
• What is shame?
• What useful purpose does it serve?
- What is shame?
- What useful purpose does it serve?
- What would happen if you never got to experience shame?

Shame, one of the nine affects
According to Nathanson, shame is one of nine affects that has the following function:
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- Sets the social parameters that govern how we interact with others.
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- Sets the social parameters that govern how we interact with others.
- Interrupts our feeling good.
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.
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- Provides a sudden awareness of something we don’t really want to know about ourselves.
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.

What would a positive response to shame involve?
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.

What would a positive response to shame involve?

What would a negative response to shame involve?
Nathanson’s Compass of Shame (1992)
Nathanson’s Compass of Shame (1992)
Nathanson’s Compass of Shame (1992)

Withdrawal

Avoidance
Nathanson’s Compass of Shame (1992)

Withdrawal

Attack others

Avoidance
Nathanson’s Compass of Shame (1992)

Withdrawal

Attack others

Avoidance

Attack self
Polar responses to shame

• **Withdrawal**: isolating oneself; running and hiding.
Polar responses to shame

- **Withdrawal**: isolating oneself; running and hiding.
- **Avoidance**: denial; drugs and alcohol; work alcoholism.
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.
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
What Influences My Practice
What Influences My Practice
What Influences My Practice

- Awareness that shame [vulnerability] is an impediment to relationships.
What Influences My Practice

• Awareness that shame [vulnerability] is an impediment to relationships.

• Aim to create the conditions that allow others to learn to sit with the discomfort of their vulnerability and be open to learning.
What Influences My Practice

• Awareness that shame [vulnerability] is an impediment to relationships.

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• Understanding the importance of explicit 'foundational thinking'.
What Influences My Practice

- Awareness that shame [vulnerability] is an impediment to relationships.
- Aim to create the conditions that allow others to learn to sit with the discomfort of their vulnerability and be open to learning.
- Understanding the importance of explicit 'foundational thinking'.

What is meant by 'foundational thinking'?
Development of Working Assumptions [Practice Roadmap]
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Working assumptions are shaped by our beliefs, experience and what we know to be true [evidence]. The following are examples:
Development of Working Assumptions [Practice Roadmap]

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Development of Working Assumptions [Practice Roadmap]

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- Shame is the dominant negative affect of everyday life.
- Most of the problems of interpersonal life can be traced to shame-based issues.
Development of Working Assumptions [Practice Roadmap]

Working assumptions are shaped by our beliefs, experience and what we know to be true [evidence]. The following are examples:

• Shame is the dominant negative affect of everyday life.

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• Creating the conditions that help others to deal honestly with their vulnerability is an important step towards building trust and a more positive experience.
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• Creating the conditions that help others to deal honestly with their vulnerability is an important step towards building trust and a more positive experience.

• Silvan Tomkins’ blueprint for individual psychological and emotional wellness prescribes the conditions needed for this to happen.

• The restorative questions developed by O’Connell [1991] go some way to satisfying those conditions.
Kortrijk, Belgium 15-17 May 2019

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WELL-BEING & RESILIENCE

‘Without the Why, the What Looks Like More of the Same’

Terry O'Connell
Explicit Practice
Creating The Conditions
for Connections
Explicit Practice
Creating The Conditions for Connections

Relational Outcomes
Explicit Practice
Creating The Conditions for Connections

Relational Outcomes

Restorative Questions II
Explicit Practice
Creating The Conditions
for Connections

Relational Outcomes

Restorative Questions II

Restorative Questions I
Explicit Practice Roadmap

OUTCOMES
Strengthened Relational Capacity

WHAT

HOW

WHY
Creating the Conditions for Relational Outcomes

Aim is to create the conditions that allow others to learn to sit with the discomfort of their vulnerability so they can:
Creating the Conditions for Relational Outcomes

Aim is to create the conditions that allow others to learn to sit with the discomfort of their vulnerability so they can:

• make sense and meaning of their lives;
Creating the Conditions for Relational Outcomes

Aim is to create the conditions that allow others to learn to sit with the discomfort of their vulnerability so they can:

- make sense and meaning of their lives;
- identify what is most important in all that is happening, what matters;
Creating the Conditions for Relational Outcomes

Aim is to create the conditions that allow others to learn to sit with the discomfort of their vulnerability so they can:

- make sense and meaning of their lives;
- identify what is most important in all that is happening, what matters;
- explore what needs to change and what their part will be in this change process, and importantly;
Creating the Conditions for Relational Outcomes

Aim is to create the conditions that allow others to learn to sit with the discomfort of their vulnerability so they can:

• make sense and meaning of their lives;

• identify what is most important in all that is happening, what matters;

• explore what needs to change and what their part will be in this change process, and importantly;

• learn how to build and sustain healthy relationships.
Restorative Definition
Restorative Definition

“Restorative Practice is a way of thinking and being, focused on creating safe spaces for real conversations that deepen relationships and build stronger more connected communities.”

[Mark Vander Vennen, Shalem Mental Health Services, Canada 2016]
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WELL-BEING & RESILIENCE

"Without the Why, the What Looks Like More of the Same"

Terry O'Connell
Making Sense of Restorative Practice

Why it works!
Tomkins’ Blueprint
Tomkins’ Blueprint

- We are ‘wired’ to want to increase positive affect, and;
Tomkins’ Blueprint

- We are ‘wired’ to want to increase positive affect, and;

- Decrease negative affect;
Tomkins’ Blueprint

- We are ‘wired’ to want to increase positive affect, and;

- Decrease negative affect;

- We live at our best when we can accomplish these two goals;
Tomkins’ Blueprint

- We are ‘wired’ to want to increase positive affect, and;

- Decrease negative affect;

- We live at our best when we can accomplish these two goals;

- Anything that increases our power to do this favours life.
The Nine Affects

The Nine Affects

- Enjoyment-Joy
- Interest-Excitement
- Surprise-Startle

Nathanson's community blueprint

*Relationships are best built when we:*
Nathanson’s community blueprint

*Relationships are best built when we:*

1. *Share and reduce negative emotions (best achieved by listening and acknowledging)*
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)
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.
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).
'How' To Make The 'What' More Purposeful

Restorative Questions
Restorative Questions I

When things go wrong
Restorative Questions I

*When things go wrong*

What happened?
Restorative Questions I

When things go wrong

What happened?
What were you thinking at the time?
Restorative Questions I

When things go wrong

What happened?
What were you thinking at the time?
What have you thought about since?
Restorative Questions I

When things go wrong

What happened?
What were you thinking at the time?
What have you thought about since?
Who has been affected by what you did?
Restorative Questions I

When things go wrong

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?
Restorative Questions I

When things go wrong

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

When someone has been hurt
Restorative Questions II

When someone has been hurt

What did you think when you realised what had happened?
Restorative Questions II

When someone has been hurt

What did you think when you realised what had happened?

What impact has this incident had on you and others?
Restorative Questions II
When someone has been hurt

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?
Restorative Questions II

When someone has been hurt

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?
'WHAT'
Respectful, Fair and Inclusive Process
Respectful Process

What is "Respect"?

If you made a mistake or did something that was inappropriate, what things would need to happen in order for you to feel that you had been treated respectfully [when challenged about your behaviour]?

Braithwaite suggests

'Where individual wrong doers are confronted within a continuum of respect and support, then a process of reintegration can begin.'
If you made a mistake or did something that was inappropriate, what things would need to happen in order for you to feel that you had been treated respectfully [when challenged about your behaviour]?
Respectful Process

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If you made a mistake or did something that was inappropriate, what things would need to happen in order for you to feel that you had been treated respectfully [when challenged about your behaviour]? Braithwaite suggests

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

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If you made a mistake or did something that was inappropriate, what things would need to happen in order for you to feel that you had been treated respectfully when challenged about your behaviour?

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

Braithwaite suggests
Braithwaite’s conclusion
Braithwaite’s conclusion

Allows:
The act (unacceptable behaviours) to be rejected because they failed to reach expectations or standards
Braithwaite’s conclusion

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.
Braithwaite’s conclusion

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 value our relationship but not your behaviour”
Fair Process
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.'

Fair Process
Fair Process

- **Engagement** - Opportunity to have a say.
Fair Process

- **Engagement** - Opportunity to have a say.
- **Explanation** - Understand the reasons for the decision.
Fair Process

• **Engagement** - Opportunity to have a say.
• **Explanation** - Understand the reasons for the decision.
• **Expectation Clarity** - Shared understanding on what is expected in terms of behaviour and rules.
Relational Styles
Practice Domains

Pressure, Rules, Limits, Expectations, Challenge

Support, Encouragement, Nurturing.

Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000
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Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000
Pressure, Rules, Limits, Expectations, Challenge

Relational Styles

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Support, Encouragement, Nurturing.

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

Practice Domains

Pressure, Rules, Limits, Expectations, Challenge

High

FIRM

Low

FAIR

High

Support, Encouragement, Nurturing.

Authoritarian

Punitive Stigmatizing

Restorative

Authoritative Respectful

Neglectful

Indifferent Passive

Permissive

Protective Easy Undemanding

Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000
Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000.
Pressure, Rules, Limits, Expectations, Challenge

Relational Styles

High

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FOR

Support, Encouragement, Nurturing.

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

169.
FIRM

High

Relational Styles

Pressure,
Rules,
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TO

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Low

Practice Domains

High

Support, Encouragement, Nurturing.

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

OUTCOMES
Increased Relational Capacity

WHAT
Socratic Engagement, Respectful, Fair & Inclusive Process

HOW
Restorative dialogue that satisfies the conditions for emotional wellness.

WHY
Beliefs, values, working assumptions & theory
Explicit Restorative Framework

- Working Assumptions
- Restorative Philosophy
- Relational Capacity
- Socratic Engagement
- Relational Styles
- Fair Process

Dopper & O'Connell, 2015
Case Studies
Questions and Reflections
Questions and Reflections

How might restorative processes help make your practice more explicit, intentional and consistent?
Questions and Reflections

How might restorative processes help make your practice more explicit, intentional and consistent?

Imagine the difference your practice could make with an explicit practice framework that provides a common language and practice that could be easily shared with those you are assisting!
Questions and Reflections

How might restorative processes help make your practice more explicit, intentional and consistent?

Imagine the difference your practice could make with an explicit practice framework that provides a common language and practice that could be easily shared with those you are assisting!

What will you change or do differently in your practice as a result of this presentation?
terryoconnell@realjustice.org
‘Without the Why, the What Looks Like More of the Same’

Terry O'Connell