
Restorative Practices

Circles, Restorative Justice and the IIRP

The circle is a potent symbol. Its shape implies community, connection, inclusion, fairness, equality and wholeness. Seating students in the rows of the traditional classroom, where they only see the teacher and some of their classmates' backs, limits connection and conversation. This arrangement is appropriate for lecture and other didactic modalities but does not lend itself to discussion. Meeting in a circle, with neither head nor tail, establishes a level playing field for all participants.

The use of circles for meeting and discussing issues has evolved in almost every culture. The first human circles resulted from the natural formation of people sitting around a fire, providing the best way to efficiently distribute access to heat and light. Many indigenous cultures maintain these traditions to this day. When schools and other groups arrange people in a circle, there is no fire but instead an issue or topic that is relevant to everyone gathered around. The circle for the fourth-grade class plagued with bullying held the promise of a kinder, more respectful and caring way for the students to behave toward one another.

In this book we present circles within the context of *restorative practices*, an emerging field of study that offers a common thread to

tie together theory, research and practice in seemingly disparate fields, such as education, counseling, criminal justice, social work and organizational management.

The restorative practices concept has its roots in *restorative justice*, a way of looking at criminal justice that focuses on repairing the harm done to people and relationships rather than on punishing offenders (although restorative justice does not preclude incarceration of offenders or other sanctions). Originating in the 1970s as mediation between victims and offenders, by the 1990s restorative justice broadened to include communities of care, with victims' and offenders' families and friends participating in collaborative processes called "conferences" and "circles."

The International Institute for Restorative Practices (IIRP), a graduate school based in Bethlehem, Pennsylvania, envisions a comprehensive framework for practice and theory that expands the restorative paradigm beyond its origins in criminal justice. It offers master's degrees and graduate certificates in restorative practices. The IIRP also offers continuing education, produces videos and books (like this one) and organizes international conferences in the field of restorative practices.

The IIRP's demonstration schools and residential programs, Community Service Foundation and Buxmont Academy, were founded in 1977, and their history parallels the development of the restorative practices movement. In the late 1970s, CSF Buxmont, now a series of schools and foster group homes for delinquent and at-risk youth in eastern Pennsylvania, began experimenting with the use of circles in its first school. Counselors used circles to bring students together in its school/day-treatment counseling program to discuss problems, give each other feedback and take responsibility for establishing norms and rules and for enforcing those rules. Circles empowered troubled youth and helped them transform their own lives.

Similarly, in the 1980s the New Zealand family court system spearheaded a process called "family group conferencing," which

brought families and close community members together to deal with a young person's misbehavior. Conference participants, seated in a circle, developed their own plans to help a child and family for whom they were concerned, in lieu of the family court imposing decisions from outside.

That process was subsequently borrowed and adapted by Terry O'Connell, an Australian police officer, to deal with youth crime. Provided with a scripted series of questions to foster discussion — a process that the IIRP named Real Justice® — the facilitator brings the offending youth and their families together with victims, as well as families and friends of the two parties. In the facilitated conference, conducted in the form of a circle, offenders who have admitted to their crimes are invited to explain what they have done, whom they think they have affected and what they see as the consequences of their misbehavior. Victims then have a chance to explain how they have been affected by the offender's misdeeds and how they feel about it. The supporters of both parties then have their say as well. Finally, the conference poses the question of how the harm might be redressed and agreements are drawn up.¹

The IIRP grew out of these efforts in the late 1990s to bring Real Justice to North America and to train schools in the use of restorative practices through the SaferSanerSchools™ program (see <http://www.iirp.edu/safersanerschools>). While Real Justice responds to harm and wrongdoing, restorative practices include the proactive, preventative use of restorative approaches.

Social Discipline Window

A basic premise of restorative practices is that people (students, teachers and staff) are happier and more likely to make positive changes when those in authority (teachers, staff and

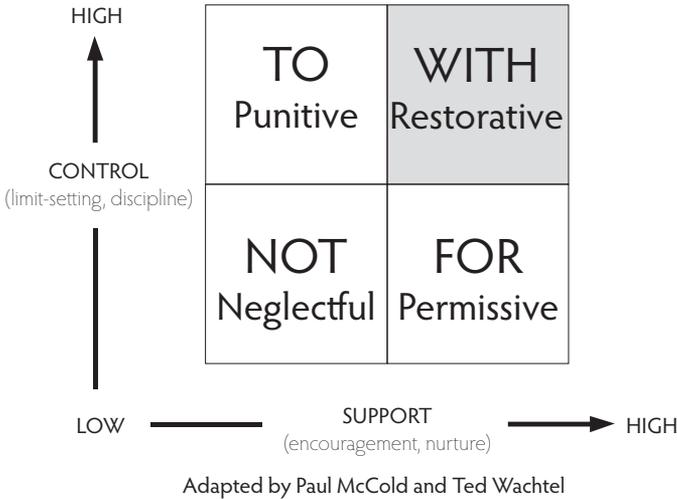
1. See *Restorative Justice Conferencing: Real Justice and the Conferencing Handbook* by Ted Wachtel, Terry O'Connell and Ben Wachtel, for practical details about the script and the process, the story of Ted Wachtel's personal journey into the field of restorative justice and examples of real cases resolved using restorative justice.

administrators) do things *with* them, rather than *to* them or *for* them.

The Social Discipline Window is a graphic that illustrates this premise and shows how restorative practices differs from other modes of discipline (see Figure 1).

THE SOCIAL DISCIPLINE WINDOW

Figure 1



The window is composed of two axes: support and control. Traditionally, these concepts are thought to be contradictory: that an authority only has the choice to be controlling and paternalistic or else nurturing and maternalistic. In actuality, though, a third option shows how both of these useful and necessary approaches may work together.

If support is graphed on an axis in one direction, from low to high, and control is graphed on the other axis, four quadrants

representing four general possibilities for social discipline emerge.

The top left, showing high control and low support, represents the authoritarian or punitive approach: doing things *to* people. This approach sets rules and holds people to them, with little need for explanation. Taken to its extreme, this approach is cold and distant: authoritarian.

The bottom right square — low control and high support — highlights the permissive approach. This attitude assumes that with nurturing alone people will make positive changes, but it often leads to protectiveness and doing things *for* people. It provides no mechanism for stepping in to set clear boundaries.

The bottom left, low support and low control, represents *not* doing anything. This is a neglectful stance, and it is destructive.

The area to the top right, where both control and support are high, is the corner we wish to highlight. This represents the positive synthesis of the best aspects of the punitive and permissive approaches. The restorative approach has been called “authoritative:” doing things *with* people. It combines high levels of control for setting boundaries and expectations with high levels of support and nurturing for people to succeed and make positive changes.

The Restorative Questions

Derived from the Real Justice conference, the restorative questions clarify the difference between restorative and other approaches to discipline. These questions can be placed on two lists: one for responding when things go wrong, the other for helping those who have been affected. Where two parties have mutually hurt one another, both lists of questions may be drawn from interchangeably.

The basic questions for responding when something goes wrong:

- › What happened?
- › What were you thinking about at the time?
- › What have you thought about since?

- › Who has been affected by what you have done? In what way?
- › What do you think you need to do to make things right?

The basic questions for helping someone who has been affected by actions:

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

These questions seek to elicit the story of the actions and events, the thoughts and feelings associated with those actions and events and solutions for making things right, rather than assigning blame and seeking justifications for behavior. The questions create a feedback loop, so that people can hear how their actions have affected others, and encourage them to take responsibility for those actions. They also pave the way for solutions to problems to be found.

These questions help a person in authority walk the line between holding people accountable for their actions by addressing and not ignoring what has happened, and nurturing and supporting people by giving them useful questions to help them take responsibility for and resolve problems themselves. The outcome of an exchange using restorative questions tends to be restorative — that is, it tends to resolve the underlying issue and ease people's bad feelings.

These questions separate people's behavior from their intrinsic worth as a person, allowing them to admit their mistakes, right their wrongs and reintegrate into a community. "Separating the deed from the doer" prevents people from being stigmatized as "bad" and gives them an opportunity to change. The questions also allow a person in authority to place more responsibility for righting wrongs on those responsible for what has happened, rather than being in the position of judging, scolding and meting out punishment.

Note that the question “Why did you do that?” is not included in the list of restorative questions. Although “Why?” is often the first question asked by an authority dealing with an incident of wrongdoing, it tends to put people on the defensive and frequently results in no answer or a useless rationalization. People may not really know why they do things without a lot of self-reflection and will carelessly answer, “I don’t know.” In truth, inappropriate behavior is usually impulsive and thoughtless, so there really is no reasonable explanation.

Restorative questions tend to be non-blaming and open-ended, rather than loaded and leading. Restorative questions promote introspection, and they are as much for the benefit of the person being asked the questions as they are for the benefit of the questioner.

Many questions besides the ones listed above may also be considered restorative. In fact, according to one restorative practices expert, the listed questions are the default questions he uses when the situation very clearly involves a victim and an offender, or if he isn’t quite sure what else to ask in a given situation. Many great restorative questions are not scripted but arise naturally.

In the opening story of this book, the circle facilitator said to the class after a number of go-arounds, “Now who’s brave enough to admit they’re part of the bullying problem?” If this question had been asked first it probably would have put the students on the defensive. But because the facilitator had built trust, at the moment he asked it the question was restorative.

Look at the implications behind the questions you ask students and the tone with which you ask them. If you bring the restorative philosophy to your practice, the questions you ask will build and restore relationships. Examples of other restorative questions will be found throughout this book. But, in the meantime, our standard restorative questions provide a ready template.

Restorative Practices Continuum

The Restorative Practices Continuum (see Figure 2) demonstrates that a range of actions by an authority may be restorative — from the formal conference and circles shown on the right of the continuum, to the less formal, daily use of affective statements and questions shown on the left. As you move from the informal to the formal, the restorative practices involve more people, more planning and more time. Formal processes, however, tend to be more complete and structured than informal ones and therefore more impactful.

THE RESTORATIVE PRACTICES CONTINUUM

Figure 2

INFORMAL			FORMAL	
affective statements	affective questions	small impromptu conversations	circle	formal conference

Moving from the informal to the formal, the processes on the continuum are as follows:

The most informal process on the continuum is *affective statements*, which are simply expressions of personal feelings. Instead of scolding a student for breaking a rule, a teacher might identify the behavior and express how it makes them feel: “When everyone’s talking at once and I’m trying to give directions, I feel very angry and frustrated with you.” Affective statements help clarify boundaries, provide feedback and build empathy.

The restorative questions discussed above may also be called *affective questions*, because they get people talking about their feelings with one another. When a teacher witnesses a problem, like students arguing on the playground, affective questions can be used to address what has happened. “How do you think Suzie felt

when you did that to her?” The questions give students a chance to tell their story and express their feelings about what has happened.

Small impromptu conversations occur when a few people meet briefly to address and resolve a problem. Modeled on more formal circles and conferences, a small impromptu conversation employs affective questions to facilitate a short interaction. If, for example, a few students in the back of a class are being disruptive, the teacher might approach them, ask what is happening, how they think their behavior might be affecting their classmates and what they need to do to change their behavior or make amends. This may only take a few minutes, and it allows students to help prevent the same thing from happening again.

Circles are a more formal restorative process. Examples of circles have been given in the first chapter, and many more will be discussed throughout this book. A class, a group of students or a group of adults meet in a circle to discuss, answer questions, solve problems, play a game or offer feedback. A circle has structure, purpose and focus. It may be proactive or responsive. The topic may be personal, academic or work related. Circles may be the most adaptable form of restorative practices on the continuum.

Finally, *formal restorative conferences* provide the most structure and require the greatest amount of planning. They are often reserved for dealing with serious problems of behavior when everything else has failed. Restorative conferences generally deal with criminal behavior but have been adapted for use in schools with students who have broken school rules. The Real Justice conference model described earlier in this chapter is one example of this type of conference.

Family group decision making (FGDM), also known as family group conferencing (FGC), engages families in a process of finding solutions for caring for a family member. The New Zealand model, mentioned earlier, is one example of this process. Schools have adapted this process for engaging families to work on issues such as poor academic performance, truancy, social phobias and bullying.