‘Why The Real Justice Script?’

Presenter: Terry O’Connell
Welcome & Reflection

• What attracted you to this workshop?

• Who uses the IIRP conference script? How does it help?

• Who uses another script? Why do you use this script?

• If your script worked what would you see happening for those involved?

• What would you like to take from this workshop?
Brief History


• Policing context in Wagga Wagga – 1989.

• New Zealand FGC – 1990 [John MacDonald]

• First formal conference – 1991

• Connected with John Braithwaite ANU – 1991

• David Moore [CSU] connected with Don Nathanson - 1992

• Script questions printed on business cards – 2001
My Starting Point - Working Assumptions

What are working assumptions and why are they necessary?

Let’s develop a set of working assumptions:

• List those things that those who are likely to be involved in a ‘conference’ have in common - victims, offenders and their families?

• Divide these into the following two categories: causal factors and symptoms. Now develop your working assumptions.

What implications do your working assumptions have for your practice?
Vulnerability keeps us in and out of relationships – discuss.

What affect [emotion] triggers vulnerability?

What purpose does shame have?

What would a positive response to shame involve?

What would a negative reaction to shame involve?
My Practice

My practice aims to build relational capacity and involves facilitated dialogue that seeks to:

- assist others to make sense and meaning of their own lives,
- help them identify what is most important in all that is happening,
- identify what needs to change and what their part will be in this change process, and importantly,
- focus on what they need to help build and sustain healthy relationships.

What practice is needed to create the conditions that will best support participants being able to achieve the above outcomes?

Where would you begin to describe or develop such practice?
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.

Nathanson 1992
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).

Nathanson 1992
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 Some 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?
Restorative Practice Checklist

Is My Practice?

• **Respectful** *(Braithwaite’s notion of shame & reintegration)*

• **Fair** *(Kim & Mauborgne’s Fair Process – Engagement, Explanations & clarify Expectations)*

• **Restorative** by focusing on harm and relationships

Does My Practice?

• **Develop Empathy** *(reflection, insight & learning)*

• **Provide** rituals to enhance responsibility and accountability

• **Build** stronger relationships
Restorative Practice Framework - Right Conversation

Creating Conditions: Reintegration Blueprint Relationships - managing shame

Restorative Focus Harm & Relationships - explicit

Fair Process
• Engagement – say
• Explanation - reasons
• Expectation clarity - explicit

New Stories Enhanced Capacity Strong Relationships

Restorative Questions Socratic Engagement - common language

Working ‘With’ High expectations & High levels of support - relational style
Restorative Practice Continuum

Informal

- Restorative Conversation
- Restorative Intervention

Formal

- Small Impromptu Meeting
- Group Circle
- Formal Conference
Restorative Engagement

Journey Metaphor

Past

Present

Future

What’s My Story?

Where Am I Now?

What Am I Wanting?
Restorative Journey Script Protocols

Script Sequence
- Offenders
- Victims
- Victims’ families & Supporters
- Offenders’ families & Supporters
- Offenders
- Victims
- Offenders
- Others generally

Past
- Present
- Future
Braithwaite’s Theory & Script Protocols

Script Sequence
- Offenders
- Victims
- Victims’ families & Supporters
- Offenders’ families & Supporters
- Offenders
- Victims
- Offenders
- Others generally

Max Shame
Reintegration Begins
Conference Protocols

Person Responsible For Harm
Victim And His/Her Support
Family/Supporters Of Person
Responsible

“Anything To Say”?

Ask Victims & Others About
What Needs To Happen

Agreement Phase

Closure And Reintegration
Phase

PAST
(Story Telling Phase)

PRESENT
(Reflection Phase)

FUTURE
(Reparation Phase)

RESTORATIVE

ACTIONS
Acknowledgement
Listening
Validation
Ownership
Remorse
Reflection

EMOTIONS
Distress
Disgust
Anger
Shame
Anxiety
Surprise
Interest

Stronger Relationships

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Hope And Relief
Questions & Feedback

• What questions do you have?

• What have you taken from this workshop?

• What changes to your practice are you likely to make as a result of today’s experience?