

Standard Discipline vs. Restorative Justice

Primary Concern

Rules have been violated

People and relationship have been harmed

Questions

1. What rule was broken?
2. Who broke it?
3. What consequence/punishment is deserved?

1. Who has been affected?
2. What are their needs?
3. Who has the obligation to address the needs, to put right the harms, to restore relationships?

Principles

Unbiased/Unemotional/Unattached/Adversarial (3rd Party)

Accountability: consequences are imposed, which results in *passive* accountability.

Compliance: Hierarchical control brings order to the community.

Engagement: involves those impacted, including the community to identify what happened, needs, and influence outcome (1st Party).

Responsibility: encourage appropriate responsibility to address needs and repair the harm; *actively* engage the person who caused harm around the questions (*active* accountability).

Restoration: acknowledge and repair the harm caused by, and revealed by, wrongdoing.

Messages / Assumptions

1. The fact that a law, rule or policy was violated is paramount.
2. The primary response must target the offender.
3. Punishment is a just response and indicates justice has been served.

1. Wrongdoing harms people and relationships.
2. When people and relationships are harmed, needs are created.
3. These needs inform obligations; the primary obligation is to heal and "put right" the harms; this is a just response.

Worldview

Social Control

Social Engagement

This table produced by Jon Kidde is a work in progress. It draws from numerous contemporary leaders and pioneers in the field of restorative justice including but not limited to the following: Howard Zehr, Brenda Morrison, Rita Renjitham Alfred, Dorothy Vaandering, and Lorraine Stutsman Amstutz and Judy Mullet. Please contact me with questions and suggestions: JonKidde@GreenOmegaL3C.org.

Restorative Justice: a yardstick for schools¹

Restorative principles are relatively simple; application is as nuanced as how people relate to each other.

1. Focuses on relationships.

- Does the response go beyond focusing on rule and policy violations?
- Is there equal concern given to harms experienced by individuals and the community?

2. Give voice to the person(s) harmed.

- Does the response address the needs of the person harmed, both the immediate victim as well as others who may be affected?
- Does it allow an opportunity for those harmed to be part of the resolution?

3. Give voice to person(s) who caused the harm.

- Has the person who harmed been asked what s/he needs?
- Does it allow an opportunity for those who harmed to be part of the resolution?

4. Engage in collaborative problem-solving.

- Are the solutions being arrived at collaboratively, meaning that all those affected (or representatives of those affected) by the harm/incident are fully involved?
- Given the imbalances that often exist between persons and institutions, have these been recognized, acknowledged, discussed, and addressed?

5. Enhance responsibility.

- Does the response help the person take responsibility for the harm caused, or does it focus primarily on punishment?
- Does the person who caused the harm understand how his/her actions have affected other people? If not, is there a plan in place to assist the person in a process of understanding

6. Empower change and growth.

- Does the response allow the person who harmed to be involved in the process of repair with a concern toward that individual's growth and competency?
- Has the individual acknowledged responsibility for the harm of her actions? If not, what steps should be taken to address ways of supporting that person's need for growth and competency?

7. Plan for restoration.

- Does the response allow for the person who harmed, as well as the person harmed, to be supported and reintegrated back into the community?
- Has the issue of accountability been appropriately addressed to the satisfaction of the person harmed?

¹ Modified from Amstutz, L., & Mullet, J. (2005) *The Little Book of Restorative Discipline*, pg 28-32.