

Core Elements To Practice Restorative & Transformative Justice with Fidelity

These core elements are based off of the Dignity in Schools Campaign internal RJ/TJ Practices and have been adapted here to apply to other communities, including schools and organizations for creating your own practices. It can also be used as an organizing tool to create demands for RJ/TJ implementation with fidelity at other institutions.

DSC Understanding of Restorative and Transformative Justice

- [DSC Basic Framework for Restorative and Transformative Justice](#)
- Restorative and Transformative Justice seek to repair rather than to punish when there is harm, using practices that:
 - Bring understanding to how harm took place, its root causes and impacts;
 - Include those involved and affected by the harm;
 - Seek to support the needs of all involved;
 - Center values of growth, safety, empathy, shared power, choice, and healing; and
 - Build mutual responsibility and constructive responses to conflict.
- Restorative and Transformative Practices proactively build community based on cooperation, mutual understanding, trust and respect, and respond to conflict by including all people impacted by a conflict in finding solutions that restore relationships and repair the harm done.
- Restorative Justice and Transformative Justice have many overlapping philosophies and practices. For our purposes as a coalition made up of practitioners of both we embrace the two together. However, some may see a distinction between restorative practices that seek to restore relationships and communities, and transformative practices that seek to transform them.

Growing RJ/TJ In your School or Community

- Research Restorative and Transformative Justice to determine what is best for your context - as stated above we embrace both, however we don't suggest this unless you are in a similar position of having a community that has trained practitioners of both.
- Bring together practitioners and community members to assess your needs and design an approach best tailored to your context - see the Model Code for implementation processes.
- See our [Restorative and Transformative Justice Toolkit](#) for detailed resources for training, implementation, organizing and others.

Types of RJ/TJ Practices To Utilize

- Restorative Circles – Processes in which participants take turns speaking to a topic, guided by at least one circle keeper, using a talking piece and going around to ensure that everyone has an equal opportunity to speak. There are many different types of circles that can be used to promote a positive community and deal with issues as they arise. Some of the kinds of circles we may do as DSC include:

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- Responsive Circles or Harm Circles to address an incident or conflict that has occurred, repair the harm and develop solutions to prevent reoccurrence, involving relevant parties and support people if helpful. Responsive Circles bring together those who were involved in and affected by a significant incident of harm (as well as anyone invited to provide support and resources) to rebuild trust, understand what happened, express how they have been affected, and agree on how to repair the harm and prevent it from happening again. Pre-circle meetings are typically used to individually prepare participants in advance. Agreements may be written and signed. Follow-up ensures there is reflection, support, adjustment, and affirmation in carrying out the agreement.
- Community Building Circles can be used proactively to build community, establish norms, check in, and collectively solve problems and make decisions. In any context, the circle gives equal opportunity for all to listen, contribute, and practice living our values.
- Other Restorative and Transformative Practices
 - Restorative Chats – One-on-one informal conversations that are held as an immediate response or follow up to an action that has somehow caused harm, to help the individual understand the impact of their action, and find ways to repair harm and prevent it from happening again.
 - Restorative Conferencing (or Community Conferencing) is used as an alternative to exclusionary forms of justice. A facilitator individually prepares those involved and affected by an incident of harm (as well as anyone invited to provide support and resources) and then convenes a conference for them to share what happened, how they have been affected, and what is needed to repair the harm and prevent it from recurring. Like responsive circles, agreements may be written and signed and follow-up ensures agreements are honored and supported.
 - Fairness Committees – A Fairness Committee is made up of members or staff who have been trained in Restorative Justice Practices to work with individuals in the campaign who have violated core community norms and values to create agreements through dialogue and by consensus. The committee takes referrals from staff or members to 1) inspire empathic and critical self-reflections by confronting a member of the community with their actions and how they have affected others; 2) collectively determine how best to restore and mend the community in the wake of actions inconsistent with its values; and 3) determine how to reintegrate the member of the community who has violated the shared values back into the fabric and culture of the coalition.
 - Impact Panels – A forum for individuals who were harmed by an incident to tell other students that caused harm about the impact of the incident on their lives and on the lives of their families, friends and neighbors. Panels typically involve three or four speakers who have experienced harm, each of whom spends about 15 minutes telling their story in a non-judgmental, non-blaming manner. These forums are used to educate other students about the impacts of harm in the DSC

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community. While some time is usually dedicated to questions and answers, the purpose of the panel is for those impacted by the harm to speak, rather than for those who have caused harm to engage in a dialogue.

- Restorative Mediation – A process that provides those harmed by an incident an opportunity to meet the person who caused the harm, in a safe and structured setting, and engage in a mediated discussion of the offense. With the assistance of a trained mediator, those who were harmed are able to tell the person who caused the harm about the incident's physical, emotional and other impacts; to receive answers to lingering questions about the incident; and to be directly involved in developing a plan for the harm to be repaired.

Ideal Experience and Expectations for Practitioners

- It is important to avoid a rigid definition of what makes someone a RJ/TJ practitioner that could block community-based practitioners (i.e. having to complete a specific training program or have a particular degree). Many people come to their RJ/TJ practices from different kinds of experiences and may use very different language. However, it is important to have some shared understanding of what you are looking for in people who are taking on RJ/TJ facilitation roles in your school or community.
 - Practitioners should have sufficient training and experience - including multi-day training, observations, and supervised apprenticeship - before taking on RJ/TJ facilitation roles, and especially when handling complex conflict or responsive cases of significant harm.
 - Where practitioners identify as self-taught, we will need to have a reference from someone connected to the community who has participated in and RJ/TJ process that they have led before they can take on an official role in a process. This is not to minimize the skills and experience of self-taught practitioners, it is more to understand the grounding, style, etc of the practitioner before they take on the role.
 - Encourage newer practitioners to disclose that they are less experienced and to be open to being paired with other more experienced practitioners as co-facilitators. Facilitating community building circles might be the best role for them rather than practices responding to harm.
 - Encourage all practitioners to disclose where their strengths are and where they are still learning. For example, someone may have many years of circle facilitation in a school setting, but may not have experience with organizational-level conflicts or other complex situations.
 - Practitioners should be open to doing things differently than they normally would and learning from other practitioners in the campaign. Where facilitators will be co-facilitating processes with each other, in particular with someone they haven't worked with before, this requires excellent communication and honesty, including assessing ahead of time together

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how to address complex issues that may come up, and sharing boundaries that are important to be honored during the facilitation role.

- The community and the practitioners themselves should carefully consider whether the assigned keeper or facilitator is the best positioned to take on a particular role; withdraw the practitioner in cases where impartiality is compromised by conflict of interest, triggers, or biases; and disclose any associations the practitioner has with one or more participants to the other participants, allowing them to request the practitioner to withdraw.
 - When practitioners are taking on RJ/TJ roles they will seek informed consent from each participant and honor their decision not to participate, attempting to address barriers to participation as best as possible.
 - Where applicable, practitioners should conduct preparation before responsive processes with all participants so that they understand the process and make an informed decision to participate, as well as assessing the harm and other potential participants.
 - Practitioners should only take on facilitation roles if they have the capacity to conduct follow-up after responsive processes to assess participant satisfaction or the need for further action.
 - Practitioners will strictly ensure the confidentiality of participants' written records and verbal sharing unless expressly waived. It is very important to be extremely clear about what can and can't be shared after a circle and with whom. Where certain things are necessary to share with community members (for example if there's something that needs to be addressed in the larger group to repair a particular harm), it is very important that clarity is reached about how that will be shared.
 - The community and practitioners will apply these practice standards impartially, free of discrimination on the basis of race, sexual orientation or identity, gender, language, religion, political belief, national origin, immigration status, or other factors.
- DSC [shared framework](#) can operate as an assessment for us as we try to determine if a particular practice or practitioner is in-line with our approach to RJ/TJ. This would look like using the following questions to evaluate the practice or practitioner:
 - Does this help us foster a strong organizational culture and community?
 - Is this practice or practitioner identified with Restorative or Transformative Practices? Is it/are they compatible with other type of RJ/TJ practices?
 - Is the process aligned with our RJ/TJ framework while also taking into account different approaches and models?
 - Does this intentionally dismantle racism, colonialism and other forms of oppression? Is the practitioner culturally competent, regardless of their background?

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- Does this fundamentally challenge power structures? Is the practitioner comfortable and able to engage in shared power with all participants?
- Can we set this up as a learning opportunity, and how/with whom will we share our lessons learned? Does this allow for multiple measures of success, and what are they?

Commitments To Ask of Participants in RJ/TJ Processes

In Restorative and Transformative Justice, it is important that there are clearly articulated shared values and expectations as community is being built and before a conflict occurs. When there is a harm or break in the community, these are the values that you will be looking to, and the community that you want to restore.

Share the core principles and values that you use in your organization, school or community. For example at DSC gatherings we always share our [DSC Principles of Unity](#) and [DSC Ground Rules for Events](#) before and at the start of each event.

Share specific commitments and expectations for the circle process. Examples can include:

- Respect the talking piece
- Speak from the heart
- Listen with your heart
- Speak with respect
- Listen with respect
- Remain in the circle
- Honor confidentiality