

The Basics of Restorative Justice

Center for Justice & Reconciliation. n.d. "Lesson 1: What Is Restorative Justice?" Center for Justice & Reconciliation.

What is restorative justice?

Restorative justice tackles the harm done by a crime committed instead of punishment. This is done through collaborative processes that lead to the transformation of people and communities.

Four components of restorative justice

- Inclusion
- Encounter
- Amends
- Reintegration
- Inclusion
 - Inclusion allows for the full participation of all parties affected by the harm done
 - This can be accomplished through 1) inviting all interested parties to participate 2) expecting and allowing people to pursue their own interests, and 3) accepting new approaches and perspectives
 - As of now, the criminal justice system is centered around prosecution. This does not allow for the centering of the lived experience of the victim
 - Methods of inclusion
 - Information: keeping the victim up to date on the processes and providing resources and compensation
 - Presence in court: Many victims are not allowed to be present in court for all proceedings in fear of it jeopardizing a "fair" trial
 - Victim impact statements: allowing victims to share the impact of the harm done and give recommendations for consequences
- Encounter
 - Having the victim and offender encounter one another via a meeting, letters, video, etc.
 - Elements of encounter
 - Meeting: whether it's through representatives for each party, letters, or other indirect forms of interaction, the key is to have the parties engage
 - Narrative: Each party tells their story and how it has affected them
 - Emotion: Dispassionate retelling of events does not allow room for restoration. Emotion in narrative sharing allows for crime to be addressed not with cold ration but with the emotion it needs
 - Understanding: narrative and emotion lead to understanding, and the ability to see the individual outside of their actions. This does not necessarily guarantee a positive perception, but is a step towards restoration
 - Agreement: Meeting, narrative, emotion, and understanding lays the foundation for the parties to come to an agreement and lay out a plan for consequences for the offender
- Amends
 - For elements of making amends

- Apology: A written or vulnerable apology where the offender **acknowledges** what they've done and why it was wrong, shows that doing wrong has negatively **affected** them and show genuine remorse, and be **vulnerable** enough to say I'm sorry
 - Changed behavior: On the most basic level this means no longer committing crimes. However, in order to truly be restorative, it also means treatment programs, educational classes, and other forms of rehabilitation
 - Generosity: performing acts of service in a way that has nothing to do with the victim or the offense
 - Restitution: goes directly to the victim or people suffering, can be monetary or replacing whatever is damaged
- Reintegration
 - Allowing offenders to become active in their communities again and forgiven for their wrongdoings. Stigma and stereotypes around people who have committed crimes prevents people from bring fully reintegrated into society.
 - Methods of reintegration
 - Support groups
 - Circles of support (provide more accountability than support groups, less focused on emotional support)
 - Faith communities

COALITION