



## Editorial

Hi Everyone

We hope that you are safe and well and continuing to manage the challenges presented by a global pandemic. We have all become more aware of the importance of connection in these times and the value of a sense of belonging and self-identity. The political and human rights activist Jesse Jackson, Jr said, 'inclusion is not a matter of political correctness, it is the key to growth.' We are really excited to be sharing this edition of the EFRJ Newsletter around the theme of Restorative Justice and Inclusion. This issue has been co-edited by Kim Magiera (Germany) and Nicola Preston (UK) who are both passionate about this topic which links to their professional and research interests.

Inclusion underpins the values at the heart of both the EFRJ and restorative justice practices, so it is with great pleasure that we share the articles and interview in this edition providing a range of perspectives on inclusion from different contexts, countries and cultures.

We begin with an article by Brandon Brown, a first-year doctoral student at George Mason University's, Carter School for Peace and Conflict Resolution. Brandon looks at inclusion with a focus on narratives and writes about the power of valuing all voices in restorative justice. He suggests that 'when a system silences voices through marginalization, it commits narrative violence and excludes healing as a possible outcome.' He links to the seminal work of Howard Zehr (1990), who also highlights in *Changing Lenses*, the need to 'resist the forces of marginalizing narratives in order for all parties to heal from harm.'

Our next article is a personal account of inclusion and RJ from Alana Abramson, a Criminology instructor at Kwantlen Polytech University in British Columbia, Canada. Her story begins with the lessons she has learnt about belonging and 'fitting in' from her own sister who suffers from a rare genetic condition that often resulted in 'stares and bullying comments.' One of Alana's greatest restorative lessons was that 'hurt people, hurt people' and she has taken her personal experiences and restorative justice training to work to 'create community, inclusion and connection where it did not previously exist.'

Marg Thorsborne and Nick Burnett, address the

challenges of implementation of reactive and proactive restorative processes in the school setting with participants who are 'neurotypically different and have a wide variety of diverse needs.' Theirs is a practical and positive approach to what "is" possible and how you can use the 'REPAIR' framework that they have developed to provide an inclusive restorative approach to meet individual needs in a person-centered way.

John Boulton and Les Davey broaden the geographic perspective on inclusion to explore what they learnt from being part of the European RESTORE Project (funded through the Erasmus+ programme) involving six European countries. The project developed a programme to implement 'safer and more positive school climate through restorative practices.' They look at some of the benefits and challenges of working across cultures and countries to implement a consistent programme of training and identify some of the key strategies that provide sustainable implementation and inclusive practice for young people and staff.

Our final contribution is an interview with Brian McLaughlin who is an Education Inclusion Officer within the UK. Nicola Preston works with Brian around the use restorative practices to reduce school exclusions and embed a more inclusive ethos and approach to challenging behaviour in school settings. In the interview Nicola finds out about the role of an Education Inclusion Officer and explores the motivations and values that Brian brings to this role through his own extensive experience in Youth Work

and restorative practice.

The terms ‘inclusive practice’ and ‘restorative practice’ can mean different things to different people but most would agree that they are underpinned by many of the same values — fairness, respect, equity and rights for all without discrimination.

We hope that the articles within this issue might challenge some of your thinking around RJ and inclusion and in equal measures provide you with inspiration and hope for the future of our mutual aim to develop rigorous research, policy and practice in the field. We welcome your feedback and if you would like to contribute to a future issue then please do contact any member of the EFRJ Editorial Committee.

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## **The destructive power of silence**

In restorative justice we value the power of all voices to foster moments for healing. When a system silences voices through marginalisation, it commits narrative violence and excludes healing as a possible outcome. Effective restorative processes:

- depend on allowing for narrative complexity to be established, heard, and recognised;
- require the acknowledgment of master narratives that may reduce voices to noise;
- appreciate that the recognition of narrative violence is an effective step in fostering restorative outcomes.

### **Introduction: the power of a label**

In November of 2020 I had the honour of being the closing keynote speaker for a three-month long virtual conference put on by the Peace and Justice Studies Association. The presentation I gave was titled, ‘[Many Sides of Silence: Polarised Narratives as Blockades to Justice and Healing](#),’ and the focus of the talk was to highlight the uses of voice in the pursuit of peace and reconciliation, contrasted with the institutionalisation of silence in the pursuit of American ‘criminal justice.’ The specifics of the talk are not so important to consider here; I only tell you about it to then inform you that I gave that presentation during my twelfth year of incarceration. I write today from the same computer on which I composed the PowerPoint for that presentation, sitting in the same room, confined inside of the same prison.

I wonder if that information will make you consider what you will read in this article any differently

than if you hadn’t known it? If you are being completely honest with yourself, how would you answer?

It is incredibly important for us as restorative justice scholars, researchers, and practitioners to confront the master narratives that influence our internal reactions to others.

It is incredibly important for us as restorative justice scholars, researchers, and practitioners to confront the master narratives that influence our internal reactions to others. I am a violent offender; that is the label that was assigned to me as a young man when I made a terrible mistake which caused another man great harm. Because of that label, I exist within a narrative space that makes it nearly impossible for me to also be multiple other things — especially in America. As noted earlier, I have been incarcerated for twelve years because of the mistake that I made, and one thing I have come to understand quite clearly

is that more than a decade of silence has not helped any of the stakeholders in my crime to heal. Not my victim, not my community, and not me.



*Brandon Brown and Chewie — soon-to-be service dog*

I should say that my experiences while in prison have been unique. Last year I received my M.S. in Conflict Analysis and Resolution and currently I am concluding my first year as a doctoral student in the same field (my focus is on narrative as a mechanism of peacebuilding within systems of structural violence). I have been a hospice volunteer, am a certified yoga instructor and recovery coach, a trained facilitator of restorative practices, and recently became possibly the first prisoner in the USA to conduct approved research within a prison in which I was housed. Despite all of that, I remain a ‘violent offender.’ Any objection to this label is heard only as noise because of the master narratives that follow the mistake I made thirteen years ago. Anything I may have to offer beyond this narrative is reduced to a whisper; some individuals who are listening closely enough will be able to hear me, but to the overwhelming majority of people, my voice is but gentle breeze consumed by the narrative tornado that places stakeholders into rigid categories within the system of criminal justice.

## **Narrative violence**

According to a mentor of mine, Dr Sara Cobb (2013), when conflict narratives place actors into a state of exception — a liminal space where they lose the moral agency to control their narrative — those marginalised voices become victims of narrative violence;

*‘the group that exists within the state of exception is the group subjected to narrative violence’* (2013, p. 29; italics in original). Additionally, Cobb describes the ways in which institutionalised violence disrupts the ability for marginalised people to narrate pain; this is a point that cannot be understated when we discuss the ways that narratives work within different types of justice-seeking processes. In his seminal text, *Changing Lenses*, Howard Zehr (1990) describes why restorative processes must resist the forces of marginalising narratives in order for all parties to heal from harm;

I have become particularly interested in ... the importance that creating new life narratives — ‘re-storying’ lives — plays in overcoming the past’ (1990, p. 233).

To his point, it is necessary for stakeholders of harm to have the moral agency to re-story their lives in order to effectively move beyond harm and trauma. It is our responsibility to fight the narrative forces that seek to entrap individuals into overly simplistic narratives that reduce agency, and to create spaces for individuals to break free from the state of exception — and, equally as important, to recognise when they are placing others into it. The problem that we face as seekers of justice (restorative justice) is that we do not control the master narratives in society which have the power to prevent stakeholders from engaging in narrating their pain, as well as collectively re-storying their life narratives post-harm. We must find ways, despite the magnitude of the narratives about both victims and offenders, to become the shields which block the forces of narrative violence in order to allow for better formed stories to be told, and equally important, to be heard.

... we reduce victims and the accused alike to narrative snippets where the only parts of the story that matter are the ones that can be ‘proven’ beyond a reasonable doubt.

So, what about the process that we have currently, here in the United States? A quick description of criminal proceedings reveals quite a bit. Victim and offender are pitted against one another, both represented by gatekeepers who control their narratives in order to seek an outcome where one party wins and the other loses. As opposed to having a focus on creating space for complex narratives to be told and heard, we reduce victims and the accused alike to narrative snippets where the only parts of the story that matter are the ones that can be ‘proven’ beyond a

reasonable doubt. The system depends on the state of exception in order to create a story that fits a narrative that the law requires—the entire process is one of narrative violence and re-traumatisation. Under the façade of justice, the criminal system in this country parades people through the courtroom, controls their narratives through coaching, questioning, and objection, and pits narratives against one another. Both the victim and the offender, or the State and the defense, must place each other into a state of exception where the validity of the other's narrative is silenced in any way possible, until a pool of spectators has decided whose narrative to call the 'winner.'

The fact is that when meaningful justice is the sought-after result, there can be no losing narratives.

The fact is that when meaningful justice is the sought-after result, there can be no losing narratives. There can be no states of exception, no marginalised voices, no stripping of moral agency. The very ways in which the criminal process controls narrative is an act of institutionalised violence, one which not only disrupts narrative in the moment, but creates long-lasting narrative trenches that can seem almost impossible for victims and offenders to climb out of. This is not justice; it is most certainly *narrative injustice*, and the long-term ramifications are too complex to accurately quantify.

## The violence of silence

One thing that can be quantified, however, are the ways that narrative violence affect marginalised individuals. I believe that the system we have currently is forming layers of armour around the master narratives which keep people in the state of exception, and although it is my belief that victims are just as affected by this as are offenders, my research to-date has focused on the offender experience because of my unique access to, and experience in, this group.

When I embarked on my thesis research, I wasn't exactly sure what I was looking for or what I would find. I hoped to explore the ways that stereotype, shame, stigma, and expectation affected the stories that men in prison told about themselves, and I believed (and still believe) that my status as a long-term prisoner within the research environment would give me access to more honest and complex stories. Never did I imagine that what I would produce was an understanding of the ways in which silence, an institu-

tionalised hushing of well-formed stories, negatively impacted the ability of prisoners to have narratives that offered the possibility of re-storying their lives beyond the master narratives that effectively stripped them of their humanness once they entered into the category of the *felonious other*.

Hilde Nelson (2001) terms this process the damaging of identity through an infiltrated consciousness. According to Nelson:

A person's identity is twice damaged by oppression when she internalises as a self-understanding the hateful or dismissive views that other people have of her (2001, p. 21).

To break free of this infiltration a group must raise an effective counter-story that both the oppressor and the oppressed may come to recognise as true

...  
To break free of this infiltration a group must raise an effective counter-story that both the oppressor and the oppressed may come to recognise as true — without such a counter-story, the marginalised narrative that seeks to break free from a harmful master narrative will fail. This is important because it is the story that twenty-seven men told me during our semi-structured interviews. The men that I spoke with explained to me three-dimensions of marginalisation through the institutionalisation of silence:

1. the inability to extend their narratives beyond the walls, and the clear reality that media and pop-culture defined their moral characteristics as prisoners, which were understood and widely accepted by society as accurate;
2. the forces of silence within the institution that resulted in the expectation from staff that they, as prisoners, were to be voiceless and only speak when allowed or ordered to; and
3. a culture within the prison that created a lack of opportunities for new narratives to form, take hold, and last.

What the themes within these stories reveal is that the process of imprisonment is described by prisoners as a process of institutionalised narrative violence. At first thought this may not seem to be that big of a deal, but when we consider that our identity is made up of the stories we tell about our lives and our experiences, and that those stories shape how we exist

within this world; effectively, that we are the stories we tell, then we may begin to see that the process of incarceration is stripping opportunities for moral agency within prisoner's narratives, and the result is that men, women, and children in prison are likely *becoming the stories that are told about them*. I want you to take a moment and let this sink in. What stories do you know that are told about people in prison? Considering that more than 90% of prisoners eventually are released, are those the stories that you want them believing about themselves when they return to their communities? I didn't think so. So, it is incumbent upon us to begin exploring ways to create the possibility for narrative repair within our prison systems; within our communities' understandings of who and what prisoners are; within our justice-seeking processes that currently create marginalised spaces where master narratives hold stakeholder's hostage.

The real prison is not the concrete and steel that separates offenders from the rest of the world; it is the narratives that offenders are trapped within even once the gate opens . . .

The real prison is not the concrete and steel that separates offenders from the rest of the world; it is the narratives that offenders are trapped within even once the gate opens, and their bodies are free to move about the world again. It is time that we begin considering the roles that these harmful narratives play on issues of recidivism and cycles of violence, addiction, and the hopelessness that leads to reoffending. The inability of incarcerated people to have a voice while incarcerated, paired with the inability for counterstories to form because of the state of exception that society places us in; that is the violence of silence. In the field of conflict analysis and resolution this is not seen as a small thing; a product of narrative violence is said to be the perpetuation of physical violence; 'violence is the only recourse when words no longer work' (Scarry, cited in Cobb, 2013, p. 59).

## Conclusion

There is a reason that restorative justice and criminal justice are viewed as completely different paradigms, and I believe it is specifically because of the way narrative is used in such drastically different ways in each. There is no need for me to go into how restorative processes are set up and the specifics of

how more complete and complex stories or narratives are allowed; we know this is foundational to the process. What is needed, however, is a cautionary statement to all current and would-be future scholars, researchers, and practitioners of restorative justice. Just because we aim to create opportunities for stakeholders to share their stories and feel empowered to be heard does not mean that we provide them escape routes from the marginalised narratives that come with certain labels; nor does it mean that we eliminate states of exception from occurring. To consider ourselves effective healers we must encourage all parties, including ourselves, to confront when such spaces are being created even indirectly and unintentionally. Having an awareness of the many master narratives that are at play in society; those around gender, race, ethnicity, socioeconomic status, sexuality, religion, ability, etc. must be foundational to how we proceed with our work, but perhaps more importantly, we must consider and seek out understandings as to how those labels co-exist with narratives about victims and offenders, specifically.

Our work begins once a harm has been committed and stakeholders are ready to engage in a process of healing and reconciliation, but we must never fool ourselves into believing that it stops when the process has commenced.

Our work begins once a harm has been committed and stakeholders are ready to engage in a process of healing and reconciliation, but we must never fool ourselves into believing that it stops when the process has commenced. People take the narratives that are created in justice-seeking processes and institutions with them, and those narratives are not always accepted outside of the circles and rooms where restoration takes place.

The narrative approaches to healing and justice require much bigger work than the stories which exist between community, victim, and offender immediately after harm. Perhaps one of the first steps we need to take in conceptualising opportunities for narrative repair, is to gain a better understanding of not only what detrimental stories are being told, but what stories we are not allowing to be told as well. If we want to promote peace, one of the first things we must combat is silence.

### Brandon Brown

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## The value of inclusion: personal and professional perspectives

I am grateful for the opportunity to share some thoughts I have about inclusion. I don't remember a time when I didn't consider inclusion. Long before I had heard about restorative justice, I was steeped in a world where the question of who fit in was constantly on my mind and heart. My sister Ashlee, the youngest of four, was born with a rare genetic condition that manifested physical differences. In public and in school I saw the stares and heard the bullying comments. I felt outrage and fierce protectiveness.

### A personal start: it's the inside that counts

Rather than withdrawing from the judgements of certain peers, she made sure she was seen.

But my sister didn't really need me. Along with Apert Syndrome, Ashlee was born with profound resilience, deep empathy, and a desire to be of service to others. Rather than withdrawing from the judgements of certain peers, she made sure she was seen. Drama class, peer mentoring, piano lessons, Ashlee moved through school not only succeeding but helping others succeed. Despite a young life interrupted by more than forty surgeries, she thrives. She has a strong group of loyal friends, employment, and a beautiful daughter named Emma. Ashlee is one of the happiest, caring, thoughtful, creative, and enthusiastic people I know. My sister is surrounded by accepting and loving people and she uses her life experiences to help other individuals and families that are affected by this syndrome feel included.

Having a younger sister with physical differences has shown me the importance of inclusion. From a young age, being with my sister sensitised me to which glances from strangers were judgemental and which were kind. I honed a facial expression that quickly and sternly communicated a warning to those unkind eyes and sneers, 'You'd better watch what you say.' Over the years, this mask was put away. I knew Ashlee could handle herself. Then, about seven years

ago, the exact same look found its way to my face again when I started to see the same judgemental looks directed towards my niece.

When I encounter others, even those who have committed the most heinous acts of violence, I am open, curious, and grounded in the mantras, 'everyone has a story' and 'everyone is doing the best they can with what they have.'

This threatening-looking mask feels uncomfortable on my face as it directly contradicts how I show up in almost every other part of my life. For the last two decades, I have tried to live restoratively. When I encounter others, even those who have committed the most heinous acts of violence, I am open, curious, and grounded in the mantras, 'everyone has a story' and 'everyone is doing the best they can with what they have.' The selective, defensive mindset I have when I am in public with my sister and niece is troubling to me and out of step with my values. I can rationalise that people stare because they are curious about how my beloveds look and I am sure they don't mean to cause harm. I believe my uncharitable response to stranger's gazes is based on my fear that people I love might experience the hurt, loneliness, and despair that can come from feeling like an outsider. I always want them to feel included, accepted, and loved. As my parents would tell my siblings and I after Ashlee was born, 'What is on the outside is just the packaging. It is what is on the inside that



Figure 1: Ashlee (left), Emma and Alana

counts.’ I have overheard Ashlee remind Emma of this many times.

## Restorative justice in the prison setting

These familial experiences and other life experiences primed me for the call I heard in my early 20s to the vocation of restorative justice. I learned about restorative justice through a course taught by the late Liz Elliott.<sup>1</sup> Sitting in the front row of that university classroom, I remember being sceptical of words like ‘healing’ and ‘accountability,’ given my experience as the victim of violence at the hands of someone who was not the least bit remorseful.

Restorative justice felt impossible until I attended a workshop called the Alternatives to Violence Project (AVP) at Mission medium-security institution with other community volunteers and federally sentenced men. Sitting in circle, we explored the interpersonal and structural violence that had affected us all. I spoke one-on-one with people who were incarcerated for perpetrating the same forms of violence I had been the victim of. As our stories tumbled out of our mouths in stops and starts, tears were shed, and empathy, understanding, and a sense of shared humanity emerged.

My greatest lesson from that workshop was that, hurt people, hurt people.

My greatest lesson from that workshop was that, hurt people, hurt people. Like me, the men I met in prison had multiple experiences of childhood trauma. From this teaching, I came to appreciate that these past hurts explain, rather than excuse our behaviour. Once we are connected with the underlying reasons for our violence, we have the responsibility to learn to find ways of coping that minimise the potential for more violence towards ourselves and others. In that circle, all of us were focusing on healing the wounds of the past and moving forward without violence. However, personal transformation and healing cannot be done in isolation. AVP and the restorative justice community provide me with both the support and accountability I need to engage in the on-going work of healing. I continue to do this work so I can be in a good place to be in service to others that are struggling.

I became involved citizen escort as a way to support people who are frequently excluded and forgotten. Through a process called gradual release, federally sentenced prisoners in Canada are often afforded the opportunity for temporary absences from prison as their parole date gets closer. These leaves from the institution range in duration from a few hours to half

a day to a specified location such as a counsellors office, family home, or site for community service. Individuals must be supervised by a correctional officer or trained, community volunteer.

The fear, anxiety and other symptoms of institutionalisation were obvious, and it took several temporary absences for prisoners to adjust to the taste of freedom beyond the bars.

As a citizen escort volunteer, I would accompany people into the community for their first time out of prison in many years, sometimes decades. The fear, anxiety and other symptoms of institutionalisation were obvious, and it took several temporary absences for prisoners to adjust to the taste of freedom beyond the bars. One of the most common fears they expressed to me is, 'I feel like everyone knows I live in prison and they won't accept me.'

Given my experience working with people in prison and as a criminologist, I knew that their fear of being judged and treated poorly upon their return to society was well founded. During these escorted absences, I felt that familiar, protective, threatening look creep across my face if I saw someone staring at their tattooed necks or outdated clothing. *You'd better watch what you say.* The idea that these men who had survived the violence of prison needed me to protect them is laughable. However, I couldn't set aside the fiery reaction to perceiving someone I care about might be excluded. We have now developed community-based AVP for people leaving prison so they have a place to feel accepted, welcome, and valued.

## Involving people with cognitive differences: the important role of community

In addition to restorative initiatives in prison, I spent many years working with a program that offered restorative justice responses for criminalised and non-criminalised harm. We accepted referrals involving people with cognitive differences as the result of brain injuries, developmental delays, and other impairments. We welcomed this opportunity to be of service as both victims and offenders impacted by these challenges as they are routinely re-victimised or excluded from the legal system and, therefore, have few opportunities to have their justice needs met. In doing this complex work, we endeavoured to stay

grounded in restorative justice principles while being creative about the process.

But how could restorative justice work when one party was non-verbal? What was possible when one person lacked the cognitive capacity to take responsibility for their actions?

We had always taken a 'person centred' approach over a 'process centred' one which meant building the restorative justice process around the needs of the participants, rather than fitting them into a predetermined model like a conference or circle. We offered a menu of restorative justice processes available that included both direct and indirect dialogue between affected persons. But how could restorative justice work when one party was non-verbal? What was possible when one person lacked the cognitive capacity to take responsibility for their actions? In addition to being flexible and person centred, we discovered the answer to finding restorative ways forward lay in the community.

While there is consensus that restorative justice must include victim, offender and community, how community is defined and involved is unclear. When it came to our work, Pranis' definition of community as a 'group of people with a shared interest and sense of connection because of that shared interest' (1997, p. 1) resonated. When we worked with community members who had varying levels of understanding of how cognitive differences impacted people and behaviour, we focused on the shared interest of healing harm and creating enhanced safety for all.

Community has multiple facets and could be considered geographically (where the harm took place) or it could be socially defined in terms of who was impacted by the harm (Schiff, 2007, p. 235). When harm involves families/caregivers or occurs in workplaces or other settings where a high level of trust is expected like a group home, there is often significant impact outside of the people directly involved.

When harm impacts or is caused by people with cognitive differences, we noticed widespread harm to other people as well as relationships. Those community members that were harmed (often peers, support workers and family members) were invited into the restorative justice process and acknowledged as victims. In addition, members of the communities of care proved to be a tremendous source of both support and accountability to both the victim and offender.



According to Schiff (2007), restorative justice encourages collective, community-based responses that aim to address the conditions that can create harm and the impacts of harm. In addition to the need for community members to be acknowledged as harmed parties, communities have obligations that include:

- responsibility for communicating the harm that occurred, its degree and expectations for appropriate repair;
- communicating standards of expected behaviour, norms, and values;
- collective ownership of the causes of harm and work together on how to address them;
- supporting the completion of reparation agreements that result from restorative justice processes;
- creating a safe environment for community members, including the victim and the perpetrator;
- being informed of available services to support victims and perpetrators;
- mentorship and support (materially, physically, emotionally) to victims/survivors and offenders;
- developing reintegration strategies (Schiff, 2007).

As a restorative justice practitioner, I had never seen such clear examples of community members stepping up to fulfil these obligations as I did while working on cases involving people with cognitive differences. However, the engagement of community was not automatic. Often the harm that occurred had fractured trust between communities of care and the now ‘offender’ they had been caregiving for. In some cases, community members were partially responsible for the harm to the victim due to their own carelessness or neglect. The relationships between victim, offender and community needed repairing prior to the restorative process between the harmed party and the person responsible.

Pranis (1997, p. 2) notes that ‘relationships are the threads of community. The interweaving of relationships is the fabric of community. Mutual responsibility is the loom on which the fabric of community is woven.’

By inviting caregivers, family, and other professional and non-professional members of a person’s community into the restorative process, relationships are built that allow for a sense of shared interest and mutual obligation to emerge.

By inviting caregivers, family, and other professional and non-professional members of a person’s community into the restorative process, relationships are built that allow for a sense of shared interest and mutual obligation to emerge. The community of care around both victim and offender can be re-established and enhanced in cases where it may have been faltering. Healing is more likely to begin from a place of community, particularly when there are complexities related to differences in cognitive capacity.

## A case reflection

The case that stands out the most for me involved two young adults who had cognitive differences. Despite both having strong family support and professional caregivers, a serious harm of a sexual nature occurred during an outing to a public pool. Two families, two organisations (each young adult was being supported by a different community agency), the pool, and other persons with cognitive differences and their families who learned of the harm were affected. The young person who was harmed was incredibly distressed. Their personal hygiene declined, symptoms of depression were evident, and they isolated and withdrew from daily activities that once brought them joy. The person who caused the harm was non-verbal and their cognitive capacity was much younger than their age. There was anger and fear in the community about what happened, and blame was being thrown back and forth between families, community agencies, and the public pool.

After spending time with both young adults and the family members and caregivers that made up their communities of care, it was clear that a face-to-face encounter would not meet the needs of anyone. Thinking both restoratively and creatively, in collaboration with the participants, we designed two circles based on capacities of the young people directly involved. There was a circle of support held with the person who was harmed where their community of care acknowledged the harm done and said things like, ‘this shouldn’t have happened to you,’ ‘what happened was wrong,’ and ‘I should have been there to watch out for you.’

As the talking piece was passed from hand to hand, the person harmed went from being slumped over, silent to sitting upright, smiling and engaging.

As the talking piece was passed from hand to hand, the person harmed went from being slumped over, silent to sitting upright, smiling and engaging. As they absorbed the messages of both support and accountability, their demeanour totally changed. We then moved to a discussion of who in the community would be responsible for preventing future harm at the public pool and elsewhere.

There was another circle that took place for the person responsible for the harm. Members of their community articulated the harm caused in a way that they understood. A discussion was held about how this person could communicate an apology to the person they hurt. The person who caused harm created a drawing and it was delivered, by us, to the victim with an explanation. A plan was created to ensure the person who caused harm was not left unsupervised and the details of this were communicated to the victim and their community of care. Healing to people and relationships had begun.

## Closing remarks

I feel passionately that the work of restorative justice can create community, inclusion, and connection where it did not previously exist. I am inspired by transformative justice initiatives that are developed by community-led, non-profit organisations seeking to be the first response to harm in communities, circumventing the legal system altogether. I believe Nils Christie would applaud these efforts of taking back our conflict rather than allowing the state to steal it away without any benefit to us.

Despite my 20-year educational journey and knowledge I have gathered through my work in restorative justice, I learned about the value of inclusion from my sister. A few years ago, Emma didn't want to go to school because she was being teased. Ashlee knelt down to eye level, acknowledged Emma's feelings, shared insight from her own experience, and offered an embrace. They then put the Lady Gaga song 'Born this way' on full blast and mother and daughter had a dance party before leaving for school.

I have appreciated the opportunity to share my reflections about inclusion in relation to restorative justice, family and beyond.

## Alana Abramson

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## An inclusive approach to restorative practice for students with diverse needs

Readers who have a background in education and restorative practice are largely familiar with the continuum of practice in restorative responses to incidents of harm in the school community — on one end, the use of formal processes such as restorative conferencing, and at the other, informal processes designed to 'keep the small things small' with an array of processes in between. What has been a particular challenge to practitioners is the issue of using such processes with those who are neurotypically different and have a wide variety of diverse needs

and for whom participating in these processes can be difficult.

## Introduction

This article is best seen as a summary of the messages about what *is* possible, contained in our text, *Restorative practice and special needs* (2015). The authors, Nick and Marg, connected when Nick attended local restorative practice facilitator training in 2013. Nick, having worked extensively in special school/unit settings, saw the possibility of how the processes, underlined by the principles of restorative justice, might be adapted to meet the needs of a special group of students of all age groups, who are sometimes those responsible for harm, and sometimes harmed by others. Like most of our work, the book developed from a series of well-received workshops with educators — nothing like a powerpoint presentation to become the bones of a book!



*Nick Burnett*

We will explore, in general, the nature of the challenges and provide some guidelines, drawn from practitioners in the additional needs space, about how we can remove some of the barriers to participation.

## History of restorative practice in schools

Restorative Practice (RP) in schools has developed, since the mid-90's, from a response to serious incidents of harm to reduce the suspension and exclusion rates to a much broader approach that encompasses the need for behaviour *development* rather than a command-and-control approach around behaviour

management. Ross Greene (2016) lists a number of particular skills which foster the better side of human nature:

- empathy,
- understanding how one's behaviour impacts on others,
- being able to resolve disagreements without conflict,
- perspective taking and
- honesty.



*Margaret Thorsborne*

This list of skills is exactly what restorative practitioners understand to be what we might hope restorative processes can achieve with persistent, consistent policy and practice. The implication here is the need and challenge of teaching these skills *before* anything goes wrong — social and emotional competence and the very important life skill of self-regulation.

... a much clearer picture of brain development across childhood and adolescence and more humane ways of responding to incidents of harm that is informed by this.

In the early years of RP in schools, pioneering efforts were adapted from the youth justice sector and were deeply challenging to the prevailing authoritarian approaches to behaviour management

(Cameron and Thorsborne, 2001). Since then, the practices of suspension and exclusion have been shown to contribute to the ‘School to Prison Pipeline’ (Skiba and Rausch, 2006) in significant ways — particularly for student populations that are already disadvantaged and include those students with diverse needs. This includes a much clearer picture of brain development across childhood and adolescence and more humane ways of responding to incidents of harm that is informed by this. Thankfully, enlightened schools, school districts and regions are now working in a space around a more relational approach to pedagogy, school well-being and positive psychology and whole school approaches to relationship and behaviour development. We also acknowledge that concepts of ‘harm’ and ‘making things right’ also need to be taught in explicit ways as these notions of healing may well be foreign to some.

## The restorative process

The RP process usually involves:

- Telling the story about what happened (the what and the why). *What happened? What were you thinking? What were you wanting to happen?*
- Exploring the harm done. *What did you think when it happened? How has this been for you? What has been the worst of it?*
- Acknowledging this harm (this may or may not include apology). *What do you think now that you’ve heard from ... about how it’s been for them? Is there anything you could say to begin to make it right?*
- Developing a plan to make things right. *What’s needed here to make it right?*

The process has implications for participation for students who have diverse needs.

Participating successfully in such a process will mean particular barriers will need to be addressed:

- the nature of the special need;
- the largely verbal process, involving dialogue with all involved parties;
- the level of awareness of self and others;
- the social skills of those involved;

- the willingness of the young person to participate;
- the willingness of the adults to work in this paradigm.

In our text, we have suggested these barriers largely fall into three broad groups:

- ⇒ Communication: expressive, receptive, non-verbal;
- ⇒ Cognition: story telling, memory and sequencing, understanding of self and others;
- ⇒ Behaviour: dis-inhibition, sitting still, social and relationship skills.

Each of them, as restorative practitioners, had found ways to overcome some of these barriers and had managed to adapt the processes in order to achieve the kind of healing we know is possible.

The authors visited practitioners in a range of settings: special needs units in large primary and secondary schools, individual teachers in regular classrooms teaching students with diverse needs, and special schools. Each of them, as restorative practitioners, had found ways to overcome some of these barriers and had managed to adapt the processes in order to achieve the kind of healing we know is possible. In our text, these case studies showcase these adaptations for a range of diversity that includes Autism Spectrum Disorder, Intellectual Disability and Speech, Language and Communication Needs.

## Guidance for accessibility

From examining all the different elements that can impact on the RP process we believe there are some overarching implications.

**Preparation:** this is key in any RP process but we would suggest even more important when one or more of those involved in the RP process have special needs. This preparation is for everyone likely to participate — to ready them for the adaptations of process that may be needed.

**Access:** what do we need to provide for the individual with special needs to enable them to access the RP process? This could be special seating, awareness of venue, timelines, something soothing to hold, role-play, lighting etc.



**Visual supports:** even for those students who may not have significant language difficulties we believe the use of visuals to support communication and memory are important — especially around identifying feelings. Common props used include comic strips, social stories, timelines on whiteboards, graphics from such programs as Boardmaker, PECS, emoticons etc.

**Language:** the language in RP is very important but we need to Keep It Short and Simple (KISS). Some of the questions may need adapting to enable the individual with special needs to understand them.

**Practice:** repetition and sometimes rehearsal of the process questions and social skills we want to teach the individual within the RP process is advised. At other times, using circle time, and other social skill programmes to teach social and emotional knowledge and skills is an effective preventative measure.

**Relationships:** this is the cornerstone of the RP process and relies particularly on the development of trust between participants and the facilitator — especially true for those participants with diverse needs.

## REPAIR Framework

To further assist practitioners, we believe it will be useful to work through the REPAIR Framework below before implementing an RP approach when individuals with diverse needs are involved.

- R** is this the *right* approach? Establish the outcome needed to determine the approach.
- E** *establish* needs for all involved — what's the one social skill I want to teach as a consequence of this?
- P** preparation for *participation* — what and who is needed to give this its best chance of working.
- A** paying attention to the *affect* (emotions) for those involved — before, during and after. Also, what are the actions needing to happen as a consequence of the RP?
- I** *integrity* — in terms of process, preparation, follow-up and philosophy of RP — is the fidelity around process intact?

**R** in the end it's all about the *relationships* — reflecting, repairing and reconnecting, and ensuring the relationship between participants and the facilitator is one of trust.

## Class approaches: additional helpful hints

We will now share some class and school approaches that may prove beneficial if you are working in a setting where there are many individuals with a range of special needs.

- *Use of circle time to teach restorative thinking and behaviours* — At a class level much of the work by Jane Langley (2016) around using RP in the early years is really useful in identifying the need to model, model, model. She identifies that acquiring restorative behaviour is a developmental process that needs modelling, practice and rehearsal.
- *Care not to deliberately humiliate* — As with young people, and depending on the special needs of the individual, disapproval from staff/adults they feel attached to will often be much more powerful than shaming from their peers. Care must be taken though to make sure that individuals are not deliberately humiliated by adults. This will increase the risk of unhelpful behaviours in those targeted and poor outcomes for everyone.
- *Have a range of pro-social photographs/symbols and other calming pictures in the setting* — These can help in using every opportunity to teach individuals the behaviours we want as opposed to responding to those we don't want. Helping individuals manage their moods is an important part of the process and having positive, calming pictures in the class or other setting can be helpful.
- *Hand held self-regulation 'tools'* — Another strategy, observed by Bonita Holland (2012) and shared in her Winston Churchill Memorial Trust report, was each student in a class having a small handheld oblong card split into three sections which they keep with them at all times. Each section had a Velcro circle in it and there is a separate button which can be moved by the student from section to section to indicate their internal emotional state all the way from 'calm' through to 'peak distress or anxiety' as

indicated by the colour of the section. If an incident occurs that triggers a student to move their button to the peak position on their Velcro card they can go and stand in front of the 'I' spot, (a thinking space) set up in a few positions around the classroom. Here they spend time reflecting about what's happened, what they think and feel, and they can use the toys and twiddle objects in the box to help themselves move from 'peak' to 'calm' and then to return to their desk or learning activity (Holland, 2012).

- *Centre of calm concept* — Rebecca Jacobson (2015), who has also contributed a case study, is a support teacher at Portland North Primary School in western Victoria, Australia. She is the parent of a child with ASD and has developed and implemented a number of really useful RP strategies. One of which is explicitly talking about RP as a 'centre of calm.' Individuals may feel caught in the grips of anger, terror, anxiety and apprehension but these feelings lie outside the 'calm' circle and so she talks with the student about what he/she can do to get back into the calm circle.
- *Explicit teaching of facial expressions* — She has also found specifically teaching individuals what the faces of people experiencing different emotions look like has proved useful. The importance of using actual photographs as opposed to comic interpretations can be very important for some individuals who find it difficult to transfer visual/cartoon concepts from one situation to real life.
- *Re-enactment* — Rebecca has also found that re-enactment of incidents as a really useful tool to unpack what happened with all the students involved re-playing the incident from start to finish, or, as illustrated in her case study, with her taking the role of the person responsible and being 'directed' by the student harmed to demonstrate what actually happened step by step and what they were thinking at each point. Both of these cases show how important the preparation is in the process.
- *Developing a small number of visual tools for communication* — Another practitioner in Canberra, Australia, who has really pushed the boundaries as to what is possible in relation to RP with individuals with special needs is Sian

Ziesling-Clarke (2015). Sian, like Rebecca, has also provided a case study in the book that has more specifics about the approach used in a particular incident and has some thoughts about RP and special needs in general. Sian has taken a number of years to identify the minimum number of symbols that are needed to enable meaningful restorative conversations to take place. From this Sian developed the use of restorative visual cards for use in every situation and this led to a whole school uptake of the RP.

## Additional issues to consider

Whilst there is not the space within this article to adequately address these, we do think it is pertinent to raise awareness of the need to consider some of these when establishing an inclusive approach to RP. These are namely:

- *Restorative Practice after Physical Restraint* — Whilst the topic of physical restraint is by its very nature a controversial one, on occasions it is used and we would argue that the best approach to restore and improve relationships is to use a restorative practice approach to listening and learning following the incident.
- *Working with Families and Staff* — The key elements here are around working with parents as partners in the true-meaning of the word; and also recognising the need for additional supports for those staff who are facing regular incidents of violence in their daily work.

We would like to acknowledge the many practitioners we interacted with who were in many ways the inspiration for the writing of the book and who continue to shine the light on how to establish an inclusive approach to RP.

### Nick Burnett

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## Restorative Practices training in schools: implementation lessons from two Erasmus+ projects.

In 2017 IIRP (Europe) and SynRJ were pleased and excited to be approached to join the RESTORE PROJECT, an Erasmus+ funded programme that aimed to ‘develop safer and more positive school climate through restorative practices.’ There were Partner organisations from six countries;

- Ligand (Coordinator) (Belgium)
- International Institute for Restorative Practices (IIRP) Europe (the UK affiliate closed in 2021 and training is now carried out by SynRJ)
- Le Souffle (Belgium)
- Mairie de Lille (France)
- CRESM (Italy)
- Asociatia de dezvoltare intercomunitara zona metropolitana —{ } Cluj (Romania)
- Eigen Kracht Centrale (Netherlands).

The aim of this project was to create an implementation plan for Restorative Practice (RP) training that could be used by any organisation, anywhere in Europe. An idea that quickly proved to be both complex and difficult.

The Partners in the RESTORE Project brought with them very different levels of RP knowledge and experience. In order to achieve a level of consistency the group provided training for everyone following a structured model approach, using a combination

of training materials developed by IIRP Europe and SynRJ. For research purposes this ensured consistency of material and training, as the different Partners introduced the concepts in their own countries.

The RESTORE Partners produced a number of 'tools' aimed at helping organisations along their restorative journey, starting with the initial contact, through to aspects of 'restorative leadership.' However, there are two aspects of the implementation process that we would like to focus upon, the first, born out of circumstances and necessity, 'Student Workbooks', and the second, 'Professional Learning Groups.' These 'tools' enabled us continually to support the schools that we were working with. This article reflects our journey as one Partner working in the UK to develop training that could be used inclusively in any country.

## The training

The courses and workshops that we delivered helped the organisations and individuals address negative behaviour, though our emphasis was on the concept of restorative practice as an opportunity to create an organisational climate which promotes positive relationships and is therefore proactive e.g. the use of Circles, reducing the chances of the negative behaviour occurring in the first place.



Les Davey

Our structured model (figure 2) focusses on providing a practical range of skills that can be used by everybody (including pupils) throughout the day and can be applied to the frequent small but *nagging issues* to the less frequent *serious incidents*.

## Post training: will the organisation 'fly' with RP or will it 'sink without trace'?

At the end of a day's training, loading the car is always accompanied by positive emotions. The day has gone well and the group has worked together in a constructive way as they successfully moved through the various sessions.

During the journey home we tend to ponder upon what will happen next within the commissioning organisation(s). Will restorative practices 'fly' or will it 'sink without trace'? These are the two extreme outcomes and for most organisations, the future is usually somewhere between the two. The underlying theory is not difficult to understand and indeed, we have delivered a version of our One Day Introduction to RP to school children as young as 6 years old, so the real question is around applying the theory to their practice.

The organisations that 'fly' ... are often characterised by having people who can identify the bridges between theory and practice and have the will and drive to move in the desired direction.

When we created SynRJ in 2016 we recognised that applying the theory to their practice was a major issue for many organisations and it was something that we wanted to help address. The organisations that 'fly' (the ones that fully integrate the new ideas into what they already do) are often characterised by having people who can identify the bridges between theory and practice and have the will and drive to move in the desired direction. Unfortunately, all too often, many others enjoy the training and leave the session enthused, without fully recognising the scope and opportunities for its practical application. For this group, the everyday demands of their work slowly but surely consume both their enthusiasm and will to make the necessary changes.

## Time to focus on implementation

It is against this backdrop that we now want to highlight the two opportunities mentioned before that arose via the Erasmus+ route: the use of Student Workbooks and Professional Learning Groups (PLGs)



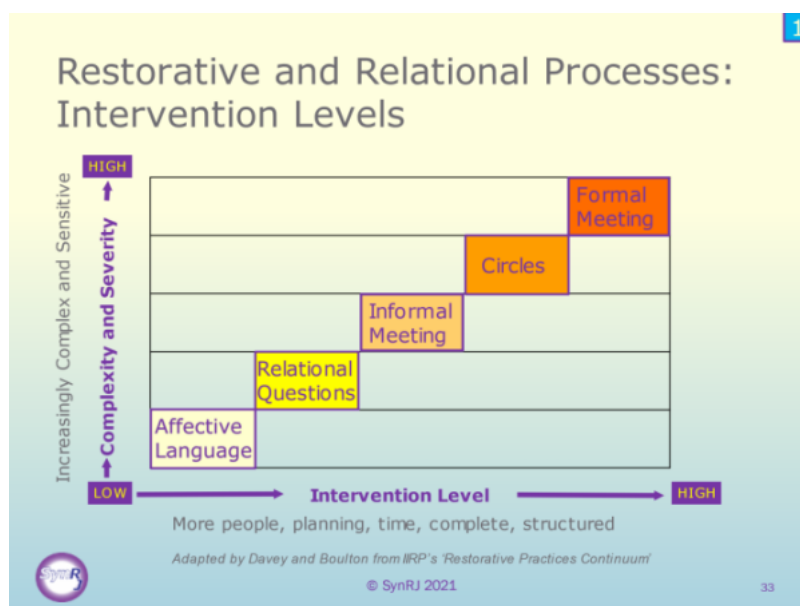


Figure 2: Intervention levels

### Student Workbooks

Two schools from Bury (the north west of England) had agreed to work with us as part of the RESTORE Project. One was a secondary school (11 to 16 year-olds) and the other, a Primary School (3 to 11 year-olds). One of our key areas of focus was upon the 'transition process', looking at what each school had in place, or did together, to help the pupils as they move from the primary to secondary setting.

The early meetings with both schools went well. Time and space were made available for us to provide the necessary training, and where possible, the separate school staff groups came together for these sessions. As is often the case, the primary school found it easier to interweave the ideas and restorative approaches with their way of working, though the secondary school was also making similar significant changes too.

Unfortunately, towards the end of the first year of our involvement, there was an extremely serious incident involving pupils from the secondary school, which not only impacted upon the school, but also had serious implications for the local community. As a result of this incident the focus of the school had to temporarily change and the ongoing work that we had planned was understandably put on hold. This difficult period slipped into the long summer break (July and August) and our contact with the secondary school was significantly less than our time with

the primary school. As a consequence, they were no longer moving at the same pace and we were having real doubts around the viability of continuing with the secondary school. Following discussions with the School Leaders it was decided that we should continue, but that we needed to find a way of re-launching the RP initiative and at the same time, providing a 'booster' for both the staff and pupils.



*John Boulton*

At that point, the training provided had been for the staff groups and due to several delays at the start of the project, training for pupils was still some way off. Even then, it was envisaged that the pupil training would be for relatively small numbers. Our long experience of working with schools has repeatedly

shown that working with pupils and engaging pupils in the process can be a key component of the implementation process.

We therefore saw the need to train all of the pupils, delivering the same concepts, using similar materials provided to staff ...

We therefore saw the need to train all of the pupils, delivering the same concepts, using similar materials provided to staff and it needed to be completed in a very short period of time. An admirable goal but could it be achieved? Out of this need an idea was born that fully addressed this need.

We used two 'twilight sessions' (after school time), to introduce the SynRJ 'Student Workbooks and Teachers Guides' to the staff, to show them how to present the material and to prepare them to engage the pupils in the process. The additional benefit of this process, is the fact that the materials lend themselves to be delivered in various formats. These range from merely facilitating group or circle discussion, using a story board style, through to the pupil working through the workbook independently. Thus creating an inclusive approach, particularly important for those pupils who would otherwise struggle to engage.

At the same time the process also reacquainted the staff with the key RP concepts and materials. Following on from these sessions with staff, the school then created the time and opportunity for staff to work through the workbooks with their pupils. The general feedback was that this intervention had been well received by all pupils and it had succeeded in making up for the time lost.

The primary school also followed the same process with the appropriate age-related workbooks and they too reported the whole process as being a success. Both staff groups recognised that the implementation plan could be flexible to respond to changing circumstances, as long as the end goal is not lost.

### Professional Learning Groups (PLGs)

Professional Learning Groups (PLGs) became the missing link between theory and practice.

When reflecting upon the many training sessions that we have delivered over the years, we cannot recall a single example of when an attendee could not understand the training or the theory. As tempting as it may be to cite the brilliance of the trainers, the reality is that the underlying theory and principles are both straightforward and easy to comprehend. The course

feedback supports this notion and many attendees also add that the sessions are fun and practical. So, if all of this is true, why do so many organisations struggle or fail to integrate the training into their everyday practice?

... why do so many organisations struggle or fail to integrate the training into their everyday practice?

We would suggest that there is not a simple, single answer to this question but 'time and guidance' probably encompasses the myriad of factors that come into play.

There are many models used to explain how PLGs (sometimes also referred to as Professional Learning Communities (PLCs)) work and how they can be used. However, for the RESTORE Project we wanted to create a process that could be systematically followed by any of the Partners (or others), one that focussed on practice (both current and desired), and continually linked theory with practice.

One of the main components of the RESTORE Project PLG model is identifying a staff group who will be instrumental in overseeing aspects of the implementation plan, who can provide 'challenge' when necessary and who will engage in regular ongoing sessions with the RP trainer/consultant.

Our focus is on linking theory and practice, so how does it work? The basic steps are as follows:

1. Assess current practice and plot it on the **Social Discipline Window (IIRP)** or 'Relationship Styles Template' (SynRJ), as illustrated in figure 3. This can quickly highlight what practice is identifiable as being 'restorative and relational' (working in the WITH box) and that which is not.
2. Having identified areas of practice that are considered not to be 'fully restorative', consider the specific area of practice in greater detail using the key restorative elements:
  - Relational Styles Template (based on McCold and Wachtel, 2003);
  - Fair Process (Kim and Mauborgne, 2003);
  - Relational Questions (O'Connell, 2015);
  - Free Expression of all Emotions (Nathanson, 1992);
  - Braithwaite's Hypothesis (Braithwaite, 1989).

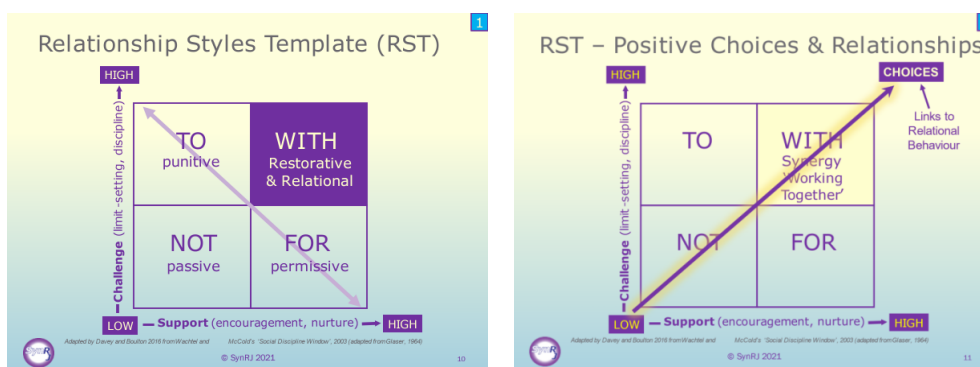


Figure 3: Relationship styles template

The PLG then looks at what is working well, what needs to be changed, and also suggests as to how the practice can be changed where needed. Important aspects of this include being clear who is responsible, what is the timescale and what resources are required.

3. Re-assess changed practice using the same methodology.

This process can be used to consider ‘practice’ in any area of the organisation and this reinforces the belief that RP is not just something we use with young people or the client group.

## The impact of training and how can we do better?

As this project came to a close in 2020, we were invited to work with a new Erasmus + project called *Schools & Solutions*. As the name suggests, the practical application of RP was one of the main goals of this project.

The *Schools & Solutions* Project is still in its early stages, but it is already clear that the school that we are to work with welcomes the opportunity to examine the problems that they face, and consider the ways in which they currently respond. Some of the staff have previously received RP training and in the first instance, it will be interesting to see how much of their current practice reflects this input. Initially the schools will identify the various problems that occur within their schools and at the interface with the local community. The next step is to look at how they currently respond and judge how ‘restorative’ that response is. After this has been assessed the project aims to help the schools work out if the processes could be made ‘more restorative’. A further interesting aspect of this project is that where appropriate,

the schools will be encouraged to look beyond the school gates and look at how the wider community may be involved in helping to address and resolve incidents/problems.

Although it is too soon to say exactly how this project will work in practice, we will be taking into this project lessons learnt from the RESTORE Project. Partners initially assumed that once the key components of the implementation plan had been formulated and agreed, the work with their respective schools would be straightforward. With hindsight, it was probably the case that each individual Partner was considering their own circumstances and assuming that everyone else was working within the same parameters.

Different countries, different systems, serve as a reminder that even within the same country, there are sometimes different systems which may impact upon the implementation plan in subtle ways.

From our UK perspective we assumed that as schools in all the other countries had agreed to join the project, the respective heads/leadership teams would be in a position to make the final decisions around implementation. It was something of a surprise when one Partner had to await further approval once the implementation plan had been formulated. A similar situation arose with another Partner when it became clear that the teachers in their school could choose whether or not to utilise the training, though the headteacher could expect the *animateurs* (the staff who supervise the pupils outside of the academic times) to engage with the initiative. Different countries, different systems, serve as a reminder that even within the same country, there are sometimes

different systems which may impact upon the implementation plan in subtle ways.

## Conclusion

As part of the introduction to our courses, we stress that the training is an opportunity for the trainees to step back from the 'day job', reflect upon their work, and think about why they do what they do, in a particular way. For many, the everyday demands and routines become relentless. We feel very privileged to have had the opportunity and flexibility provided by the Erasmus+ Programme, to take our own advice, and reflect upon the wider issue of changing culture, for in most cases it is change at that level that we, as the trainers/consultants, are trying to facilitate. Yes, the training element is important but there is little doubt in our minds, it is how the training is applied, that provides the real key to success. Inclusion of the young people/client group in a meaningful and proactive way is critical, and ongoing support usually proves to be a very inclusive way of ensuring that the theory and practice link is maintained and

strengthened.

**John Boulton and Les Davey**  
Co-directors of SynRJ

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## Restorative dialogue and educational inclusion: an interview with an Educational Inclusion Officer

Brian McLaughlin is an Educational Inclusion Officer (EIO) working with the Local Authority in the East Midlands region of the United Kingdom. He is the link officer for several schools within the county covering an age range 5–16 years across all types of school. The interview is with Nicola Preston (EFRJ member) who has been working with Brian on restorative approaches in an attempt to reduce exclusion in educational settings. Brian has been an EIO for over five years but has a long career and interest in youth work and seeking out the voice of young people.

**You have worked with young people for many years. What interested you in working with vulnerable and hard to reach young people?**

Even as a young child, I used to run around the playground during break times looking to stop any fights that may have broken out. I used to wear my duffel coat as a cape. I honestly thought I was a superhero and it was my duty to protect others from being picked on, harmed or beaten by bullies. I have no idea why I thought this was my life's duty, perhaps Batman was a bigger influence on me than I had originally recognised!



As a teenager about to leave school, it was my ambition to work in a laboratory. I spent a few years



gaining the necessary qualifications but, after two and a half years, I decided that this was not for me. Whilst working in the laboratory, testing food stuffs, I also volunteered as a Youth Worker. I loved this part of my life so much that, after leaving the scientific community behind, I went on to qualify as a Youth & Community Development Worker.



*Brian McLaughlin*

Since then, I have been fortunate enough to work with some incredible young people, most of whom were deemed to be ‘difficult,’ ‘challenging’ and ‘disaffected.’ I was a drugs worker, walking the streets of an East Midlands industrial town seeking out those young people whose lives revolved around illegal drug use. After five and a half years I went on to set up and manage other youth work projects. I developed strategies and links between different types of youth work practices that enabled us to deal with young people, no matter where they were. In doing so, I was able to establish firm links between centre-based work, street-based work, mobile youth work and outreach. Later, I became a Diversion Officer where we dealt with adults as well as young people who had become involved in the Criminal Justice System. It was here that I learned about mediation and reparation and witnessed how effective and powerful these processes could be in settling and resolving individual differences and seeking closure where possible.

I subsequently returned to work as a Youth Worker, managing mostly street based Detached Youth Workers, followed by a more formal role as Co-ordinator

for a Pupil Referral Unit (PRU), working with those at risk of being permanently excluded from school. My job was to manage one of several units and find ways to engage pupils and prevent permanent exclusion. Those referred to us were in their last year of compulsory schooling. The project was incredibly successful and most completed their last year successfully, gaining qualifications that others thought were not possible. Our success meant we were approached by a number of other schools to set up unique on-site and off-site provisions. It became apparent from the start that schools were referring in two different types of young people, all of whom were aged 11 to 15. Most of the pupils could be worked with positively and reintegrated back to mainstream school within a short period of time but some of those referred had little chance of returning to mainstream.

I believe that the way I approach others through my work in education, stems from being a Youth Worker. I have, over many years, learned to listen to young people; to value them as individuals and to take on board what it is they are saying without judgement. I whole heartedly believe that young people will talk to you, if given the opportunity and they feel that you are genuinely interested in them. For pupils having difficulties in school, this was a massive change in culture. The relationship I had with young people referred to me was not based on confrontation nor power and authority, even though I still represented the institution. It was based on honesty, mutual respect and a willingness to do good and make a difference. We created a curriculum that was based upon emotional literacy. Coming from a youth work background, the academic part of school life came second as we focused more on the emotional literacy of the young person whereas schools were more focused on academic achievements and attendance.

Central to any good youth work practice is the ability to build strong, positive working relationships that are balanced and more equal than a typical pupil/teacher relationship ...

By adapting the many skills I had learned as a Youth Worker, I was able to work in a formal educational setting and challenge the establishment if necessary. Central to any good youth work practice is the ability to build strong, positive working relationships that are balanced and more equal than a typical pupil/teacher relationship or, more generally, between an adult and a young person.

### **When did you get involved with restorative practice?**

I had been made redundant in 2010, two days short of 24 years working for the Local Authority. I managed to pick up some work as a Research Consultant with a nearby University. Having time to consider my future and being unsure of what to do, I was introduced to two individuals who ran a local restorative justice organisation. We spoke at length about restorative justice and my own experiences of working with the Local Authority. I was captivated by what they had to say and wanted to be part of it. I was offered the opportunity to become a volunteer Restorative Practitioner. After training I was able to take part in and run restorative justice conferences. Many of the referrals came via the police but not all. Eventually the organisation lost the contract to run the programme but by then I was convinced that restorative justice had much more to offer and could be utilised almost anywhere in life, personal or professional. Using dialogue to involve all those who had been affected by harm was the best way to engage people. The approach provided a support network to help those who are disadvantaged to help keep them on a more positive path. It resonated with my experiences in youth work and some amazing young people who had battled some really challenging situations.

Using dialogue to involve all those who had been affected by harm was the best way to engage people.

### **You're now an Education Inclusion officer. Can you tell me a bit about the role?**

Primarily, an EIO works with schools and families in relation to school attendance, to help prevent exclusions and to ensure that schools are doing everything they can to engage disaffected young people in learning. To do this, we work with a range of parents/carers, young people and schools to improve inclusion in the formal and statutory education system. Several key strands are found within Education Inclusion:

**Children Missing from Education (CME)** – school don't know where the child is, or the child can't be located. A dedicated CME Officer is able to make all necessary enquiries to try and locate the young person in the UK or abroad.

**Prosecution and Attendance** – children not attending or refusing to attend school for what ap-

pears to be, no justifiable or legitimate reason. I often struggle with this part of the job. Issuing a Fixed Penalty Notice (financial penalty against the parent/carer) does not necessarily consider some family issues that might have led to the absence. Taking the time to listen and have a little bit of patience sometimes works in being able to understand the problems and address the underlying causes of non-attendance.

**Elective Home Education (EHE)** – keeping children in school is considered the preferred option, but legally, a child can be withdrawn from school and educated 'at home.' Some parents/carers, for whatever reason, will apply to formally home educate. As part of the Inclusion Team, we request information from parents on what is being provided educationally for the child. Parents do not have to follow the national curriculum, nor are they required to follow the same times or terms as school. Our ability to check on the child's educational progress is limited. If we discover that a child is not receiving the education or that the education received is inadequate, we can legally instruct the family to return the child to school.

**Inclusion** - this is the strand that I am most familiar with and deals with everything else not covered by other strands. We deal with Fixed Term Exclusions, Permanent Exclusions and any attendance issues that do not necessarily lead to a fines or prosecutions. We take referrals from schools and parents/carers alike and respond to families where they believe their child is not receiving the right support in school. The role is much more involved and very diverse in terms of the issues presented. This often requires officers to be a lot more thoughtful and at times creative.

**Without A School Place (WASP)** Occasionally, we come across young people who are without a school place. In this situation, we need to consider what the child and family would like, what is best for the child and what provisions are available. We still need to remember that all children of statutory school age are entitled to a full-time education. Difficulties arise when attempting to place a young person within a setting that will not work for the child. This is rare but for one of my current WASP individuals, the expectation was that he attended a Pupil Referral Unit. Following a

discussion with the young man and his parent this would not serve him well. I argued for him to be given 10 hours of tuition per week with a home tutor instead. I am so pleased that this individual is currently thriving.

Being able to have a dialogue with all those I am involved with, is critical in attempting to meet the needs of the individual and come to a shared understanding.

Being able to have a dialogue with all those I am involved with, is critical in attempting to meet the needs of the individual and come to a shared understanding. I need to be mindful of the cultural aspects of the family. An example would be if a travelling family want to home educate their child. The Home Education Plan provided by parents/carers needs to reflect the traveller culture and that may include preparing the children to function as full members of the travelling community. This may take into consideration roles and traditions that may conflict with my own non-travelling background. I am always aware of my own cultural arrogance and don't let it interfere with my work. This fits with the restorative ethos. It is all about providing a fair process and meeting individual needs without judging.

### **What are some of the opportunities and challenges of working restoratively in the education setting today?**

As I mentioned earlier, I believe the culture of school is focused more on attendance and academic progress rather than relationships. For me, this is unfortunate, but the way in which schools are set up would make it almost impossible for them to focus on relationships with all pupils.

To build a good and positive working relationship takes time, commitment, energy and the giving up of a significant amount of power and authority. Some schools have managed to create opportunities to focus on relationships to some degree, and consider individual needs including young people's vulnerabilities, environments and culture. The more that schools can take the time, energy and effort in working with young people at risk of exclusion, the more likely they are to retain that young person and keep them engaged and in school.

Some schools are, unfortunately, process driven. Here are two examples based on real cases. A young pupil overturned a desk after being told by a teacher to move seats. The teacher is aware that the child

has a diagnosis of ADHD but still sees the act of flipping a desk as violent, an act of chosen defiance and a potential threat to others. The act is seen as 'chosen behaviour' and the pupil is given an exclusion as dictated by school policy and procedures. Another example, a pupil felt that they were not being taken seriously by the school as others bullied him on a daily basis. He took a knife into school, which is truly disturbing, but the child felt that they had little choice, feeling let down constantly by school and feeling they needed the knife to protect themselves. Once discovered, he was automatically excluded permanently, as school has a zero-tolerance policy towards knives. If school had taken time to get to know the child and listened to what they had to say, perhaps the bullying could have been dealt with, possibly using an restorative justice conference.

I am very conscious of the imbalance of power between schools and families.

I am very conscious of the imbalance of power between schools and families. This is a huge issue for me as almost all parents/carers and children that I come across feel that they do not have the understanding, confidence or skills to challenge schools following a permanent exclusion. The family feel that the system is against them and any formal challenge against a permanent exclusion is futile. My role is to reassure the family, explain the process that follows a permanent exclusion, to listen to their concerns and what they would like to happen. I help them to formulate their challenge and how to present it at a Governors meeting or Independent Review Panel (IRP). When a permanent exclusion is overturned, it shows that perhaps the school got it wrong and an injustice was avoided.

Where possible, I try to avoid taking part in short-term political games between the Local Authority and other institutions, e.g. school and other alternative providers. Issues such as finances, transport and what provision to allocate to a child, once permanently excluded, can prove costly. Until matters are resolved, the young person in question misses out on his or her education. The differences of opinion have become a barrier to the young person's learning and this conflict needs to be resolved as a matter of urgency. This can only happen if those involved in the conflict, i.e., the policy holders and those managing the finances, come together and take time to listen to all the voices including those who are being harmed by institutionalised opposing views.

Restorative approaches for me are value driven and resonate with my experience over the last 30 years in my work with young people. My experience of working in schools has highlighted that some schools interpret restorative practices in a way that is not focused on an understanding of some of these core values I remain convinced that if you are 'person-centred' and involve the voice of the young person then as a professional, you will be able to improve the quality, intensity and effectiveness of the support offered to them with potentially better outcomes and

engagement in learning.

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## Calendar

**EFRJ AGM** 16 June 2021 AGM Online 5pm–7pm CET

**EFRJ Virtual symposium** 21–25 June 2021  
*Restorative Justice over distance* More information from the [EFRJ](#).

**EFRJ Conference** June 2022 Conservatorio Luigi Canepa Sassari, Sassari, Sardinia, Italy. More information from the [EFRJ](#).

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The views presented in this Newsletter are the views of the authors and do not necessarily represent the views of the EFRJ.

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