

Teach kids a lesson...or help them to learn?

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Introduction

For too long the traditional school was about “rules and rule breaking” and in responding to misbehaviour the approach has been one of punishment. If schools make an example of a young person’s misbehaviour then everyone will get the message of “zero tolerance”. This illustrates that the school will not tolerate the behaviour, secondly it demonstrates to others that a stance has been taken towards inappropriate behaviour and other serious incidents, and thirdly swift punitive measure will bring about desired learning outcomes or so it appears.

Punitive versus Restorative Practices

According to Dr. Christine Richmond “ Educators are employed to teach not to punish. Punishment is a very poor method of teaching anything. If it was effective it would have long worked by now” (2003). The question therefore remains, “How can we make the most of a teachable moment when a young person has misbehaved?” To be an adolescent is often to test the limits, challenge authority and engage in unhealthy behaviours. It is part of the tapestry of being young. How can our school communities reconcile the young person’s strong sense of fairness with the natural inclination to engage in risk taking?

The answer to this may be in responding to any incident in a restorative way. When we view misbehaviour as an infringement against the school and respond only with punishment, we ignore the student’s motives and the potential for moving beyond retribution. Restorative Justice philosophy views misbehaviour in terms of how it has impacted upon relationships in the school community. Once the harm is acknowledged in a concrete way the process moves beyond harm to ask how can this harm be repaired? If schools are places of learning, where young people are encouraged to be independent and creative thinkers, are able to share their ideas and opinions, learn to accept the views of others, to be responsible and accountable for their learning, it

stands to reason that the “punitive school” is being counter productive in achieving these desired outcomes. A young person is less likely to learn anything when punitive things are done “to” them rather than “with” them.

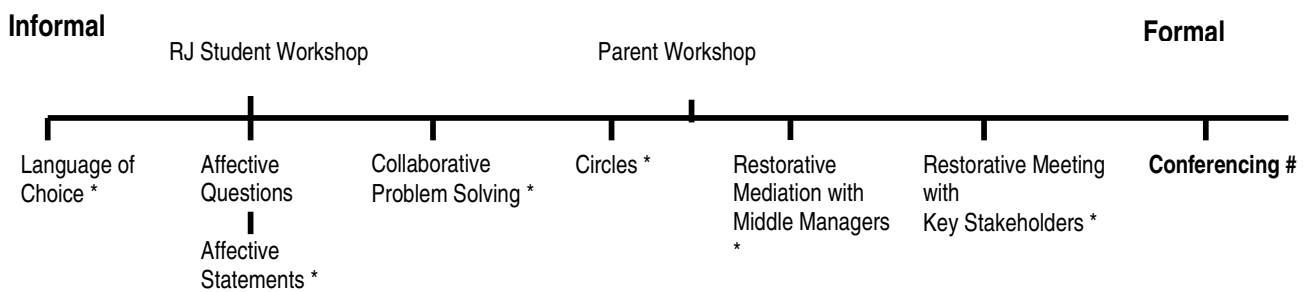
A Whole School approach in Restorative Practices

A Restorative Justice philosophy views every incident of misbehaviour as an opportunity for learning and growth. Marist Youth Care over the past three years has been working with schools to evaluate and develop practices that heighten a young persons learning when they have been involved in behaviours or incidents that have impacted on others and damaged quality-learning relationships. Whilst we support schools by providing a Conferencing service, our approach is to work **with** students, teachers and parents in developing whole school practices.

Beginning with less formal approaches and moving to more formal practices, the focus is on drawing out learning, resolving issues and repairing relationships. Conferencing is at the formal end of the continuum of strategies and is used when schools need to process more serious incidents and when there is a possibility of exclusion or suspension. The model below illustrates our whole school approach.

Restorative Practices

A Continuum of Strategies



* School staff are trained # Marist Youth Care Facilitator

Conferencing moves young people toward “active responsibility”. (Braithwaite, J, 2000). Therefore there is a need to involve the young person in a process which repairs the relationship, brings about some learning and accountability for their actions. “Schools do not intend to hurt children, but like much of society they often

respond to wrongdoing with punishment” (Ted Wachtel, 1997). Instead, school’s disciplinary methods should provide an opportunity for reintegration and for young people to heal and repair the hurt they have caused.

Marist Family School Conferencing

A Restorative strategy implemented by the Maoris of New Zealand in connection with the Youth and Families Act of 1989, saw legislation change to allow the Maoris to address a range of juvenile offences through a process called “Family group conference”(Terry O’Connell, et al 1999).

For the past four years Marist Youth Care has provided its own Marist Family School Conferencing service to schools as a strategy to work through serious incidents, which impact on a school community. In this time 564 people have participated in Marist’s Family School Conferencing Service from 29 different schools around Sydney.

The qualitative and quantitative data from the evaluations completed by students, parents, teachers and other key stakeholders supports the effectiveness of this strategy. It is a way of processing misbehaviour and repairing the damage caused by the incident. It provides the young person with an opportunity for learning and being accountable for their actions.

The Marist Family School Conferencing services uses a script, which was adapted from Terry O’Connell’s model (1991) and David Moore and John McDonalds (2000). The script is followed step by step, because it keeps the facilitator grounded and focused on the process so that a highly controlled and supportive atmosphere is established and maintained.

However, a pre-conference meeting is held with all key stakeholders to explain the process. It is crucial to the success of Conferencing to explain to all involved that conferencing focuses on the” deed and not the doer,” it is the “sin and not the sinner.” Conferencing is not about blaming or judging the character of a person.

The Conferencing process then allows all key stakeholders, including the offending person, people supportive of the offender, and those most affected by the incident to talk about the behaviour/incident that has brought them together. These participants talk about what happened, who was affected, and what needs to happen to

make the situation “right”. The process explores ways of making amends, and also how the young person could behave differently in the future. All key people at the conference agree to an outcome plan and a variety of positive strategies to prevent further setbacks are explored. Even future consequences are explored and agreed to by all the stakeholders.

Conferencing Data

At the completion of the conference the key stakeholders are provided with an opportunity to reflect and respond to the effectiveness of the process and make suggestions as to how it could be improved. The statistics from these evaluations are illustrated in this paper.

Each of the key stakeholders is asked to reflect and comment on eight statements. A slightly modified set of statements is used if there is more than one young person involved in the incident.

1. The student has gained some insight into the effect of their behaviours on others.
2. The student has indicated some motivation to repair the harm.
3. I found the process of Conferencing to be fair and just.
4. In the Conference I had the opportunity to contribute.
5. In the Conference I felt I was listened to.
6. I feel the Outcome plan is a fair and just one.

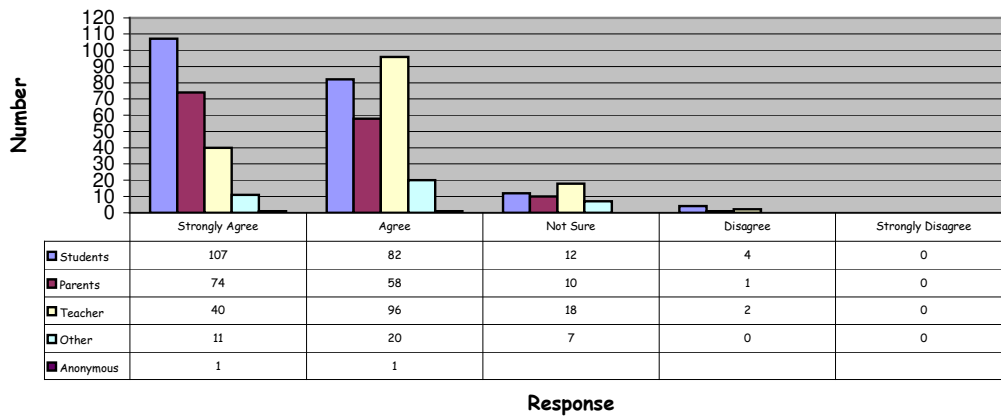
Question 7 and 8 are short answer responses.

7. How could the process of Conferencing be improved?
8. What other comments would you like to make?

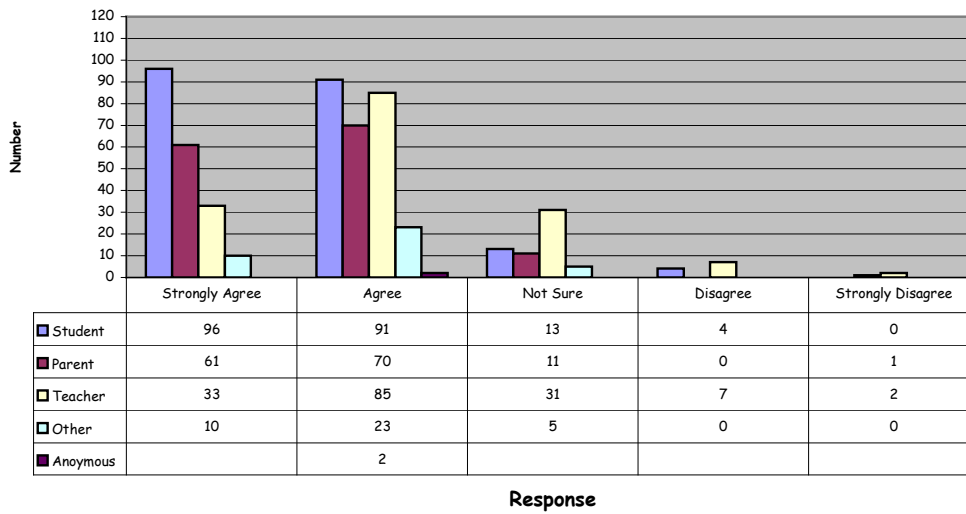
Using the Likert Scale the stakeholders respond to statements one through to six by placing a tick in the box indicating if they, Strongly Agree, Agree, are Not Sure, Disagree or Strongly Disagree.

The data from their evaluations has been illustrated in the following graphs.

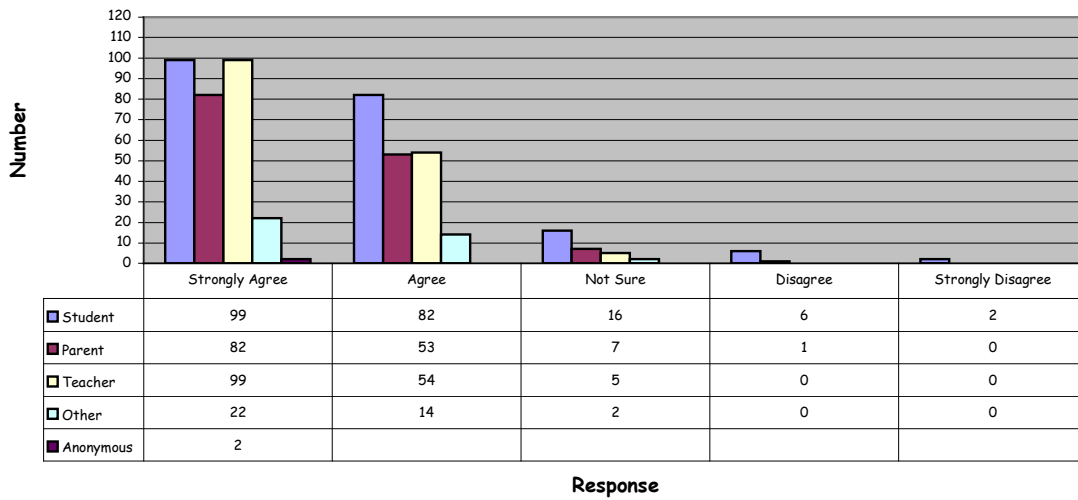
Student(s) Gained Some Insight into Effect of Their Behaviour



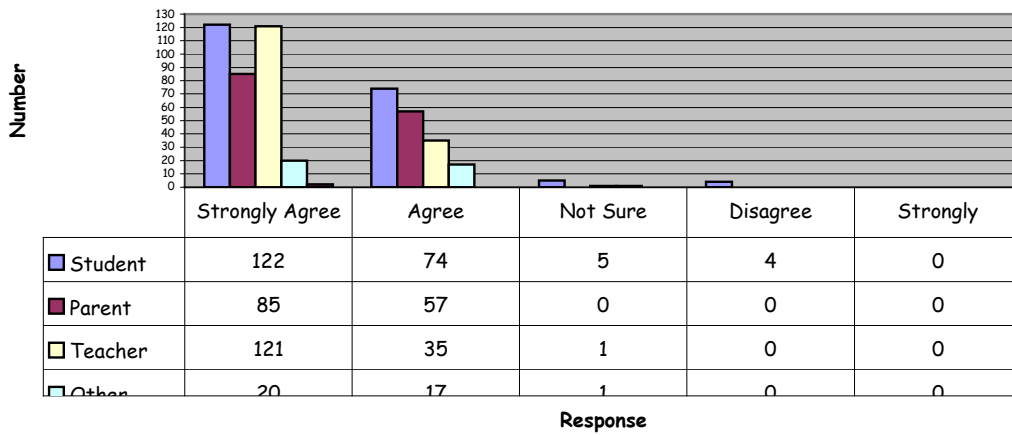
Fair & Just Process

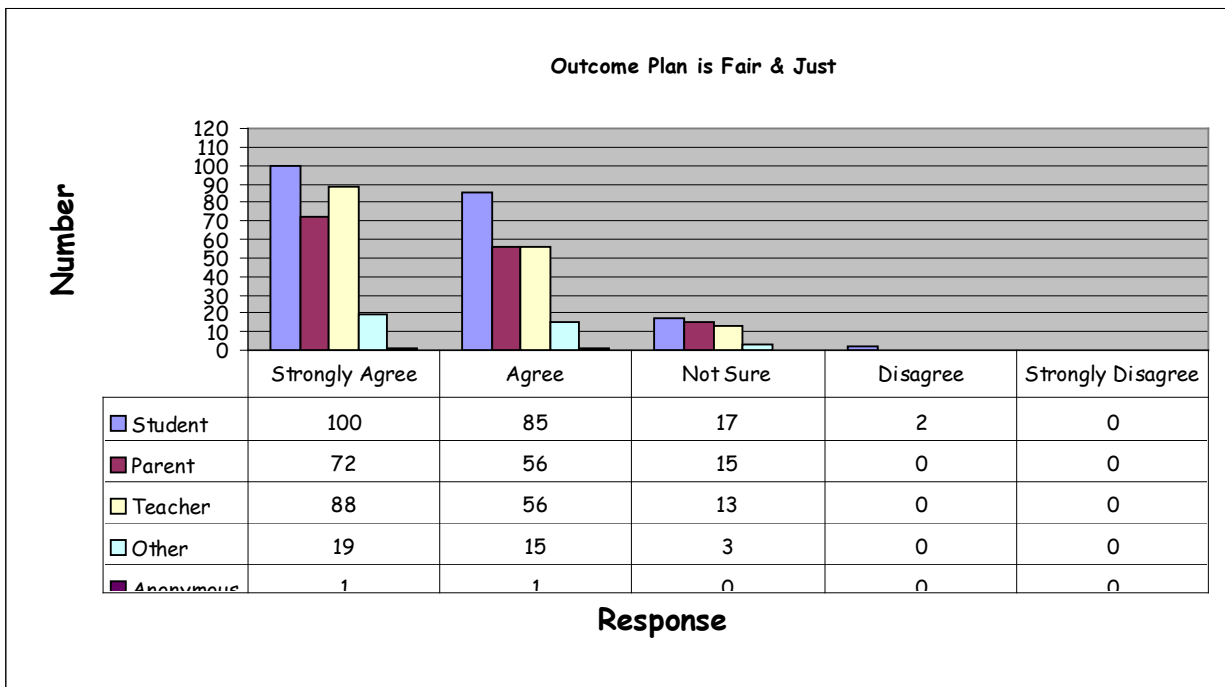
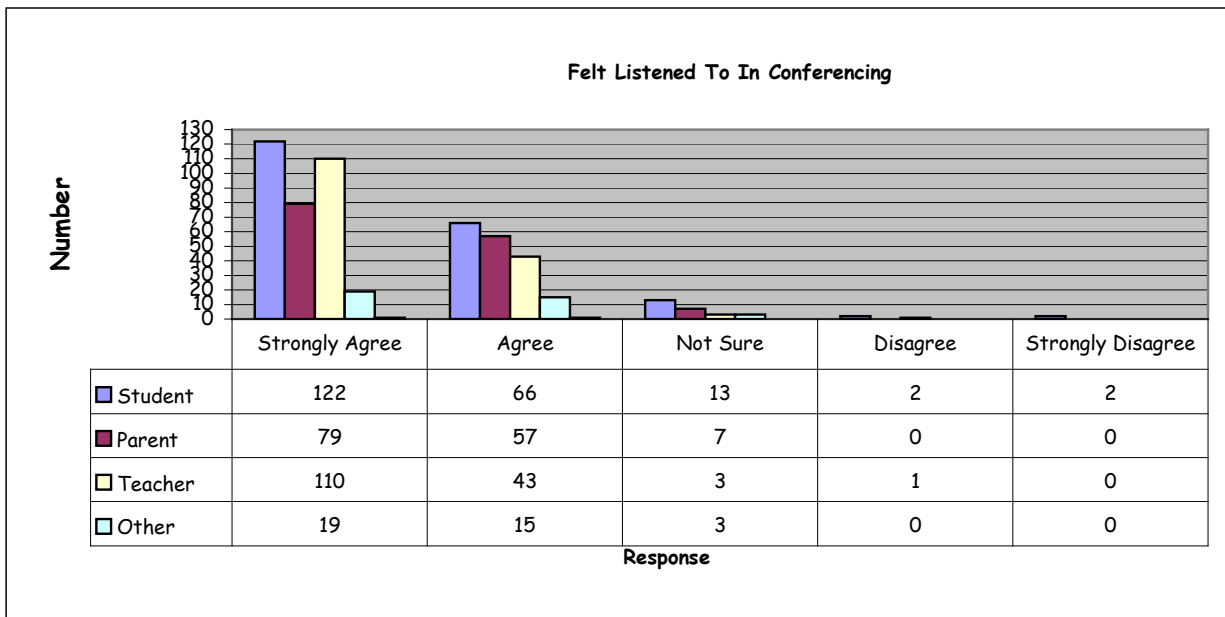


Student Indicated Motivation to Repair Harm



Opportunity to Contribute to the Process





Qualitative Data

Student responses:

“It helped us to realise the full weight of what we had done and how we could repair it.”

“ I felt equal with the other people, that it was all positive and I could have my say without being told.”

“I deeply regret what I have done and nothing like it will happen again.”

“I think it was a very good way to resolve problems.”

“I thought the process was fair and it got to the roots of the problem and solved it in an appropriate way.”

It is good to be able to talk about things without feeling like you will get in trouble.”

“I understand a lot about hurting and effecting other people.”

Parent responses:

“ It was a very positive experience”

“I would like to thank all involved for the time and effort in the restoring of a potentially unforgiving situation.”

“ It’s a very useful and empowering process for of us. I feel confident we can find a way forward.”

“I feel this experience was most fruitful for the boys and parents.”

“ A wonderful way to work through a difficult issue.”

“ If this helps a child from being expelled from school, then it is a very positive outcome”

“I deeply thank everyone involved for trying to resolve this matter and not taking it in a negative way for his future as a person.”

“ I found the process allowed for growth.”

“Well structured process, keeps people on track.”

“It would be nice to see this process as part of school teaching”

Teacher responses:

“A truly valuable process to allow young people the opportunity to learn from their mistakes.”

“ A most fair, honest and open meeting which dealt with the issue in an even and non- emotive manner.”

“My attitude towards the student has become very sympathetic and empathetic towards her needs.”

“The discussion with all members before the conference is very good.”

“The process is positive and not confrontational which makes the student feel easier about themselves.”

“The fact that the parent felt affirmed and had a voice worked wonderfully, as did the determination to reach a positive and realistic outcome plan.”

“It has been a great opportunity for the group to provide strategies to help a student at risk.”

Others

(Include the principal, assistant principal, Welfare Coordinators, Year Coordinators, school counsellor, members of the public, law enforcement personnel etc).

“ I believe this is an excellent process, one that has far benefit as opposed to punitive actions.”

“Good process, very effective with parental support present.”

“I think the process is an excellent model for supporting all participants and it offers hope for the student and those that care for them.”

“The conference was facilitated in an excellent manner that reflected a very fair and humanitarian way to reach an effective collaboration on this matter.”

“A worthwhile strategy, excellent support to student, staff, parents and peers.”

“ A really worthwhile strategy.”

The Conference is a powerful tool. When participants reflect upon its significance a number of observations are made. Some say that the larger number of people can offer so many different perspectives thereby promoting greater understanding. For the student(s) in question it is an opportunity to see the implications of their behaviours on others – to hear the hurt and the pain and how others have been affected. To be confronted by real emotion and hurt can be very motivating.

The Conference moves from hurt to healing. In the later part of the Conference all participants are involved in discussing how the harm can be repaired and what needs to happen in the future so that the harm is minimised and the student is integrated back into the School Community.

Critics argue that Conferencing is a soft option. Conferencing does not avoid consequences to misbehaviour but they are not used as tools in isolation. The Conference creates an Outcome Plan, which frequently has more genuine attempts at reparation from the student. Often the student will offer to do some School Community service to “pay back” to the school and show their genuine remorse.

The role of the Principal in the Conference is unique. He/she is a participant, one voice, often representing the “most offended” in response to the misbehaviour. The Principal speaks genuinely and with meaning, about the

impact on the School Community, the dilemma of the school reputation Vs the pastoral response to the individual student. At times the Principal may talk about resistant sub-groups in the school who believe strongly in expulsion rather than persistence. Such issues are important for students to understand, frequently not seeing the bigger picture.

Conclusion

Marist Family School Conferencing moves beyond retribution to restoration. Serious incidents of misbehaviour are used as opportunities for learning as young people begin to understand the effect that their behaviour has on others. Problem solving moves away from the control paradigm to a collaborative and co-operative approach. Damaged relationships are repaired as empathy and a sense of community are heightened.

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