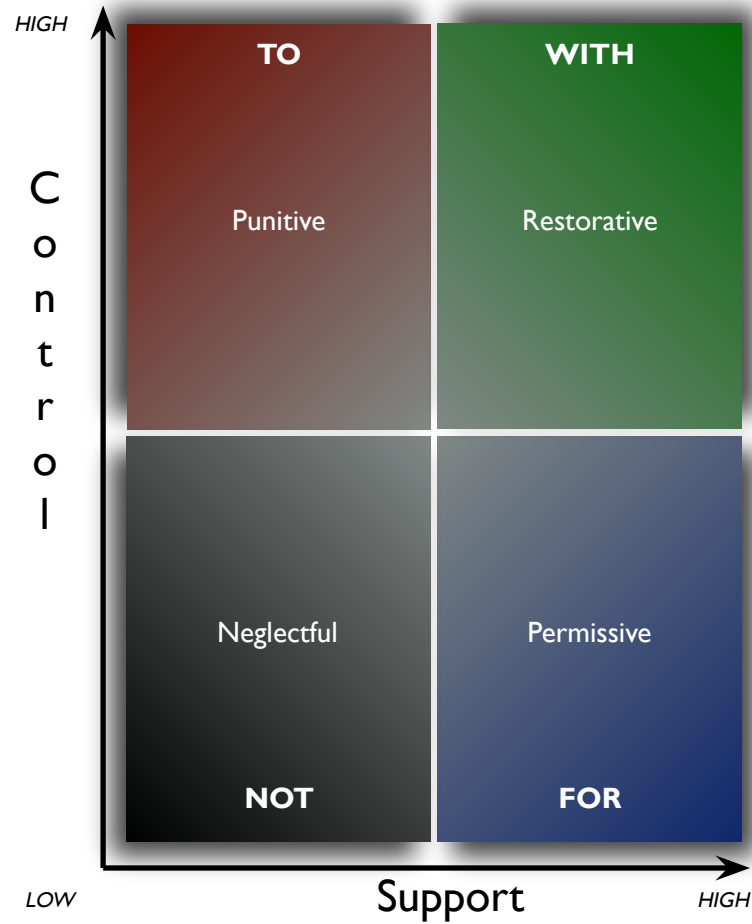

Restorative Panel Training

— Jon Kidde and Marc Wennberg —
December 2024

This training includes and adapts materials and activities from a Vermont Panel training that was originally created in 2004 by Lori Baker, Yvonne Byrd, and Peter Comart. Chris Barton of the Vermont Department of Corrections coordinated the workgroup that provided input. It was expanded on, with instructions for delivery, by Judy Gibson, Montpelier Community Justice Center, 2018.

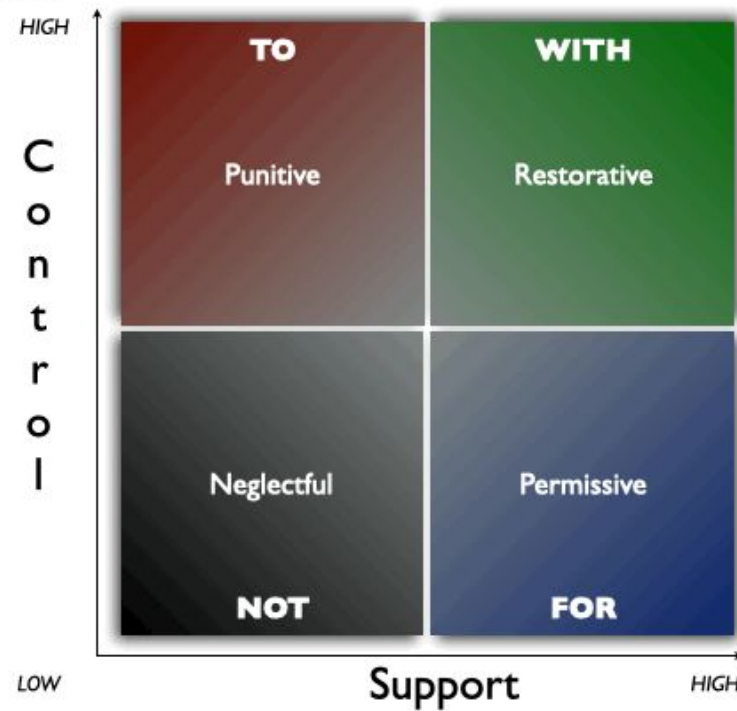
SOCIAL DISCIPLINE WINDOW

(McCold & Wachtel, 2003)



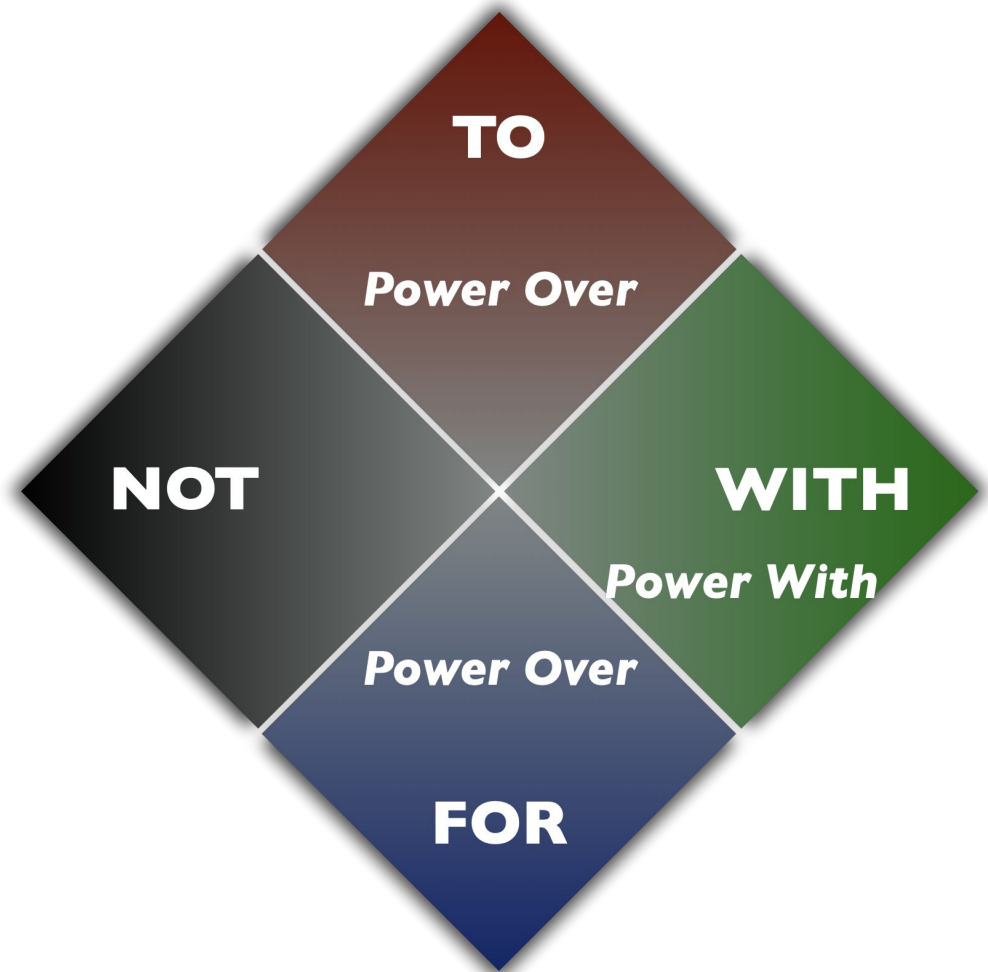
SOCIAL DISCIPLINE WINDOW

(McCold & Wachtel, 2003)



Refusal to do work

- **Not:** Ignore the refusal and move on walk away. Don't care...
- **To:** Impose a punitive consequence unless the work gets done
- **For:** Do the work for them or give credit of some sort even if it is not done.
- **With:** Satya, can you tell me a little about why you don't want to do this? If you're not sure what to do, let's talk about that I can probably clear up some confusion.



Restorative Justice Questions

- What happened?
- What were you thinking at the time?
- What have you thought about since?
- Who do you think has been affected by what you did? In what way?

Focusing on harms and needs

Restorative Justice is focused on the harms and needs of the people most directly impacted:

- Those who have been harmed, and their families
- Those who have caused harm, and their families
- Community

Revisit the 3 stakeholder groups gallery walk poster and review responses

Challenges and Barriers

- RJ Panels tend to prefer what they are used to; the steps followed when victims are not present is more familiar.
- Volunteers feel they must focus their efforts on the person who offended to ensure they are engaging in the process.
- Navigating through the strong emotions and specific needs of people who have been hurt is difficult and volunteers may try to avoid taking a conversation as deep as it needs to go.
- What else?

Ways to honor the harmed party

- If the program was able to speak with the harmed party, designate a person to represent their wishes (Do not assume harmed party wishes)
- Distributing a written victim statement
- Poster with “victim needs” on the wall
- What Ideas do you have?

RJ Questions to address impacts and needs:

- Who do you think has been affected by what you did? In what way?
 - Those who have been harmed, and their families
 - Those who have caused harm, and their families
 - Community
- What do you need to do to make things right?
- How can we make sure this doesn't happen again?

Address whose need is met by panel forming contracts without participants present.

The Restorative Justice Panel Meeting

Overview

Panel Tasks

- Greet
- Facilitate
- Record
- Keep Time
- Observe
- Actively represent the community

Meeting Process: Initial Meeting

Create a Comfortable Environment

- Set up room: Comfortable seating, tissues, etc.
- Greet
- Introduce—set the stage by telling something about yourself; what you like to do, where you live; something that might connect you with the participant.

Establish Meeting Objectives

- Explain purpose: To have a restorative conversation
- Describe structure: Facilitator helps guide meeting; all have opportunity to speak
- Give time frame: One hour (or whatever is standard), someone will keep time to help stay on track
- Set expectations: Participation, active engagement, take responsibility

Engage Participants

- Be personable
- Make small talk
- Establish connection: Without connection, the meeting cannot go forward. Take the time—it will be time well spent

CAUTION

Do “*with*” not “*to*” or “*for*”

Restorative Justice is an invitation and a means to take responsibility and set things right. It is incident based—we are not case managing.

It is NOT

- therapy
- community-based sentencing

Avoid being

- punitive
- enabling

EXERCISE: You notice that other panel members are giving assignments to the responsible person instead of having them come up with ideas on their own. What might you ask to get the meeting back on track? Speak with your neighbor to come up with some suggestions.

An Intentional Conversation

- What happened?
- What is the significance of the event?
- What are the main issues?
- What needs to happen to settle this?

** Practice active listening*

** Don't lecture*

** Involve person who offended in generating restorative activities*

Questioning with Intent

- How are you weaving Motivational Interviewing to your Panel Process to explore harms and needs?

Collectively develop and write a restorative agreement

- Use agreement form
- Actively seek input from person who offended
- Seek input from parties affected
- Focus on restorative activities
- Focus on victim-centered activities, if possible
- Ensure that the plan is **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**imely (S.M.A.R.T.).

Reparative Agreements/Contracts

Objective: Settle this for all parties.

Recognize that the participant may not show as much remorse as you would like in the original meeting. Creating an agreement that outlines thoughtful and appropriate activities will help ensure a positive outcome by the review meeting. A contract should address the following areas:

- Deepen understanding of the harm: ensure full impact of event is understood
- Make amends to people who need it
- Create a positive connection with community
- Make it less likely for this to happen again

Closing the Meeting

- Read aloud the terms of the Restorative Agreement
- Review expectations/stress importance of completing what they have agreed to do
 - time frame for completion
 - attendance at review meeting
 - who to call for guidance, to change review date, etc.
- Ask if there are questions
- Thank everyone for coming

Sample Participant Evaluation/Feedback Tools

BCJC Youth Program Feedback Survey

Meeting Process: Review/Completion Meeting

Engage Participants and Establish Meeting Objectives

- Greet, re-introduce everyone, acknowledge who was or was not present at original meeting
- Re-engage Relationships/Connections
- Establish time allotted (15 – 30 minutes)
- Talk about purpose:
 - For participant to demonstrate completion of all activities agreed to at original meeting
 - For participant to reflect on learning
 - For harmed parties to give feedback, reflect on process, etc.

Review Meeting Process

- If victims are present, offer them an opportunity to speak first
- Review each item on the Restorative Agreement
- Ask the person who offended to read materials s/he has written (letters, essays, etc.)
- Ask for proof of volunteer work or other items. All volunteer work is checked.

If Everything is Completed

- Ask for feedback
- Reflect on what else has been learned
- Congratulate!
- Give evaluation form

If Everything is NOT Completed

- Collectively decide whether to amend and/or extend the agreement or close the case and return to referring entity with explanation
- Keep in mind that people do best when they have a chance to complete—we give as much time as the person needs as long as she or he is engaged

At the End of the Restorative Justice Panel Meeting

- Take time together to close the restorative meeting
- De-brief and reflect on work

Ask the Question:

How can we be more restorative?