

# Restorative Justice

## Principles and Practice

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# Introduction

Restorative justice practices are essential for Prison Fellowship International (PFI) to realize its vision of *breaking the cycle of crime and restoring lives, worldwide, through Jesus's love*. Part of making that vision a reality involves strengthening our programs to make them more restorative in nature.

In this guide, we will provide an overview of the restorative justice concept, discuss why it is such an important aspect of PFI's work, and outline a three-step process to increase the impact of our programs through restorative justice practices.

## **Step 1: Clearly define restorative justice**

There are three “big ideas” that make up PFI's restorative justice framework: **Encounter**, **Repair**, and **Transform**. These ideas are fluid and interconnected: encounter leads to repair and repair leads to transformation.

## **Step 2: Understand how restorative our programs are**

The key question is:



*To what degree do our programs reflect a restorative character?*

There are two points to consider when making a determination:

1. The degree to which victims, offenders, and communities come together (**Encounter**) to discuss how to meet their needs arising from wrongdoing (**Repair**). The more these discussions can take place, the greater the program's restorative character.
2. The degree to which restorative values (respect, inclusion, empowerment, safety, accountability, and solution-oriented) guide our programs.<sup>1</sup>

## **Step 3: Evaluate program impact**

The last step of the process is to evaluate the impact of the program (**Transform**). Here we need to ask, *to what degree have our programs transformed individuals, communities, and institutions?*

Ultimately, we must recognize that transformation starts with us. Restorative values are reflected in how we lead, how our organizations operate, and how we view staff and partners.

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<sup>1</sup> While the restorative values defined in this Handbook overlap and align with PFI's core values, they are distinct. See Appendix B: PFI Core Values.



## Section 1: What Is Restorative Justice?

Establishing and maintaining positive relationships with others is a core human need. While many of us have friends and family who live close by, often we also have relationships with people in other cities, states, or even nations.

In today's globalized world, our behaviors and choices can impact "neighbors" who are far outside our local communities, just like the ripples that come from dropping a small stone in still water. We are connected through commerce, language, arts, religion, health, social media, and countless other ways. Economic, social, and political events around the world become local concerns. Pandemics, terrorist attacks, and stock market collapses constantly remind us how closely connected the world is, and how our choices can impact others around the globe.

From this worldview, crime and wrongdoing break down individual relationships, but the ripple effect of those behaviors can extend the impact to include friends, families, communities, and many others. While crime *causes* broken relationships, it also *flows from* broken relationships and communities. Crime occurs within a context of deeper hurts, power imbalances, and unjust structures. Often, we have to dig down further to uncover the initial hurts that have been ignored, suppressed, or never dealt with. We must give these wounds the light and attention they need to properly heal.



Restorative justice is based upon the premise that justice repairs the harm that results from wrongdoing. The primary biblical paradigm of justice, which is woven throughout the Old and New Testaments, focuses on restoration rather than punishment. Biblical justice draws us closer to *shalom*—God’s vision for His kingdom on earth, here and now, where we live in right relationship with God, our neighbor and creation. Jesus Christ’s life and teachings model how we should love our neighbor. When we place our faith in Christ, His death and resurrection make it possible to reconcile ourselves, or bring us into right relationship, with God.<sup>2</sup>

Justice ripples outward just as harm does. It leads to wholeness and wellbeing within us, our relationships, our communities, and our world. Like fishermen who mend their nets in the morning after fishing all night, justice requires that those most impacted by crime do the hard work of mending the torn nets of their relationships.

Justice should also address the root causes of crime, even to the point of transforming unjust systems and structures. If restorative justice is based on the idea that we are interconnected and woven together in humanity’s netting, we must examine and actively address the underlying issues that lead to crime and the context in which it occurs.

With this in mind, PFI defines restorative justice as:

*A response to wrongdoing that prioritizes repairing harm, to the extent possible, caused or revealed by the wrongful behavior.*

*The stakeholders impacted most by the wrongdoing cooperatively decide how to repair victim harm, hold offenders accountable and strengthen the community’s relational health and safety.<sup>3</sup>*



### Key ideas

- Living in right relationship with one another is core to *shalom*, God’s vision for humanity. Because we are interconnected with one another, crime’s impact ripples outward and tears apart *shalom*.
- Crime harms people and relationships. Justice should heal people and reconcile relationships.
- Restorative justice comprises three interconnected ideas: Encounter, Repair, and Transform.
- In restorative justice, people most impacted by crime meet in an encounter to discuss the crime, its impact and how to repair the harm. Transformed people and relationships often result.

<sup>2</sup> See Appendix C: How does restorative justice connect with our faith and mission? For a detailed discussion on how the ideas and values that underpin restorative justice philosophy reflect the essence of biblical justice.

<sup>3</sup> For more details about the definition, see Appendix D: Explaining PFI’s restorative justice definition.

## ***Different Lenses: Restorative Justice and Contemporary Criminal Justice***

The restorative justice paradigm is different than contemporary thoughts about justice and responses to crime that are more retributive in nature. A retributive justice perspective views crime as lawbreaking. Crime creates a moral debt on the justice ledger, and justice requires punishing the guilty to repay the moral debt. The contemporary justice system process is primarily adversarial. Once an offender's guilt has been established, a punishment is imposed based on the law.

We commonly see this concept visually depicted as Lady Justice: a blindfolded woman who holds a sword in one hand and scales in the other. When crime tips the scales of justice to one side, punishment is required to restore balance. The degree of punishment is proportional to the severity of the crime. Imprisonment is a common form of punishment because judges can impose a sentence length that is commensurate to the crime.

Two sets of questions differentiate contemporary criminal justice and restorative justice paradigms. While justice within the criminal justice system generally views justice as punishment, restorative justice views justice as healing.

### ***Two different sets of questions***

Contemporary criminal justice	Restorative justice
1. What law was broken?	1. What is the harm?
2. Who broke the law?	2. How do we repair the harm?
3. What do they deserve?	3. Who has responsibility to repair the harm?

PFI views justice through a restorative lens. With the vision of *breaking the cycle of crime and restoring lives, worldwide, through Jesus's love*, our primary focus is restoring the lives of prisoners. People who are incarcerated must do the hard work of inner transformation and making amends to those they harmed, especially victims.

At the same time, the community—especially the church—has to engage with the incarcerated men and women who commit to this journey and support them as they re-enter society. As the efforts of PFI's national ministries ripple outward, they influence and merge with those of other government, business, university, and nonprofit entities (including other PFI national ministries). This creates a restorative fellowship that leads to greater wellbeing and wholeness in individual lives and within families and communities. We discover the journey changes us and our organizations.

## ***The Three Core Elements of Restorative Justice***

Woven into this restorative justice definition are three core elements: **Encounter**, **Repair**, and **Transform**. While the core elements are interconnected, they represent a journey toward wellbeing and wholeness that victims, offenders, and community members can experience: encounter leads to repair, and repair leads to transformation.

### **1. Encounter**



The encounter is the starting point in the journey. It's a facilitated meeting that brings together people most impacted by crime to determine how to repair harm. Generally, encounters take three forms: victim-offender mediations, conferences, and circles.

- All stakeholders impacted by the wrongdoing—victims, offenders, and community members—have a voice in the justice process. They have opportunities to share their truth, understand the behavior's impact, and discuss how to repair harm.
- Encounters start with an invitation, and all parties participate voluntarily. Before offenders can participate, they need to take responsibility for their wrong and want to make amends.
- For meetings to become encounters, they should be safe spaces that foster vulnerability. Participants share freely without being judged; they listen with respect and seek to understand.

### **2. Repair**



Crime harms people and tears apart relationships and communities. Restorative justice looks at repairing harm from a broader perspective than the binary relationship between victim and offender. Each stakeholder has unique needs that arise from crime. The encounter helps meet those needs.

- **The victim's need for healing.** Victims are primarily the ones harmed in crime, so encounters prioritize meeting their needs. Victims heal through the encounter itself and from its outcomes.
- **The offender's need to make amends.** A key need for offenders is to atone for wrongdoing so they can regain good standing within the community. Encounters empower offenders to make amends directly to victims and potentially community members.
- **The community's need for relational health and safety.** A key need for the community is the safety and wellbeing of its members. Family, friends, and others support victims and offenders as they heal and reintegrate into their communities. The government, another important stakeholder, monitors whether restorative processes are fair and meet stakeholder needs.

### **3. Transform**



Restorative encounters create spaces that lead to transformed individuals—victims and offenders. But they also help identify root causes of crime, even systemic and structural issues, and have the potential to transform them into positive forces that build and sustain healthy communities.

## Introduction to the Restorative Justice Continuum

A program is restorative to the degree stakeholders come together in a dialogue (**Encounter**) that meets stakeholder needs (**Repair**).<sup>4</sup> Restorative justice programs are most effective when it includes all stakeholders and addresses their primary needs.

**Figure 1: The Restorative Justice Continuum**



In **fully restorative programs**, encounters simultaneously address the victim's need for reparation, the offender's need to make amends, and the community's need for relational health and safety.

In **significantly restorative programs**, encounters simultaneously address the needs of two stakeholders: victim and offender, offender and community, or victim and community.

In **partially restorative programs**, only one stakeholder need is addressed with no encounter.

When we look back and evaluate programs for their impact, we see the fruits they produce. In other words, how they transformed individuals, communities, and institutions (**Transform**).

## Restorative Justice Values

Ultimately, when PFI national ministries implement new programs or strengthen current ones, they need to make sure their programs reflect restorative values. Below are six values that national ministries can incorporate into their programs to make them more restorative:



**Respect.** Restorative justice programs are rooted in respect for all people, regardless of their past actions, race, gender, sexual orientation, age, religious beliefs, position in society, or whether they have a disability.



**Inclusion.** People who are most impacted by criminal behavior—victims, offenders, and community members—are invited to help shape and engage in restorative processes.



**Empowerment.** People most impacted by wrongdoing can take active roles to the extent they participate and influence restorative justice processes and their outcomes.

<sup>4</sup> The other big idea—Transform—is not part of the continuum because it reflects outcomes that flow from restorative processes that are often unpredictable. Programs should create conditions that promote transformation within individuals and communities. The degree programs or practices transform individuals and communities indicates the program's impact rather than its restorative nature. As such, we look at how programs or practices transform individuals and communities when we review and evaluate the program or practice's impact





**Safety.** Restorative justice processes protect participants and the wider community from physical and emotional harm.



**Accountability.** Restorative justice participants are held accountable to fulfill obligations arising from the wrongdoing and the harm it causes.



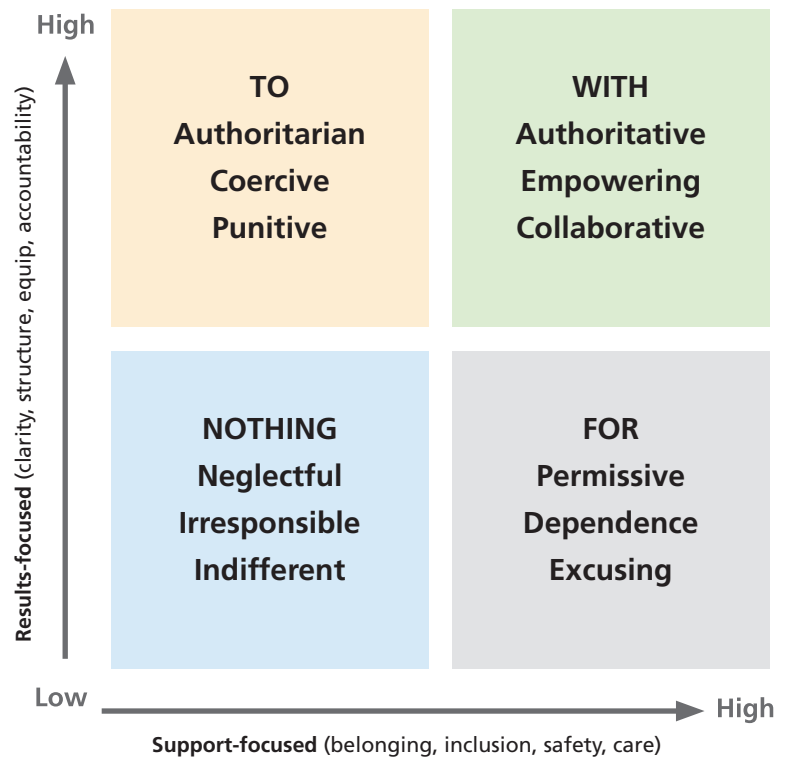
**Solution-oriented.** Restorative justice processes are forward-looking and repair harm arising from wrongdoing and address the root causes that lead to crime.

### ***Becoming a Restorative Organization***

When PFI national ministry leaders use a restorative paradigm as their guide, restorative values flow into the organization's culture and programs. They will then ripple outward and touch staff, volunteers, partners, and the people they serve.

National ministry leaders should increasingly lead from a restorative paradigm, so restorative values flow into the organization's culture and programs. They ripple outward and touch staff, volunteers, partners and the people we serve.

This matrix identifies four relationship types between leaders and stakeholders, especially staff and key partners. Organizations and leaders in the top-right quadrant operate from a restorative paradigm. They do things with staff and partners rather than to them or for them. They invest in people and value relationships (x-axis). They empower people and expect results (y-axis). Ultimately, they serve staff and partners so they can grow in responsibility and autonomy.



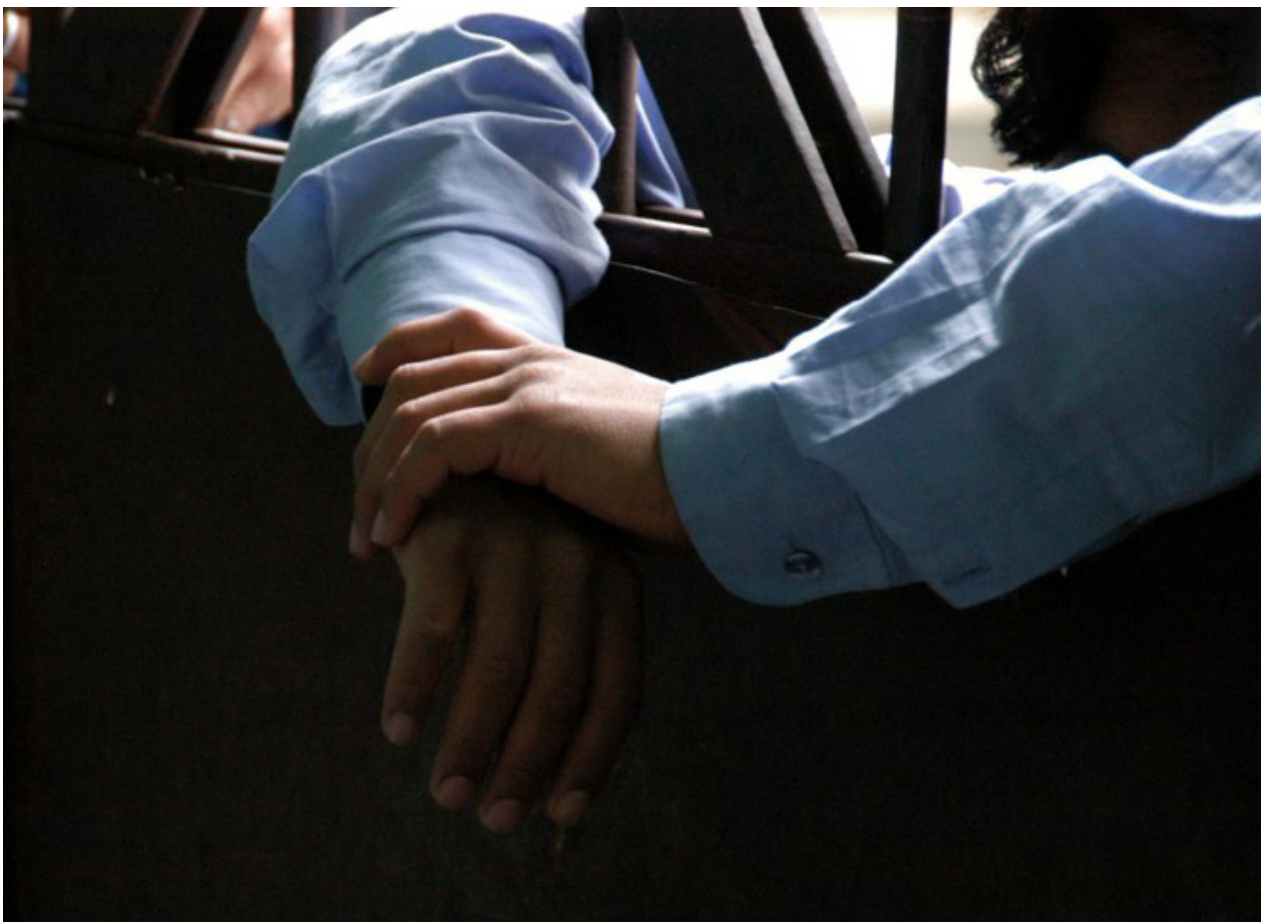
Establishing and maintaining positive relationships with others is a core human need.



### ***Reflection Questions***

1. What are some examples you have seen where an individual's actions, positive or negative, have had a ripple effect on others?
2. What resonates within you about restorative justice, especially when compared with retributive justice and the adversarial system common in the criminal justice system?
3. What reasons might cause people to resist viewing justice as healing rather than justice as punishment?

Restorative justice is based upon the premise that justice repairs the harm that results from wrongdoing.





## Section 2: Encounter



An encounter is the starting point in the restorative justice journey. A facilitated meeting that brings together the people most impacted by wrongdoing—the primary stakeholders—to determine how to repair harm. Generally, encounters take three forms:

- Victim-offender mediations
- Conferences
- Circles

Encounters are designed to be safe spaces that foster vulnerability and sharing facts and truth. They are emotional: a place where people can share freely without fear of being judged. Participants are respectful, listen carefully, and seek to understand. Encounters elicit truth: offenders take responsibility for wrongdoing, victims share their truth, and the process vindicates them.

For an encounter to be successful, the key question to consider is:



*To what degree do the primary stakeholders come together to have a dialogue about the wrongdoing, its impact and how to repair harm?*



## **Key ideas**

- Encounters are facilitated meetings that bring together impacted stakeholders—victims, offenders, and the community—to discuss crime’s impact.
- Victims and offenders are central. But the “community of care”—parents, spouses, children, and others emotionally connected with the victim or offender—also have a place in encounters.
- The government has legitimate interests in public safety, human rights, and its citizens wellbeing. But their involvement risks overpowering other stakeholder needs.
- All parties voluntarily choose to participate in restorative encounters. Before offenders can participate, they need to take responsibility, at least to some extent, for their wrongdoing.
- Three common types of encounters are victim-offender mediation, conferences, and circles.

## **Who Are the Primary Stakeholders?**

Restorative justice invites the primary stakeholders—**victims**, **offenders**, and **community** members—to have a voice in the justice process. It gives them an opportunity to share their story, understand the crime’s impact, and determine how to repair harm.

When defining primary stakeholders and their role in restorative justice processes, we ask:

- a) Who are the people who care about the offense?
- b) How can they be included in the process?

### **1. Central Stakeholders: Victims and Offenders**

Victims and offenders are the ones most connected to a crime and central to restorative justice processes. Restorative justice has the greatest impact when clear, identifiable victims and offenders meet during encounters.

At times, victims might worry about their safety or fear meeting offenders face-to-face. In these cases, alternatives exist so victims can still have a voice in the encounters. They can:

- communicate indirectly using shuttle participation, where facilitators relay messages between victims and offenders individually without bringing them together.
- write impact statements or use letters, telephone or video conferencing to communicate during encounters.



Within legal limits, information shared during encounters must remain confidential, so participants can openly share without worrying that what they say will be used against them. For example, offenders need protection against information they share being used as evidence during a criminal trial because it may lead to their conviction or impact sentencing.

Sometimes, crimes have no direct victims, like in drug offenses or weapons charges, or they are committed against an institution, like businesses (e.g. shoplifting) or the city (e.g. vandalism).

Other times, victims are unavailable or unwilling to participate in restorative processes. In these cases, “surrogate victims” can represent the true victim’s voice and perspective during an encounter. When surrogate victims participate, ideally they are close in age, have gone through a similar experience, and are of the same gender as the real victim. This allows them to communicate with a higher degree of authenticity and increases the chances of connecting with the offender.

Similarly, victim impact panels bring together victims and offenders for the encounter who have been involved in the same or similar type of crime but with different parties. Participants share their experiences with one another so victims can move toward healing and offenders can understand the impact of their crime.

## 2. The Community’s Role in Restorative Justice

The community is another primary stakeholder when crime or wrongdoing occurs. The community comprises the government (at different levels) which is responsible for maintaining a just order and the members who create a just peace. Together, they have a core responsibility to maintain the relational health and safety within the community.

Individuals who have emotional connections with victims and offenders, such as parents, spouses, children, siblings, close friends, co-workers and teachers—termed “communities of care”—are impacted by the crime and often have a place in restorative encounters. But the community also includes concerned or compassionate members—like neighbors, business owners, or the church body who want secure and peace-filled neighborhoods. Faith communities play an important role in restorative justice because their leaders can mobilize people and resources in ways governments are unable to do.





### 3. The Government's Relationship with the Community

The government—both local justice officials and institutions—are part of the community because they have legitimate interests in public safety, human rights, and its citizens' wellbeing. They may also have an interest in building relationships and trust with others in the community.

Within a restorative justice framework, the government should increasingly:

- empower community members to take responsibility and make decisions for their own safety and wellbeing
- recognize and encourage communities to mobilize resources and support victims and offenders as they reintegrate into society
- shift resources from adversarial systems that establish guilt and punish offenders to restorative systems that repair harm, hold offenders accountable, and maintain the community's relational health and safety.

National ministries should see government officials as partners and build relationships to effectively implement and operate restorative justice programs. At times, national ministries may need to challenge government when:

- laws and policies are being implemented poorly
- unjust outcomes flow from governmental systems
- government officials commit or are complicit in wrongdoing.



#### **4. Levels of Government Engagement in Restorative Justice Systems and Programs**

When developing restorative justice programs, it's important to consider the extent to which the government might engage in them and what role the government will have. Below are various ways a government might engage in restorative justice systems and programs, from less to more involved.

##### ***Draft legislation and policies that enable restorative justice within criminal justice systems***

The government might draft substantive and procedural laws and policies that govern justice systems. Additionally, the government could monitor whether legislation and policies are actually implemented and enforced.

##### ***Help develop restorative justice programs and the rules, guidelines, and protocols that govern those programs***

It is highly beneficial when the government has a voice in developing restorative justice programs because they have a strong interest that victims and offenders are safe during restorative justice processes, that they are treated fairly, and programs produce fair outcomes. This garners their support and even advocacy for integrating programs into the justice system. They can help establish rules, guidelines, and protocols by which restorative justice programs operate. Often, the government will lean on the national ministry for expertise and recommendations.

Additionally, the government could help define minimum and maximum ranges of restorative justice outcomes so they are proportionate and treat similar crimes with similar consequences. This ensures that the program and its outcomes neither treat offenders too harshly, nor too leniently.

##### ***Provide resources and support community members in implementing and running restorative justice programs***

When engaged, the government can provide financial resources and offer technical expertise to the community when operating restorative justice programs. They can help meet victim and offender needs—like counselling, substance abuse treatment, day-care, housing, and job skills training.

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National ministries should see government officials as partners and build relationships to effectively implement and operate restorative justice programs.

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### ***Monitor restorative justice processes and outcomes***

The government could monitor restorative justice processes and outcomes to ensure they are reasonable, made voluntarily, and protect all parties. A serious danger is if power dynamics between parties—based on race, gender, class, education, relationship, status, and other factors—influence outcomes or pressure stakeholders to accept agreements without understanding them.

### ***Operate restorative justice programs***

The government could incorporate restorative programs into the justice system and have government employees manage and operate them. Restorative justice programs would then become a formal part of the justice delivery machinery. The government could either outsource services to community-based organizations or include community member volunteers in processes.

### ***Actively participate in restorative justice processes***

In some cases, government officials might want to actively participate in encounters either as participants or facilitators. Participants would have a voice in the dialogue and outcomes. Facilitators would guide the dialogue during encounters. The government may want to be more directly engaged when processes deal with serious offenses or involve the public interest—like systemic or structural issues that deteriorate communities and lead to crime.

On the other hand, the more government officials are engaged in restorative justice processes, the greater the risk minority groups or others who have been historically systematically oppressed by the government will feel unsafe or resist participating. In addition, greater government involvement increases the risk of restorative justice programs being adapted to further their interests rather than meet other stakeholders' interests.



#### ***Different levels of government engagement in restorative justice programs***

- Draft legislation and policies that enable restorative justice within criminal justice systems
- Develop restorative justice programs and the rules, guidelines, and protocols that govern them
- Provide resources and support community members to operate restorative justice programs
- Monitor restorative justice processes and outcomes
- Operate restorative justice programs as part of the justice system
- Actively participate in restorative justice processes

The government should neither overshadow other stakeholder voices, especially the victim's voice, nor unnecessarily interfere with the stakeholders' ability to decide how to repair harm.

As national ministries engage the government in their work, they should consider:

- the restorative justice program and its goals
- the extent the program impacts public safety, human rights, and the community's wellbeing
- cultural context
- whether rule of law and corruption exist in the country
- how other stakeholders would perceive the government's presence.

Restorative values, discussed in Section 5, guide decisions when determining the extent the government is involved in restorative justice programs.

### ***Restorative Encounters are Voluntary***

Encounters start with an invitation: all parties voluntarily choose to participate.

Before offenders can participate, they need to take responsibility, at least to some degree, for their wrongdoing and want to make amends.

For offenders and victims to voluntarily participate in restorative encounters, first they need to know the programs exist, then clearly understand what will happen and when. Offenders need to know what happens if they fail to participate in restorative justice programs or to comply with decisions made during encounters, and victims need to know what they might gain and potentially risk by participating in encounters.

The government inherently wields coercive power, including the power to take away a person's freedom. When the government is involved, offenders might participate in restorative justice processes to avoid incarceration or to build a case for their release. Clearly, this creates tension, maybe even necessary tension, to determine if offenders and victims are freely choosing to participate. National ministries could potentially leverage this tension to encourage more offenders to participate in restorative alternatives.

The state's power to enforce punitive processes must be kept firmly in the background. The government should neither overshadow other stakeholder voices, especially the victim's voice, nor unnecessarily interfere with the stakeholders' ability to decide how to repair harm.

### ***Types of Encounters***

Generally, encounters take three forms: victim-offender mediations, conferences, and circles. The models differ by the number and types of stakeholders who participate and the different facilitation styles. As restorative programs and practices evolve based on context and needs, these models are typically blended.



For example, a conference between offenders and family members may occur before a victim-offender mediation. Or a conference might borrow methods used in circle processes to engage stakeholders. But all encounters have one thing in common: a facilitated dialogue among parties impacted by wrongdoing.

### 1. Victim-Offender Mediations

In victim-offender mediations,<sup>5</sup> the victim and offender are the principal parties in the encounter. Before the encounter, a facilitator hosts individual sessions to prepare each party for the dialogue. Once they are ready to meet and agree to move forward, the parties come together for the encounter in a safe, controlled setting. The meeting is organized and led by trained facilitators. Family members and other community members may join the mediation, but they play a secondary role as observers or to provide support.

During the mediation, the offender acknowledges the wrong, answers the victim's questions and listens to how the victim was impacted. The parties discuss the needs and harms which resulted from the wrongdoing. The encounter might end with a signed agreement that describes steps the offender will take to repair the harm, often including restitution or community service. The facilitator follows up to monitor whether the parties, especially the offender, are fulfilling the agreement.

All encounters have one thing in common: a facilitated dialogue among parties impacted by wrongdoing.

### 2. Conferences

Conferences increase the number of participants in an encounter to include the victim and offender's communities of care. In some circumstances, especially when the conference could impact the outcome of a legal case, a police officer or other justice official may be present. The focus remains on repairing harm to the victim, but the community members also discuss the crime's impact. Parties agree upon a redress plan for the offender to make things right.

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<sup>5</sup> Victim Offender Mediations are also referred to as victim offender conferences, meetings, or dialogues. This is because mediation reflects equal moral standing between parties and the desired outcome is a settlement among the parties. During restorative encounters, the victim is recognized as having higher moral claim as the party wronged. Offenders have the lesser moral standing because they committed the wrong and need to make amends. Of course, often as restorative encounters unfold, they bring out a more nuanced picture of crime that blurs binary distinctions of right/wrong and victim/offender.



Two types of conferences are common: The Wagga Wagga model and the New Zealand Family Group Conferencing model:

### ***Wagga Wagga model***

The “Wagga Wagga model” is a police-initiated diversion conference that uses a standardized script to guide the discussion. The police official plays an active role in leading the dialogue. This model originated in New South Wales, Australia, and is the most common model used in the United States and Canada.

### ***Family Group Conferencing model***

The Family Group Conference (FGC) model originated in New Zealand and became the hub of its juvenile justice system. FGCs are facilitated by social service representatives and used to resolve even serious crimes. FGCs are unscripted and meant to empower families, especially the offender’s family. At some point during the conference, offenders and their family have a “family caucus” to create a proposal—an outline of how offenders will repair harm caused by the wrongdoing—that is presented to the other participants.



### 3. Circles

Circles are dialogue processes meant to provide safe spaces for participants to share openly and honestly with one another. Circles are used proactively to prevent conflict by connecting, building relationships and community, and making decisions. They are also used reactively to respond to wrongdoing, conflicts or problems, and openly share with one another about difficult or painful issues.

In circle processes, participants sit in a circle, often without barriers like a table or desk in the middle. Instead a centerpiece lies on the floor, often a decorated cloth or something with symbolic meaning. Circles to resolve conflict or repair harm include victims, offenders, and communities of care. Often, circles are enlarged to include others from the community. Participants contribute to and reach consensus on values (e.g. confidentiality, honesty, and respect) that are needed to share authentically.

Ideally two “circle keepers” facilitate the discussion. Unlike conferences, circle keepers guide and monitor the process rather than direct the conversation. Often, a “talking piece” is passed around the circle sequentially. Each person speaks when they have the talking piece, giving participants equal opportunity to share without being interrupted.

Because more people participate in circle processes, they are often used to discuss wide-ranging issues. These may include issues that impact the community, like systemic or structural issues that led to the individual crime or foster an environment for crime to occur. Circles are flexible and can be used in different ways for different goals, such as conflict resolution, healing, support, building community, generating ideas, or sharing information. For example, in the Sycamore Tree Project® (STP), circles are the primary mechanism to facilitate dialogue among the participants, mostly incarcerated people.

#### Common Encounter Types

Type	Participants	Facilitation style
<b>Victim-Offender Mediation</b>	Victim and offender; family and other participants might attend, but only for support.	Facilitator controls process and directs the dialogue between participants.
<b>Conferences</b>	Victim, Offender, and Communities of care.  Depending on government interest, may include government officials	<b>Wagga Wagga model:</b> scripted dialogue that police official controls and directs.  <b>Family Group Conference model:</b> free flowing dialogue that social services representative leads; “family caucus” where offender and family propose how to repair harm.
<b>Circles</b>	Victim, offender, communities of care, and other interested community members who want a voice in the process.	Two facilitators guide rather than control discussion. Participants sit in circle, set values, build rapport, and discuss core issues. A talking piece is passed around circle sequentially. Whoever has talking piece shares.



## ***Reflection Questions***

1. Who are the direct and indirect victims in the context of your work? How might you gain access and include them in your programs?
2. To what extent do you sense offenders take responsibility for wrongdoing before they participate in your programs? What are signs that a person has not genuinely taken responsibility?
3. What role does government play in your program or ministry? How does this impact how you operate your programs or how your ministry functions?
4. What are some ways you might use circle processes to give staff a sense of belonging and voice in your organization?







## Section 3: Repair



Crime harms people and relationships. Encounters are the mechanism used in the restorative process to repair harm and meet primary stakeholder core needs.

When examining the restorative character of a program or system, we reflect upon:



*To what degree does the program or system meet primary stakeholder core needs?*

These needs include:

- Victim's need for healing
- Offender's need to make amends so they can build a good standing within community
- Community's need for relational health and safety

Fully restorative programs and systems help meet these core stakeholder needs.



### **Key ideas**

- Restorative justice repairs harm from crime. It helps meet the victim's need for healing, the offender's need to make amends, and the community's need for relational health and safety.
- The victim is the primary person harmed in crime, so restorative programs should prioritize their needs.
- Restorative justice creates space for offenders to make amends for wrongdoing in a positive, constructive way that heals, repairs harm, and reconciles relationships.
- The church plays a key role supporting formerly incarcerated individuals as they rejoin their families and communities.

#### ***A. The victim's need for healing.***

Victims lose control of their lives and their personal autonomy is broken when they experience a wrongdoing. Victims are the primary individuals harmed by crime, so their core need is healing. Crime and wrongdoing may also result in damage and losses to the victim physically and emotionally as well as to the victim's property.

#### ***B. The offender's need to make amends.***

Offenders are the primary individuals responsible for causing harm, so they have a core need to make amends, primarily to victims, so they can regain good standing in society. In addition, their actions break trust within their communities of care and create distrust and tension within the wider community.

#### ***C. The community's need for relational health and safety.***

Communities need to build and sustain relational health and safety. In this regard, their main role is to support victims and offenders as they deal with the crime and its aftermath. They walk with victims to help them regain control of their lives. They also support and hold offenders accountable to meet their obligations and make amends. Ultimately, they need to ensure victims and offenders reintegrate into the community.

The community, including the community of care, needs to identify the root causes of crime. This may require greater understanding of the offender's specific situation, but it could also require looking into systemic or structural issues impacting the community.

Finally, the government has the need to keep people in the community safe and promote conditions that create wellbeing.

Restorative encounters meet stakeholder needs through the process itself and commitments made in redress agreements.



## The Victim's Need for Healing

When examining the restorative character of a program, we reflect upon:



*To what degree does the program help victims heal?*

Restorative programs prioritize the victim's needs since they are the primary person harmed by crime. While each victim's needs are unique to the particular crime and circumstance, there are common themes that can bring about repair:

- **Regain control of their lives.** Crime violates a person's autonomy and upends their belief that the world is an orderly, meaningful place. Victims need answers to questions in order to restore order and meaning. They may ask "Why me?" or "Why did you do it?" or "What could I have done to prevent it?" Restorative justice gives victims a voice in the justice process, its outcomes, and potentially empowers them.
- **Vindication.** Victims might doubt or blame themselves for the crime. They need a strong statement that denounces the wrong and exonerates them. Some victims might want punishment as a clear statement against the wrong. But vindication is most powerful when offenders acknowledge the harm, apologize, and sincerely want to make amends.



### Common victim needs that arise from crime

- **Regain control of their lives:** to feel empowered and have their questions answered
  - **Vindication:** strong statement that denounces the wrong and was not their fault
  - **Safety:** physical and emotional, for themselves and other potential victims
  - **Physical, mental and emotional needs:** restitution and support services to help recover
  - **Supported and believed:** by people closest to them
- **Safety.** When a crime occurs, the most immediate concern of the victim is their safety. They need to know they are safe from ongoing and future harm. They also need emotional safety, which often comes from being believed and supported by the people closest to them. Once physically and emotionally safe, they can take steps to regain control of their lives. Victims also need to consider the safety of others in the family or community who risk being harmed by the offender. Finally, victims need physical and emotional safety as they go through the justice process.
  - **Physical, mental, and emotional needs.** Crime disrupts the physical, mental, and emotional wellbeing of victims. They may have been physically injured and need healing, or their property may have been damaged or stolen, which needs to be repaired or replaced. Many victims experience trauma. Fear, anxiety, and irrationality are natural byproducts of crime as are sleepless nights and lack of appetite. Victims may need emotional support, counselling, or therapy to integrate trauma and heal its effects.

- **Supported and believed.** Victims need support from friends and family to recover from crime. Sadly, families and friends often blame or refuse to believe victims, minimize the harm experienced, or fail to support them. This is especially true when “hidden” abuse, like sexual harm, occurs within families or communities of care. In crime’s aftermath, victims need those closest to them, especially their family and friends, to embrace them, believe them without condition, and fully support them as they recover from crime.



### *Reflections from the Field*

**PF The Gambia:** In Mile 2 Central Prison in The Gambia, Priscilla<sup>6</sup> participated as a victim in a session of PFI’s Sycamore Tree Project (STP). Priscilla, who had been attacked and almost raped, shared how STP started the healing process for her: “I was grossly violated and that left me with fear, bitterness, and hatred. All I wished for the perpetrator was death. I decided not to tell anyone and I have lived with this pain for so long.

“After sharing my story with the participants and seeing how my story affected them, I felt a little more pain...[B]y the end of the session, I had not forgiven. But I saw the need and the reason to forgive. Until this moment, I still hold the pain. But I think STP sparked the healing process.

**PF South Africa:** Another STP victim participant from South Africa talked about how the session empowered her: “I shared briefly about some issues that I had with my husband during one of the sessions,” she said. “It was so empowering to speak in the small group as it showed me that people would listen to what I had to say.” The session gave this participant courage to speak with her husband for the first time in four months. As a result, she felt a strong sense of peace and was set free from a burden she carried.

**PF Canada:** An STP victim participant from Canada shared how the session motivated her to confront her father about abuse she experienced: “I was finally able to confront my father for the wrongs he did to me,” she said. “After I did this, he turned to me and said, ‘I’m sorry.’ Those words are like gold to me. When that happened, I broke down crying and fell into his arms. It was at that moment that I was finally able to forgive him.”

“[My father] turned to me and said ‘I’m sorry.’ Those words are like gold to me. It was at that moment that I was finally able to forgive him.”

<sup>6</sup> Name changed to protect identity. Pseudonyms are used throughout the handbook when referencing people who PF affiliates serve.

## The Offender's Need to Make Amends

When examining the restorative character of a program, we reflect upon:



*To what degree does the program support offenders in making amends so they can regain a good standing in the community?*

A key need for offenders is to atone for wrongdoing so they can regain their standing within the community. They must take active steps to make amends directly to victims, and potentially the community, so they can fully reintegrate into the community.

A primary goal of restorative encounters is to empower offenders to make amends. The heart of restorative justice is to create spaces where offenders can take steps to make amends for wrongdoing in a positive, constructive way that heals, repairs harm, and reconciles relationships. When offenders atone for wrongdoing, they redeem themselves and are brought into right relationship with the community, and ideally with the victims.



### Three steps to make amends

There are three steps for offenders to make amends and regain standing in the community:

- Commitment to **inner transformation**
- Communication that acknowledges wrong and **takes responsibility** to make things right
- **Make reparations** to those harmed, especially the victim

### 1. Inner Transformation

The first step toward making amends is repentance: inner transformation expressed through external change. Offenders need to take responsibility for wrongdoing and desire to change. As their understanding grows about the extent and impact of their harm, they become more remorseful, gain empathy for others, and are more likely to commit to following a better path and make things right.

Often, shame accompanies feelings of guilt and remorse. A person's shame reflects how they view themselves, not just the wrong they committed. It reflects their lost status in the eyes of others. Shame causes a person to hide and is a risk factor for more violence. Whereas remorse leads individuals to accept what they have done, to look away from themselves and towards the those they harmed. Often, it spurs their inner transformation.

Offenders must empathize with those they harm to genuinely take responsibility for wrongful conduct. This requires putting themselves in the victim's place and trying to understand their experience and what they have suffered. Of course, a person can never fully understand a victim's experience or suffering. But they can deepen their understanding when communicating, listening with open hearts, and genuinely trying to feel the victim's hurt and pain through their words and expressions.

Offenders' own trauma might make it hard for them to empathize with people they have harmed. If offenders heal from their own trauma, so they soften their hearts about themselves, often it becomes easier for them to empathize with people they have harmed.



### *Reflections from the Field*

**PF Lebanon:** Dan Van Ness, who led PFI's restorative justice efforts for more than 20 years, shared this story about STP's impact in Lebanon:



"Before starting the program, incarcerated people complained that they were victims of society. They felt they were in prison because they experienced poverty, discrimination, or other forms of social injustice. They resented their families for rejecting them and sought revenge on people who testified against them. Often, they believed they would return to criminal activities once released from prison.

"But STP changed their mindset. Those who went through the eight-week program began to realize their crimes harmed people and had deep and lasting impact. The participants heard stories from unrelated victims about similar types of harm. In facilitated circles, they shared stories, expressed themselves, and within the rhythm of listening, sharing and listening again, gained insight about their actions. The program helped them change their perspective.

"A corrections officer reported participants behaved differently after participating in STP. The overcrowded prison became calmer and easier to run. Course graduates also responded to conflict differently. For example, when a dispute arose between Shiite and Sunni Moslems, some graduates intervened and resolved the dispute peacefully."

Abdel, an STP participant in Lebanon, said, "Forgiveness is when a person does something wrong, he confesses about what he has done, and is then given permission to start a new chapter in his life. When I was locked behind bars, I was only thinking about how to get revenge on the people who put me in prison. But as time passed, I realized that anger is only affecting me, and I needed to be forgiven for what I had done."

The first step towards making amends is repentance: inner transformation expressed through external change.

## 2. Communication

The second step toward making amends is when offenders communicate:

- respect
- responsibility for the wrong
- the sincere desire to change and make things right

Apologies are an important way for offenders to communicate remorse and a desire to change. A sincere apology acknowledges wrongdoing without shifting blame, excusing or minimizing the harm. Equally important, apologies empower victims because they can accept, refuse, or ignore the offender's apology.

A proper apology communicates respect and acknowledges that the victim deserved better. Sincere apologies sometimes are the best way to repair certain harms and open doors to rebuild relationships.

When communicating with victims, offenders are to answer the questions and give honest explanations. This helps victims understand and make sense about what happened. While honest answers and explanations might be difficult for victims to hear, it is often more manageable than not knowing. These truth and story sharing sessions can also help victims find emotional closure and heal from crime's consequences.





### 3. Make Reparation

The third step toward atoning for wrongdoing is making reparations, or repairing harm caused by wrongdoing. As discussed earlier, the communication that occurs during encounters can help, but victims might need more to address material, mental, and emotional harm.

#### *Forms of Reparation*

A main form of reparation is restitution. Restitution requires offenders to compensate victims for harm done. Typically, it is tied directly to the damage amount. Offenders may return or replace property, make financial payments to repair damage or perform direct services for the victim.

Reparations can also cover nonmaterial harms and losses that are symbolic. Offenders can make payments, offer gifts, or perform services that show respect and demonstrate remorse. These forms of reparation can create opportunities for deeper connection because they might reflect sacrifice, thoughtfulness, creativity and carry deeper meaning.

Community service or service work directly to victims is another way to repair harm and communicate respect and remorse. Doing work is harder than simply giving money. When service work responds to another's physical, emotional, and mental needs and wellbeing, it could help offenders empathize with the victim's experience. This is important because often offenders disregard the victim's experience when they commit a crime. In fact, when offenders make reparations understanding the victim's situation more deeply, it is more likely to help victims heal and reconcile the relationship.

#### *When Reparations are Most Effective*

Reparations are most effective when tailored to meet specific needs. During encounters, victims and community members communicate their needs so offenders understand how to repair harm. Their participation helps connect reparations with needs that arise from the wrongdoing.

Also, reparations are most effective when victims and offenders help determine them. When victims have opportunities to express their needs and how they can be met, it helps them regain a sense of control that was lost during the crime. When offenders participate in the conversation about how to repair harm, they gain a sense of ownership and are more likely to follow through with their reparation commitments.

Finally, reparations are most effective when offenders freely agree to make them rather than have them imposed. Offenders' willingness to make reparations gives the victim respect, acknowledges they were wrong, and demonstrates remorse.



#### ***Reparations are most effective when:***

- Tailored to meet specific needs of the victim and community
- Victims and offenders help determine the reparations
- Offenders freely agree to make reparations rather than being imposed upon them



## Reflections from the Field

**PF Canada:** In Canada, an incarcerated person who participated in the affiliate's STP program reflected on restitution and repairing harm from crime: "I learned there are more ways to be rehabilitated than just serving my sentence in prison," the person said. "STP has shown me that through restitution, generosity, and volunteering with a charitable organization, I am able to be rehabilitated from my crimes."

I am a hairstylist, and I would like to work with a charitable organization to give free haircuts. I would like to become a volunteer and help run restorative circles and STP."

## Community Need for Relational Health and Safety

When examining the restorative character of a program, we reflect upon:



*To what degree does the program help build and sustain relational health and safety within the community?*

A key need for the community is relational health and safety. Within restorative programs and practices, community members and government officials have important obligations to meet this need. Specifically, they are:

1. Support victims and offenders immediately following crime
2. Support offenders during incarceration
3. Support victims and offenders as they rejoin their families and reenter communities.

### 1. Community's role immediately following crime

Community members, especially communities of care, play a key role immediately following crime. They are directly impacted by wrongdoing because they have significant emotional connections with victims, offenders, or both. In a sense, they are crime victims, too. For example, in murder cases the victim's loved ones would play the primary role in restorative encounters.



### Need for relational health and safety within the community

- Community's role immediately following crime
  - Victim support
  - Offender support and accountability
- Community's role if offender is incarcerated
- Community's role in reintegration
  - Victim reintegration
  - Offender reentry

Community members participate in encounters, share how crime impacted them, ask questions, and play a role in outcomes. The needs of those within the community are not to overshadow the victim's harm and needs, which remain priority.

### ***Victim support***

A key victim need is for community members, especially communities of care, to believe and support them. At restorative encounters, this might mean sitting next to victims, holding their hand, or intently listening to their stories. Also, it means helping victims meet immediate needs that flow from wrongdoing—safety, physical and mental health, legal, or financial needs.

### ***Offender support and accountability***

At restorative encounters, the offender's community of care supports them during the difficult step of acknowledging their wrong and repairing harm. Because strong family and community ties help prevent offending, restorative encounters also create space for communities of care to reflect on their relationships with offenders and how they might strengthen them.

In addition, the community, especially the community of care, holds offenders accountable to make amends to the victim and community. In restorative encounters, the community has a voice in how offenders will make amends. The community can mentor, check-in, and in some cases participate with offenders so they fulfill their agreed upon responsibilities to repair harm and make amends.

## **2. Community's role when offender is incarcerated**

Offenders' need for support arises during incarceration and continues when they reenter their community. During incarceration, the church can visit and participate in programs that lead to offenders' inner transformation, like The Prisoners Journey®. The church can also participate in programs that support incarcerated individuals on their journey to make amends, like STP.

Often, when individuals are incarcerated, they are the main breadwinners for their families. When the family loses a source of income, they all suffer. They often also have a stigma within the community. The church can be a light within the community that comes around these families to provide physical, emotional, and spiritual support, like in The Child's Journey®.

If offenders heal from their own trauma,  
so they soften their hearts about themselves,  
often it becomes easier for them to empathize  
with people they have harmed.



## Reflections from the Field

**PF Cambodia:** In Cambodia, eleven-year-old So Orn's life took a drastic turn when her father was incarcerated. Her mother moved to the city to find work and support the family, but So Orn stayed behind in the care of her grandparents so she could continue attending school. After four years, So Orn's mother became desperately ill. She returned home to see So Orn one last time and sadly, passed away.



In the midst of grieving the loss of her mother, So Orn felt she had nowhere she could turn for comfort. She was an outcast among her peers because her father was incarcerated. She avoided school because she thought the children would shun her. So Orn felt hopeless.

Because Prison Fellowship Cambodia had a relationship with So Orn's father, they learned about the child's situation. They enrolled her in CPP, where she received food, medical care, educational, and emotional support. Using their extensive network of church partnerships, PF Cambodia connected So Orn and her grandparents with a local pastor. Local staff and the church pastor visited So Orn regularly to encourage her in her studies, teach her the Word of God, and bring her to church where she could feel a sense of acceptance and belonging.

"I was really happy that Prison Fellowship Cambodia chose me to join the program and support my studies," said So Orn. "Many thanks to my pastor and sponsor for always supporting me."

So Orn knows the feeling of loss and isolation. But she can now see hope in her future. "I want to be a teacher one day," she said. As a teacher, she can recognize and care for other outcast children.

### 3. Community's role in reintegration

Restorative justice places a high value on helping victims and offenders rejoin their families and reenter communities as whole, productive, contributing members. This is especially important because it counters negative community responses that might stigmatize and treat victims and offenders as outcasts. In many respects, the community's role in crime's aftermath overlaps with the community's need (and role) to integrate victims and offenders into the community.

#### **Victim reintegration**

As victims recover from crime, the community, especially the church, can help meet immediate needs and provide ongoing care in areas such as physical health and safety, emotional and mental health, and legal and financial matters.



In addition, people within the community can form support groups to help with healing. They may join healing circles with other people in the community who were victimized in a similar crime. Longer term, if it would help victims heal, community members could offer support in a restorative community-based encounter independent from the criminal justice system with the person who harmed them.

Finally, victims may need support as they reintegrate within their families and community after a crime. Crime could divide victims and their communities of care if victims feel unsupported when they disclose wrongdoing. This could occur if their family and friends blame the victim or minimize the harm, or if they doubt or refuse to believe the victim's story. Often, this occurs when offenders are family members or have close relationships with the victim's family. This is especially true when victims reveal sexual or other intimate violence that occurred within families or close communities.

### ***Offender Reentry***

A primary need for offenders is to regain a good standing within the community. But incarcerated individuals have few opportunities to atone for their wrongs, at least in a restorative way. This is especially evident when the criminal justice system focuses on establishing guilt and punishing them, often with imprisonment.

Incarceration negatively impacts incarcerated individuals and makes it harder to integrate into their communities. Prison isolates incarcerated individuals from support networks, fosters antisocial values and destructive habits, and creates an "institutionalized mentality." When they are released, they carry the convict label and often the community (including too often the church) treats them as outcasts and excludes them. Rather than rejoining a non-judgmental, inclusive community that welcomes and supports them, the opposite happens: people who have been incarcerated are judged, isolated, and expected to contribute to society with minimal support.

Practically, system-impacted and incarcerated individuals face significant obstacles in rejoining society. They have difficulty finding employment, housing, income, reliable transportation, and the means to provide for basic needs like food and clothes. They need access to social services, treatment for addictions, spiritual and moral guidance, and care. Just as important, they need prosocial networks and community members to welcome and support them during the transition.



As such, the community, especially the church, plays an important role in helping formerly incarcerated individuals rejoin their families and communities. Upon reentry, the community can help them find employment, housing, and income assistance during their transition. Also, they can surround formerly incarcerated individuals with prosocial groups to support and hold them accountable. Prosocial support networks are especially important for high-risk, high-need individuals, like those who commit sex offenses or have been incarcerated long periods of time.



## ***Reflections from the Field***

**PF Rwanda:** In the Child's Journey, national ministries often help children meet their incarcerated parents so they can maintain a relationship. In Rwanda, children may face significant challenges in meeting their incarcerated parents, such as distance, financial resources, and even legal visitation restrictions.

Many children, like twelve-year-old Esther, have not seen their incarcerated parents in years, if ever. Prison Fellowship Rwanda helped Esther meet her father. "I often dreamed of looking in my father's eyes," said Esther. "I am thankful my dreams became real. I hope to see him again."

**PF Zambia:** In Zambia, Natasha's father was imprisoned in 2017. The family lost his income and emotional support and were shamed within the community. "It was too much for me as we depended on him for everything," Natasha's mother said. "It was so difficult to handle the situation with the children. We became a laughingstock in the family, and among friends and the community. My children stopped going to school due to the stigma and discrimination."

Natasha's father asked Prison Fellowship Zambia to meet his family. PF Zambia staff provided the family basic needs, such as food supplements and health care, and connected them with important support networks. They also helped Natasha enroll in school."



## ***Reflection Questions***

1. What keeps the church from supporting individuals when they are incarcerated or as they rejoin the community. What steps can you take to sensitize the church and overcome this reluctance?
2. Reflect on a time you saw an incarcerated person develop empathy for the person they harmed during your program. What do you feel created that empathy? When operating your programs, what practices can you start that might foster empathy?
3. Reflect on a time someone harmed you. What were your needs that arose from the incident? Of the victim needs mentioned in this section, do any relate to your situation? What would have helped meet those needs?
4. Reflect on a time you harmed someone else. What needs arose for the person you harmed? Did you get a chance to help the person meet those needs?



## Section 4: Determining a Program's Restorative Character



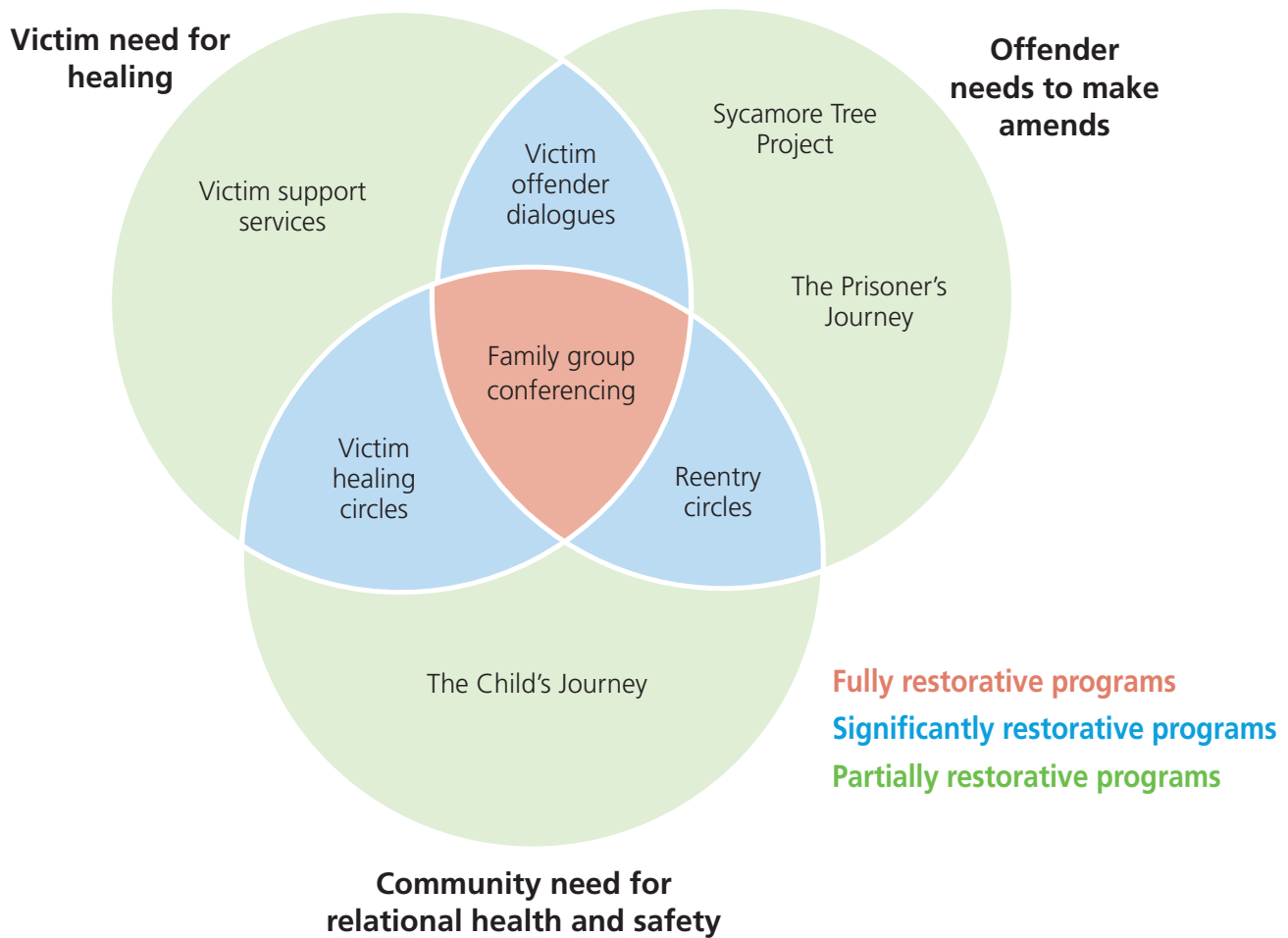
### *Key ideas*

- Restorative programs fall along a continuum from partially restorative to fully restorative based on the extent the primary stakeholders engage in an encounter that addresses each of their core needs.
- Restorative programs might occur at all stages of the criminal justice process or within the community independent of the criminal justice system.
- National ministries can increase the restorative character of their programs by including unrepresented stakeholders in an encounter that addresses their core needs.

## How Restorative Is a Program?

Restorative justice is most effective when during an encounter the needs of all three stakeholders are met: the victim's need for healing, the offender's need to make amends, and the community's need for relational health and safety.

As depicted in the illustration below,<sup>7</sup> the more victims, offenders, and communities engage in encounters that meet their needs, the greater the program's restorative character.



In **fully restorative programs**, an encounter addresses the victim's need for healing, the offender's need to make amends, and the community's need for healthy and safe communities.

For example, Family Group Conferencing is fully restorative because it brings together the offender, victim and family members in an encounter to meet their core needs (making amends, healing and relational health and safety).

<sup>7</sup> See McCold, P. (2000). Toward a mid-range theory of restorative criminal justice: A reply to the Maximalist model. *Contemporary Justice Review*, 3(4), 357-414. This illustration is adapted from Paul McCold's restorative justice typology illustration and description. McCold states that primary stakeholder needs are victim reparation, offender responsibility and communities of care relational reconciliation and reintegration. Id.



In **significantly restorative programs**, an encounter addresses two of the three needs: victim and offender needs, offender and community needs, or victim and community needs.

For example, Reentry Circles are significantly restorative because they bring together the offender and family members to meet their core needs (making amends and relational health and safety), but does not include the offender's victim.

In **partially restorative programs**, only one stakeholder need is addressed.

For example, the Child's Journey is partially restorative because it strengthens the relational health and safety of the offender's family, but does not prioritize the offender need to make amends or the victim need for healing.

The next section discusses common justice programs and whether they are partially, significantly, or fully restorative based on the stakeholder needs addressed.


### ***Restorative Justice Programs During the Criminal Justice Process***

Restorative justice programs can occur at different stages along the criminal justice process: pre-arrest, pre-trial, at sentencing, during incarceration, and post-incarceration. In addition, they can occur within the community independent of the criminal justice process.<sup>8</sup>



The following section discusses restorative programs at different stages of the criminal justice process and whether they are fully, significantly, or partially restorative.

The following list of programs is not exhaustive but meant to illustrate the degree to which programs are restorative.



**Stage: Pre-arrest and Pre-trial**

#### ***1. Diversion from Criminal Justice System***

When crime occurs and police are notified, cases can be diverted to restorative justice programs prior to trial, either before arrest or before charges are filed. Police, probation, the district attorney, or the court might divert cases before a trial starts.

- **Family Group Conference (FGC) (fully restorative).** FGC's bring together offenders, victims and community members in encounters and are fully restorative. Generally, they prioritize offenders taking responsibility for wrongdoing and repairing harm to victims and the communities of care. Community members, especially communities of care, participate in conferences and are often engaged in follow up with victim and/or offenders.

<sup>8</sup> In addition, within communities—neighborhoods, schools, churches, prisons and workplaces—restorative practices might be used to prevent harm from occurring. In this sense, restorative practices build social cohesion and connection and create space to discuss and deescalate conflicts before harm is caused. In this Handbook, we limit the discussion to restorative responses after harm occurs.

- **Victimless conferencing (significantly restorative).** In some cases, conferences occur without the victims' voice and participation. Some crimes have no direct victims, such as drug, weapon or vandalism cases. Other times, direct encounters are unsafe for victims or victims may decline or be unable to participate.

Victimless conferences are significantly restorative because, while encounters occur between offenders and community members, there is minimal or no focus on repairing the victim's harm.

- **Indirect communication.** In some cases, victims may participate in encounters through indirect communication, like shuttle diplomacy. While these adjustments strengthen programs and make them more restorative, they remain a step below the encounters where all parties are present and actively engaged in dialogue.
  - **Surrogate victims.** Individuals with no emotional connection with the specific crime may represent the victim's voice or perspective in a conference. While these adjustments strengthen programs and make them more restorative, they are not considered fully restorative. Encounters are most effective when a direct exchange meets the victim's need for reparation and the offender's need to make amends.
- **Victim-Offender Mediation (significantly restorative).** Victim-offender mediations (VOMs) are significantly restorative because only victims and offenders participate in the encounter. While communities of care may be present, they play a support role without engaging in the process and outcomes.

Programs become more restorative when communities of care play an active role helping offenders reenter and victims reintegrate into their communities. When communities of care play an active role in the process and have a voice in its outcome, the program becomes fully restorative.

## **2. Case disposition after charges are filed**

- **Government compensation (partially restorative).** Money from state-operated funds given to a victim is partially restorative because it helps compensate and repair harm. Generally, offenders or community members have no role in these programs.
- **Restitution (partially restorative).** Arguably, restitution is significantly restorative because it meets the offender's need to make amends and the victim's need for healing. But in practice, restitution programs where no encounter occurs are only partially restorative. Offenders have no opportunity to directly communicate their remorse to victims. Also, court or probation likely sets the amount and imposes restitution without input from victims on what they need to repair harm.
- **Community Service (partially restorative).** Probation or court-ordered community service is significantly restorative when community members and offenders have a voice in the community service project and the service project is directly connected to repairing harm arising from the wrongdoing. For example, service work that might build empathy toward similarly situated crime victims or cleaning graffiti when offenders were caught vandalizing.

Community service becomes more restorative if offenders work alongside community members when completing the community service. Often though, community service is an alternate form of punishment rather than a restorative practice.



### Stage: Sentencing

- **Sentencing circles (fully restorative).** Sentencing circles are fully restorative. These peacemaking circles bring together community members, victims, and offenders to discuss the offender's wrongdoing and its impact. Sentencing circles are part of the criminal justice process and replace formal sentencing as the other goal is to develop a sentencing plan for the offender to fulfill. Because people beyond the communities of care can participate, often circle participants discuss crime in the community and its underlying causes.
- **Victim impact statements (partially restorative).** At their best, victim impact statements are partially restorative because they include victims at the sentencing stage. This gives victims a chance to express the crime's impact to the court, jury, and offender. In response, courts can validate victims and affirm they have been wronged. However, victim impact statements quickly become punitive if they do not flow from restorative values. They are one-sided negatively charged statements that risk influencing juries and courts to increase the offenders' punishment.



### Stage: During Incarceration

- **Sycamore Tree Project® (partially restorative).** The Sycamore Tree Project (STP) is partially restorative because it focuses on the offender need to make amends. STP enables incarcerated individuals to understand the impact of their crime and take responsibility for the harm they have caused. Incarcerated individuals also have an opportunity to make a symbolic act of restitution to make amends.



**SYCAMORE  
TREE PROJECT®**  
JUSTICE AND PEACE

While offender focused, STP becomes more restorative when it also meets surrogate victim needs for healing. When surrogate victims participate in one or two sessions, the victim's main role is to build the offender's empathy and awareness. But when one or more surrogate victims participate in all sessions, STP's focus shifts to also helping victims heal from their own victimization so the program becomes significantly restorative.



- **Victim Offender Dialogues (significantly restorative).** Victim Offender Dialogues are significantly restorative because victims and offenders meet in an encounter to discuss the crime and its impact. These programs may occur when offenders are incarcerated or after release, depending when victims are ready. During the encounter, offenders take responsibility for harm they caused and victims may ask questions and explain how the offender's wrongdoing impacted their lives.

Surrogate victims may take the place of real victims in VODs, similar to STP. While the adjusted program may still facilitate offenders' inner change and surrogate victims' healing, these programs become less restorative.

- **Reentry circles (significantly restorative).** Reentry circles are significantly restorative because incarcerated individuals meet their family members as they prepare to leave prison and rejoin their community. Incarcerated individuals take responsibility for and repair harm they have caused their family. They also identify their needs upon release that will keep them from reoffending (and keep the community safe).
- **Victim empathy programs (partially restorative).** Victim empathy programs are partially restorative when implemented within a restorative system. These programs focus on building the offender's empathy for victims and understanding the harmful impact caused. Empathy is an important and necessary step in acknowledging and taking responsibility for wrongdoing. However, these programs are less restorative than comprehensive programs like STP.
- **The Prisoner's Journey® (partially restorative).** The Prisoner's Journey® may be partially restorative when implemented within a restorative system because it focuses on offenders' spiritual and moral health. It helps repair and reconcile the offender's relationship with God. In turn, it opens doors for inner transformation and making amends with victims.





- **The Child's Journey® (partially restorative).** The Child's Journey is partially restorative when implemented within a restorative system. When a parent is incarcerated, often their family loses the main breadwinner, and the children are most impacted. TCJ provides the children and families of incarcerated people safety, health care, access to education, and spiritual care while increasing community safety and relational health. TCJ becomes more restorative (even significantly restorative) when it connects the child and family with the incarcerated parent and helps repair harm within the relationship.



## Stage: Post-Incarceration

### 1. Offender Reentry

- **Circles of Support and Accountability (significantly restorative).** Generally, Circles of Support and Accountability (CoSA) programs are significantly restorative because they meet the community's need for safety and help offenders regain a good standing within the community. In CoSAs, three to five volunteers meet weekly with the released offender, called a "core member." Circle volunteers become an important prosocial network and help core members navigate reentry. Often, they help them access social services, find housing and employment, and connect with support groups and treatment programs. CoSA becomes less restorative when little or no focus is placed upon core members' need to make amends with the community, including communities of care.
- **Reentry support services (partially restorative).** Reentry support services are partially restorative when implemented within a restorative system because they help formerly incarcerated individuals meet basic needs as they reenter the community. Generally, a government or nonprofit case manager helps them access social services, find housing and employment, connect with support and treatment programs, and address other needs encountered while reentering communities. These programs are less restorative than CoSA because it lacks community voice and participation.

### 2. Victim Healing and Reintegration

- **Victim reintegration programs (significantly restorative).** Victim reintegration programs are significantly restorative. Often, relationships with family and close friends are damaged because they fail to believe and support victims after a crime occurs. These programs bring victims and family members together to build understanding, repair damaged relationships, and help meet victim needs arising from crime.





- **Victim healing circles (partially restorative).** Victim healing circles are partially restorative. While they take different forms, generally victims meet other unrelated victims from similar crimes to discuss the impact, process feelings, and support one another. These programs help victims heal and strengthen community relationships.
- **Victim support services (partially restorative).** Victim support services are partially restorative because they meet victim needs immediately after a crime occurs and during criminal justice proceedings. Case managers help victims access protective shelter, mental and physical health care, legal assistance, and financial support as they recover from the crime's impact.

### ***Community engagement programs***

- **Community/church sensitization.** Efforts to sensitize the church and wider community about incarcerated individuals and their needs are partially restorative when implemented within a restorative system. These programs help shift the church and community's perspective about formerly incarcerated individuals so they welcome them into the community without judgment and build supportive relationships with them. These programs are the starting point for recruiting and engaging volunteers in restorative justice programs.
- **Volunteer engagement.** Programs that engage, support, and care for volunteers are partially restorative when implemented within a restorative system and an important component in building a sustainable program. They provide structure, give oversight and equip volunteers so they can effectively perform their role. Restorative organizations value and respect volunteers and treat them like employees.



### ***Reflection Questions***

1. How would you respond to this question: does restorative justice replace the criminal justice system?
2. Reflect on your national ministry programs.
  - a. Who are the primary stakeholders (victims, offenders, and community members) they engage?
  - b. Do your programs meet their core needs as defined in this booklet?
  - c. How might you improve your programs to make them more restorative?
3. What challenges exist that make it difficult for you to engage the primary stakeholders currently unrepresented in your programs? What steps can you take to overcome these challenges?
4. How might your distinct programs work together so your overall program portfolio becomes more restorative?



## Section 5: Restorative Justice Values

When determining a program's restorative character, ultimately it must operate from a restorative lens rooted in values that guide practice.<sup>9</sup> On the surface, a program may seem restorative, but non-restorative values or influences might distort its restorative nature.

When evaluating a programs' restorative character, not only does the structure, outcomes (Encounter and Repair) and impact (Transform) need to be evaluated, but also whether the programs are staying true to restorative values. Use this section as a checklist when designing or evaluating programs.

Restorative justice values	PFI values
Respect	We are authentic
Inclusion	We are proactive
Empowerment	We value relationships
Safe	We grow
Accountability	We are accountable
Solution-oriented	

<sup>9</sup> While values described in this handbook are distinct to restorative justice, they overlap with values and beliefs represented in PFI's core values. PFI core values are: 1) we are authentic; 2) we are proactive; 3) we value relationships; 4) we grow; and 5) we are accountable. See Appendix B: PFI Core Values.



### **Key ideas**

- A program's restorative character ultimately depends on whether restorative values guide practice.
- A program may seem restorative when analyzed using the restorative justice framework, but non-restorative values distort its spirit and impact.



### **Respect**

Restorative justice programs are rooted in respect for all people, regardless of their past actions (good or bad), their race, gender, sexual orientation, age, disabilities, religious beliefs, or position in society. Each person has inherent dignity and worth as children of God.

- Programs grow and adapt within their own culture and context.
- Encounters are non-judgmental spaces where participants freely share what is on their hearts and listen and seek to understand one another's perspective.

A process is **less** restorative if:

- The program worked in other contexts but is implemented without prioritizing the voice, needs, and context of the new community.
- Participants, including facilitators, lecture others—telling people what is right, imposing their opinions, or projecting their experiences as others' experiences.
- Participants show contempt for others by words, expressions, or body gestures, or refuse to listen, talk over, or interrupt others who are speaking.



### **Inclusion**

People who are most impacted by wrongdoing—victims, offenders, and community members—are invited to directly shape and engage in restorative processes.

- Participants are involved in processes and decisions that impact them. Participants are also updated on the process or decision status.
- Participants have space to express themselves and collaborate in decision making and determining outcomes.
- Marginalized and vulnerable people most impacted by systemic wrongs have greatest access and voice in restorative processes meant to address those wrongs.

A process is **less** restorative if:

- People responsible for programs fail to actively include all impacted parties, especially victims.
- Programs involve marginalized and vulnerable people in the criminal justice system who would otherwise avoid it.



### **Empowerment**

People most impacted by wrongdoing can take active roles in determining the extent of their involvement and influence in restorative justice processes and outcomes.

- Offenders freely choose to participate. They take responsibility for wrongdoing, take active steps to repair harm, seek to make amends, and reintegrate within their communities.
- Victims play an active role. They have space to share their story, ask questions, define their needs, and help determine how amends can be made.
- Community members support victims and offenders. They help victims and offenders meet their needs and integrate into the community while holding offenders accountable for making amends.

A process is **less** restorative if:

- Offenders and victims are forced to participate, there are low expectations for participants, and decisions are imposed.
- Key participants are required to remain silent or passive during the process, or government officials or professionals control the process or outcomes.<sup>10</sup>

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<sup>10</sup> When restorative justice is integrated into the criminal justice system, it risks the government's interests co-opting restorative justice values. Specifically, he mentions the government's need to: a) process cases as quickly and cost efficiently as possible; b) to employ only paid professionals to handle cases; c) to measure success by reduced recidivism rather than participant satisfaction; d) to fixate on enhancing public security and minimizing risk; and e) to bury creativity of restorative encounters with official paperwork and checklists.



### **Safety**

Restorative justice processes protect participants and the wider community from physical and emotional harm.

- Restorative processes address the risk offenders pose to victims and others in the community. They have structures and safeguards that prioritize victim and community safety.
- Facilitators understand and address dynamics (trauma, shame, power imbalances, culture, bias, etc.) that obstruct authentic communication among participants and make accommodations to create safe environments.
- Information shared during restorative processes remains confidential and is not later used against participants—especially offenders.

*A process is **less** restorative if:*

- Facilitators fail to adequately screen and prepare participants and identify dynamics that risk causing further physical or emotional harm, especially to victims.
- It prioritizes expediency, convenience, or lesser costs over safeguards and accommodations that protect participants.



### **Accountability**

Restorative justice participants are held accountable to fulfill obligations arising from wrongdoing and the harm it caused.

- Offenders are held accountable to take responsibility for criminal behavior and make amends directly to those they harmed.
- The community, including communities of care, are held accountable to support victims and offenders as they heal, fulfill obligations, and reintegrate into the community.

*A process is **less** restorative if:*

- Offenders exploit restorative justice processes to their advantage without taking responsibility or having a genuine desire to make amends.
- Outcomes are disproportionate, either too harsh or too lenient, compared to outcomes from other similar cases and contexts.
- Nobody follows up with participants, especially offenders, to ensure commitments made during encounters are fulfilled.





## ***Solution-oriented***

Restorative justice processes are forward-looking and solution-focused. They:

- Promote healing individuals—victims and offenders—and reintegrating them into the community.
- Focus on identifying underlying issues that lead to crime—individual and systemic—so they can be discussed and dealt with.
- Nurture hope with potential to change individual hearts and minds, mend relationships, and transform communities and systems.

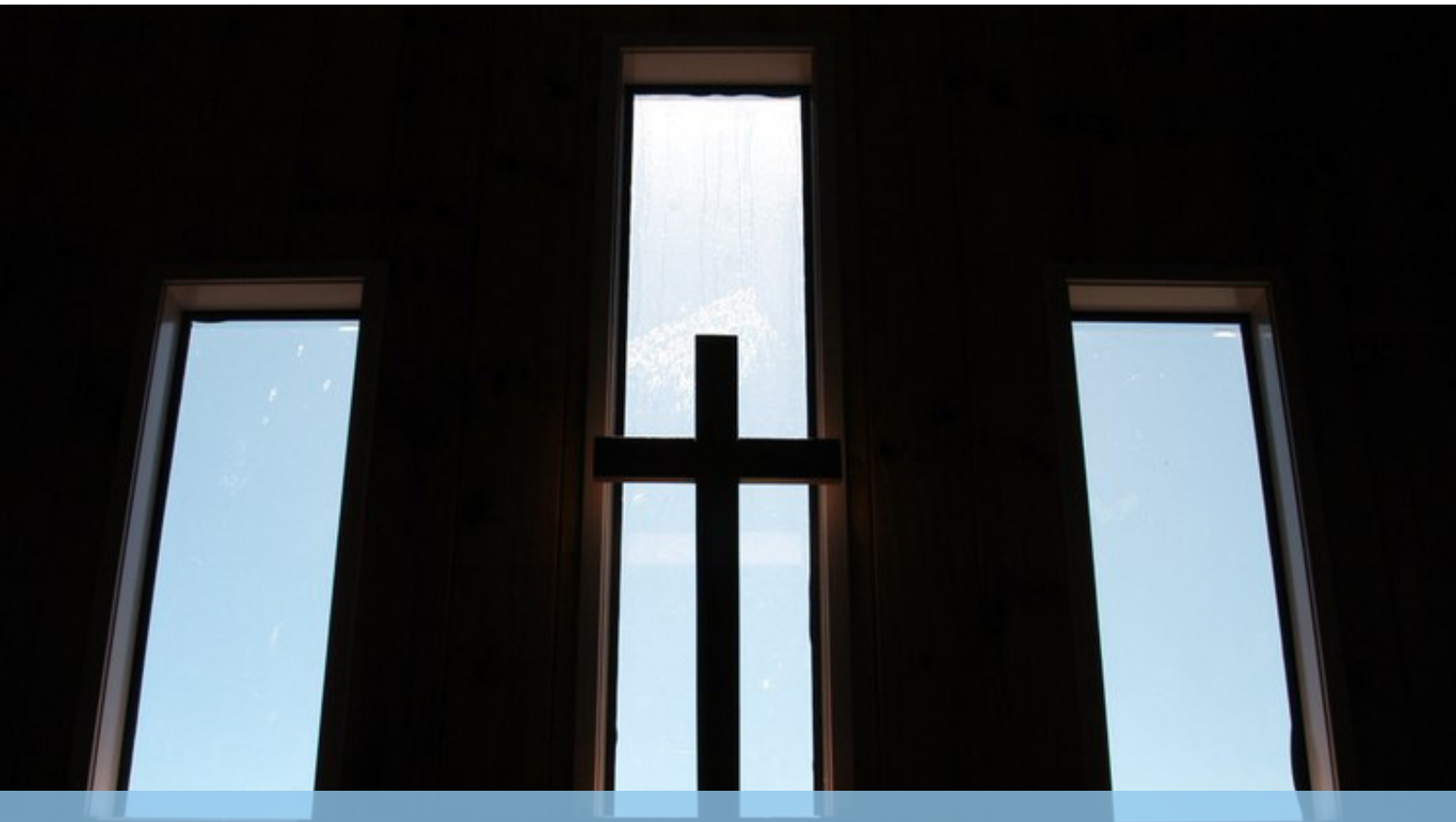
A process is **less** restorative if:

- It is adversarial and tends to cause further harm or create division within relationships or the community.
- Outcomes are punitive and/or unconnected to the harm and meant to punish offenders for past behavior.



## ***Reflection Questions***

1. Often, when people think about holding someone accountable, they mean punishing someone for wrongdoing. How is accountability from a restorative justice lens different than this understanding of accountability?
2. Take an inventory whether your programs reflect a restorative character. As you reflect upon each restorative value, what values are most evident in your programs? List some examples that illustrate these values in practice.
3. What restorative values are less evident in your programs? What steps might you take so your programs better reflect these values in practice?
4. In what ways do PFI's values align with restorative justice values? Where are they different?



## Section 6: Transform



Restorative justice is most effective when it creates safe spaces where people can authentically speak and listen to one another. These spaces can be relationally transformative because they create connection—people are heard, respected, and understood. Also, they can help identify root causes of crime, even systemic and structural issues, and have potential to transform them into positive forces that repair harm. When implemented widely, they can heal and transform relationships, communities, even nations.

When reviewing programs and their impact, we need to reflect upon:



*To what degree has the program transformed individuals, communities, and institutions?*

### ***Transforming Individuals***

Restorative justice holds potential to transform individuals: victims and offenders. The individual benefits of restorative encounters are repentance, redemption, forgiveness, healing, and reconciliation. While these outcomes often flow from restorative encounters, they cannot be forced or manipulated. National ministries look for them when evaluating programs.



## Key ideas

- Individual fruits of restorative encounters are repentance, redemption, forgiveness, healing, and reconciliation. While these outcomes often flow from encounters, they cannot be forced or manipulated.
- Community level fruits from restorative justice processes are safety, belonging, inclusiveness, community engagement, and equal opportunities to grow and thrive, even for the most vulnerable and marginalized.
- The restorative justice framework—encounter, repair, and transform—focuses on responses to wrongdoing within criminal justice systems. But it also can be applied in other settings, like schools, churches, prisons, and the workplace.

## 1. Healing

Restorative encounters can help victims heal from the consequences of crime. They give space for victims to share their stories and empower them to ask questions, explain the impact of crime, and express how they want offenders to make amends. These conversations give greater context and understanding of why offenders committed the wrong, create space for apology, and potentially lead to forgiveness and reconciliation.

For offenders, because they share context and explain their actions, they reveal deeper struggles. For example, an offender's backstory may include past victimization, addiction, depression, or self-hatred. Redress agreements can help offenders heal from their struggles, for example, by giving them access to counseling or treatment programs.



### ***Transformed individuals: fruits from restorative justice***

- Healing
- Repentance
- Redemption
- Forgiveness
- Reconciliation

## 2. Repentance and Redemption

Restorative encounters might lead to repentance because offenders must face the person they harmed and hear how their actions impacted others. It requires offenders to make amends in an active, positive way, and directly to those they hurt. This brings allows them to redeem themselves in the eyes of victims, communities, or both.

When people harm others, often they feel shame and isolate themselves. But when treated with respect and dignity, they are not defined by the worst things they have done. Rather, they are embraced by the community with expectations to contribute. It relieves shame and leads to inner transformation, greater self-worth, and stronger relationships within the community.

### 3. Forgiveness

Restorative encounters create an environment that promotes forgiveness between victims and offenders. When offenders show genuine remorse and apologize for wrongdoing, victims are more likely to forgive, either at that moment or some point in the future.

When victims forgive the person who harmed them, it may help them emotionally heal, release anger and resentment, and prevail over the hold the crime and offender had on their lives.

Similarly, offenders may find forgiveness from their victims. This helps relieve the guilt they may feel for committing a crime, improve their feelings of self-worth, and alleviate anger.

From a national ministry's perspective, it must be explained to victims that they control the decision of if and when they forgive the person who harmed them. As they overcome trauma and emotional harm, they can understand the positive role forgiveness may play in their healing.

### 4. Reconciliation

Ultimately, for people to live in right relationship within the community, they need to reconcile differences that separate them. A person who commits wrong can make amends and seek reconciliation, but full reconciliation requires the person harmed to forgive. From the victim's perspective, in some cases this may never be desirable or even possible.

## ***Transforming Communities***

At a community level, results of restorative justice processes include safety, belonging, community engagement, and equal opportunities to grow and thrive—even for the most vulnerable and marginalized. Again, while these outcomes might come from restorative processes, they cannot be forced. Instead, national ministries look for them when evaluating programs.

A core criminal justice goal is safety within the community. As such, national ministries can compare recidivism rates between offenders who participate in restorative justice programs and those who do not when showing the program's impact.



#### ***Transformed communities: fruits from restorative justice***

- Safety
- Belonging
- Inclusiveness
- Community engagement
- Opportunities for all people to grow and thrive

Restorative encounters might lead to repentance because offenders must face the person they harmed and hear how their actions impacted others.

Restorative justice programs could transform communities into places where members feel they belong, have a voice, are engaged, and have opportunities to grow and thrive. In fact, likely they achieve these outcomes better than contemporary justice systems. National ministries are advised to develop context-specific indicators that measure these outcomes compared to contemporary justice system.

Regarding justice official discretion and the risk of selection bias, individuals should have equal opportunities to participate in restorative justice programs regardless of race, ethnicity, gender, sexual identity, socioeconomic status, or other people class. Because justice officials often have discretion of who they refer to restorative justice programs, preference toward more privileged groups might occur in decision making. National ministries should compare the percentage of marginalized groups' access to restorative justice programs with their overall representation in the contemporary justice system.

### ***Transforming Systems and Structures***

Restorative justice has the potential to change social responses to crime and wrongdoing. The restorative framework described in this handbook—encounter, repair, and transform—focuses on how restorative programs respond to wrongdoing within contemporary justice systems. But the framework can be applied to responding to wrongdoing in other institutions too—schools, churches, and the workplace, for example.

The restorative justice framework can be applied to helping institutions, communities, or nations heal from collective violence and historical discrimination. Encounters create space to understand systematic or structural issues like racism, classism, patriarchy, economic poverty, and greed that corrupt institutional systems and culture. Community reconciliation and transitional justice mechanisms—like truth commissions, collective reparations, and symbolic apologies—are ways institutional, local, and national leaders might collectively atone for systemic or structural wrongs.

Ultimately, leaders within institutions must change their perspective and response to conflict and wrongdoing. This requires national ministry leaders to first make sure they and their organizations are operating from a restorative paradigm. We discuss what this looks like in Section 7.



#### ***Restorative justice in different settings***

- Schools
- Universities
- Workplace
- Church
- Prisons
- Communities
- Nations (transitional justice)

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The restorative justice framework can be applied to helping institutions, communities, or nations heal from collective violence and historical discrimination.

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### ***National ministries might work in different systems:***

- **Prison systems.** Restorative justice programs within prisons are a core focus for national ministries, including the STP and TPJ. National ministries might also collaborate with government correction officers to implement a restorative framework within adult prisons and youth detention facilities that shift prison culture and how prisons operate.

Several national ministries have “virtuous prison” models that empower prisoners, treat them with respect, and try to create conditions to bring about heart transformation. Prison Fellowship’s affiliate in Brazil started the virtuous prison model and it expanded to Colombia, Uruguay and Chile. In Germany, the Prison Fellowship affiliate started an alternative to prison for youth offenders that detains them in an informal, home-like setting.

- **Policing and law enforcement systems.** National ministries could collaborate with law enforcement to implement restorative programs at first contact and before offenders formally enter the justice system. Countries might use police-led restorative justice models, such as the Wagga Wagga conferencing model, described in Section 2.
- **Juvenile justice system.** National ministries might implement restorative programs at different stages within youth justice systems, including probation, pre-adjudication, sentencing, and detention.
- **Adult criminal justice system.** Similarly, national ministries could begin restorative programs at different points within the adult criminal justice system, such as pre-trial and sentencing stages.



- **Parallel systems for victim support and healing.** National ministries could initiate restorative programs that support victims and meet their needs after crime occurs. Victim justice processes run parallel to offender justice processes because the timing of either's needs may not align. For example, in serious crimes like sexual and physical assaults, victims may not be ready to participate in restorative encounters until much later—if ever—compared to when justice systems might require offenders to participate. Also, offenders may never take responsibility for wrongdoing, a prerequisite for participating in restorative justice processes.
- **Child welfare and child protection systems.** National ministries might start restorative programs connected with child welfare and child protection systems. These practices could support youth—either victims or offenders—after a crime occurs and as they rejoin their families and communities.

### ***Transformation Within Prisons: Association for the Protection and Assistance of the Condemned (APAC)***



Association for the Protection and Assistance of the Condemned (APAC) and its program methodology has transformed prisons and incarcerated people in Brazil. The methodology grew organically within Humaita prison, a small prison in São José dos Campos. Since inception, the model has been replicated in more than 50 prisons in Brazil and adapted in Latin America, Europe, and Asia.



The core principle that drives decision making within the APAC model is love. “The prisoners are saturated with a different view of who they are,” explains PFI Chief Operating Officer Dave Van Patten.

The prison is run by community volunteers and prisoners. When Dr. Mario Ottoboni, the co-founder of APAC was asked, ‘Why do prisoners help you run the prison?’ he explained, “They need to know we trust them because, one day, they will be released into the community. They will need to be worthy of trust by then. We love them. If they make a mistake, we tell them they can try again.”

The prison is an open environment. “Many prisoners volunteer for the program thinking they will escape—but few make the attempt,” Dr. Ottoboni said. “Those who do escape usually return in a few days. Why is the prison so clear? Because this is the prisoners’ home and they want to live in beautiful surroundings.”

Dr. Ottoboni believed crime is “the violent and tragic refusal to love. [L]ove must be learned, just like speaking and writing. The place to learn how to love is the home. But sometimes our families fail us, and when that happens the result can be crime.”

He continued, “The solution to crime is to teach prisoners to love. That is the purpose of APAC. We create an environment in which they learn to love themselves, each other, and the communities they live in. As we see them grow, we give them responsibilities to show we trust them and to prove we are right to trust them. Once men have been loved and have learned to love they will not go back to crime.”



### ***Reflection Questions***

1. Think about a time you had a conversation with someone you disagreed with that led to a deeper understanding and respect for that person. What fruits flowed from that discussion, if any?
2. Create a list of people, organizations and institutions who are partners or potential partners with your organization.
  - a. What common vision do you share with these likeminded stakeholders?
  - b. What skills and expertise do they have that complement your organization’s skills and expertise to help achieve this vision?
  - c. What steps can you take to build goodwill and increase collaboration among these people, organizations and institutions?





## Section 7: Becoming a Restorative Organization



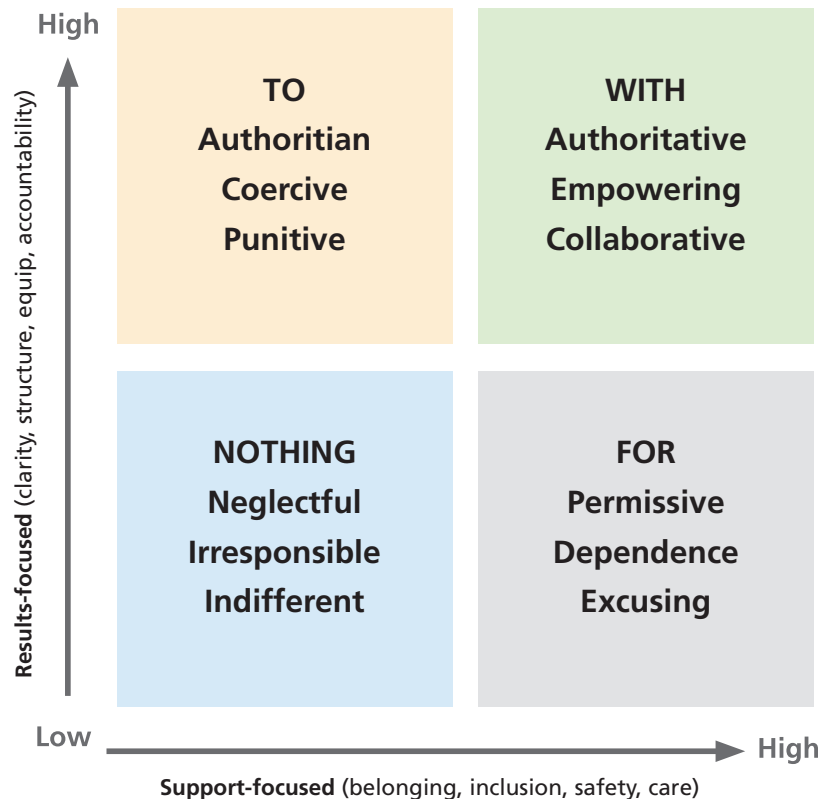
### *Key ideas*

- Restorative organizations have high trust cultures that equally value people and results.
- Restorative organizations provide clarity and structure for staff and partners. They evaluate performance and give greater responsibility and autonomy as staff/partners meet expectations.
- Restorative organizations create a sense of belonging at the workplace and in collaborations. They have diverse workplace communities and include staff and partners in decisions that impact them.
- Restorative organizations take care of staff and partners. They use a restorative framework to manage and resolve conflict.

Organizations should increasingly operate from a restorative paradigm. When PFI national ministry leaders use a restorative paradigm as their guide, restorative values flow into the organization's culture and programs. They will then ripple outward and touch staff, volunteers, partners, and the people they serve.

This matrix identifies four relationship types between leaders and stakeholders, especially staff and key partners.<sup>11</sup>

Organizations and leaders in the top-right quadrant operate from a restorative paradigm. They have high trust cultures that equally value people and results. They do things with staff and partners rather than to them or for them. They invest in people and value relationships (x-axis). They empower people and expect results (y-axis). Ultimately, they serve staff and partners so they can grow in responsibility and autonomy.



Based on this matrix, restorative organizations are:

- **Results-focused:** they empower and hold accountable staff and partners
- **Support-focused:** they value inclusion, diversity, safety and staff care

Organizations are communities where staff, partners, and other stakeholders are interconnected.

<sup>11</sup> This matrix is based on the Social Discipline Window defined by Ted Wachtel and builds upon its application as a leadership model. See Wachtel, T. (2012). Defining restorative. International Institute for Restorative Practices. Bethlehem, Pa, p. 5. Retrieved from [iirpds.pointinspace.com/pdf/Defining-Restorative.pdf](http://iirpds.pointinspace.com/pdf/Defining-Restorative.pdf).



## ***Restorative organizations expect results***

### **1. Empower**

Organizations that operate from a restorative paradigm *empower staff and partners to achieve results* by giving clarity, providing structure, and equipping them to fulfill their roles.

**Give clarity.** Leaders give staff and partners clarity about the organization's goals, how it plans to achieve them, and the role each staff/partner plays in the process.

- Clearly define objectives and expectations for each staff/partner and explain how performance is evaluated.
- Update staff and partners about changes in organizational goals and plans, the context, and how it impacts them.

**Provide structure.** Leaders and managers provide structure and systems that create common understanding, give direction, build trust, and ensure quality.

- Reporting and group structures, policies, protocols, guidelines and checklists are beneficial to the extent they serve and empower staff and partners to operate with greater autonomy.
- Organizations with top-down management and low trust cultures tend to have high controls that become bureaucratic and burdensome.

**Equip.** Leaders and managers equip staff and partners with tools and training to fulfill their roles.

- Identify skills and knowledge needed to fulfill expectations.
- Give adequate time, resources, training, coaching, and mentoring to increase staff and partner capacity so they can better fulfill their roles.
- Provide equipment or technology that helps staff and partners do their job well.

### ***Restorative organizations expect results***

- Empower staff and partners
  - Give clarity
  - Provide structure
  - Equip staff/partners to fulfill roles
- Hold accountable
  - Staff and partner evaluations
  - Program evaluations
  - Evaluating whether practice aligns with restorative values



## 2. Hold accountable

Restorative organizations promote greater responsibility and autonomy among staff and partners. Leaders intentionally engage staff and partners, communicate regularly, and evaluate individual performance and programs.

**Staff and partner evaluations.** Staff and partner evaluations are to be non-threatening, collaborative discussions that focus on success and are solution-oriented. The evaluations form part of an ongoing dialogue managers have with staff and partners during the year. The main purpose is not to judge or place blame, but to understand and improve.

- Identify individual or program weaknesses and draw out underlying issues or challenges that impact performance. Determine what is needed to improve and strengthen performance or programs.
- Discuss whether staff/partner roles align with actual responsibilities. How might their role within the organization or partnership change or grow?
- Provide safe spaces for staff/partners to authentically share experiences within the team, including experiences with management and the organization.

**Program evaluations.** Leaders and managers create a space for staff and partners to regularly discuss team, program, and organization health.

- Examine whether programs are meeting performance indicators.
- Go deeper and look at relationships, culture, systems, and other internal or external factors that impact, or could impact, the program positively and negatively.
- Create opportunities for the organization's extended community—volunteers, supporters, beneficiaries, and others—to share their thoughts and experiences.

**How the organization and programs embody values.** Stakeholders should have space to ask:

- What extent does our program and organization reflect restorative values and PFI's values?
- What specific steps are required to make our organization and programs more restorative?

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Leaders respect and empower staff and partners when they include them in decisions that impact them.

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## ***Restorative organizations value and support staff***

### **1. Inclusion**

**Sense of belonging.** Organizations are communities where staff, partners, and other stakeholders are interconnected. Leaders need to intentionally create space for stakeholders to connect and build relationships with one another.

- Within the physical space, office rhythms and layout provide opportunities to connect and communicate with one another personally and professionally.
- Within partnerships or across geographical locations, leaders create social bridges that increase emotional connection and build trust.
- Leaders promote and nurture healthy relationships, not force them.

**Decision making.** Leaders respect and empower staff and partners when they include them in decisions that impact them.

- Staff and partners are more likely to commit to decisions when they have opportunities to express their point of view, even if they do not fully agree with the final outcome. For example, they have meaningful participation in decisions about:
  - Roles, expectations, and targets
  - Program design and improvements, systems, protocols, and policies they need to follow
  - Organizational change and shifts in strategy and direction
- Leaders seek perspectives from the organization's extended community about programs and their impact. For example, a national ministry working within prisons should seek input from current or formerly incarcerated individuals, correction officers and officials, government officials, and community volunteers.
- Leaders can make more informed decisions that better shape programs, strategy, and direction when diverse perspectives are encouraged to be given.
- Leaders explain decisions and keep staff, partners, and other stakeholders updated on their progress.

### ***Restorative organizations value and support staff***

- Inclusion
  - Sense of belonging in workplace and collaborations
  - Decision making
  - Diversity in workplace community and governing board
- Safety
  - Safe workplace environment
  - Conflict management and resolution
  - Staff care

**Diverse representation.** Organizations integrate with the communities where they serve allowing community members, including the government, to accept them and become allies in the work.

- The organizational team reflects the culture, background, and experiences of their community and program beneficiaries.
- The organization's governing board and leadership has diverse backgrounds, skills, and experiences. They understand and empathize with the community and beneficiaries the organization serves.

## 2. Safety

**Safe workplace environment.** Restorative organizations are safe places, physically and emotionally. They seek to prevent conflict. When conflict occurs, the parties resolve it within a restorative framework.

- Staff partners and other stakeholders respect one another's opinions and contributions, regardless of their position or background.
- Staff and partners can speak authentically without judgment or negative consequences.
- Work environments are free from hostility or unhealthy pressure which prioritize productivity over people's physical and emotional health.
- Systems and procedures protect staff from harassment or physical and emotional harm. Managers avoid using their positions to micromanage or harass direct reports.

**Conflict management and resolution.** Organizations have policies on managing and resolving conflict that are clearly understood and valued by staff and stakeholders.

- Leaders encourage staff to proactively resolve issues before they lead to unhealthy working relationships or workplace environments. Sensitive to team and partnership dynamics, leaders can proactively address whatever might lead to conflict.
- Staff and other stakeholders have regular opportunities to share frustrations and concerns before these become conflicts or create unhealthy working environments.



- When conflict remains unresolved, leaders create supportive spaces where impacted parties communicate authentically about the conflict and resulting harm. At times, a fair process may require impartial persons or committees to prepare and facilitate these encounters. The impacted parties can then express their needs and agree together on solutions going forward.
- Punitive measures are used as a means to an end, either to protect staff or as an extreme option to align behavior with organizational policies and expectations.
- The organizational team welcomes back anyone who may experience shame or stigma as a result of conflict.

**Staff care.** Organizations create environments that promote staff and volunteer wellbeing.

- Policies are created that recognize the impact and trauma direct service work has on one's emotional, spiritual, mental, and physical health.
- Set aside time and make resources available for individual or group debriefing, self-awareness and personal reflection, spiritual devotions, staff retreats, team building activities, professional counseling and mental health care, earned sabbaticals, or similar activities.
- Leadership encourage staff care but does not impose activities.
- While care plans require time, intentionality, and higher costs, they improve staff wellbeing, connection, belonging, increase productivity, and help retain staff.



### ***Reflection Questions***

1. Reflect on a time a staff or partner struggled to meet your expectations but later improved their attitude or performance. What do you believe was key to their turnaround?
2. To what extent do safe places or people exist in your office where staff and partners can share authentically about their work experiences? What steps might you take to cultivate these safe spaces for people?
3. What are the benefits for including more people and diverse voices in the decision making process? What are the challenges?
4. Does your organization budget resources (time and money) and plan for staff and volunteer care? How does that look? What fruits have you seen come from efforts to care for staff and volunteers?
5. How might you apply the restorative justice framework and principles in this handbook to resolve conflict among your staff and partners?



# Appendix A

## Glossary of terms

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**Contemporary criminal justice system.** Criminal justice systems that primarily use adversarial processes to establish guilt and impose punishment, often imprisonment. The booklet uses this term rather than retributive justice system.

**Restorative justice.** A response to wrongdoing that prioritizes repairing harm, to the extent possible, caused or revealed by the wrongful behavior. All willing stakeholders cooperatively decide how to repair victim harm, hold offenders accountable and strengthen the community's relational health and safety.

**Restorative justice program.** A program that uses restorative processes, seeks to achieve restorative outcomes and is guided by restorative values. Rather than viewing programs as restorative and non-restorative, programs reflect degrees of restorative character based on the extent processes, outcomes and values are restorative.

**Process.** A series of actions or steps to achieve outcomes that occur within a system or program. Restorative processes are cooperative and include active participation of primary stakeholders to determine outcomes. The primary mechanism in restorative processes are encounters.

**Outcome.** The end result that flows from systems or processes. Restorative outcomes meet the primary stakeholder needs: victims are healed, to the extent possible, offenders make amends and the community's relational health and safety are strengthened.

**Wrongdoing.** Behavior that harms another person. Wrongdoing may or may not be illegal or criminal.

**Criminal behavior.** Behavior that violates criminal law as defined in legislation. Restorative justice recognizes that criminal behavior concerns more than the offender and offense. It harms people and tears apart relationships and communities.

**Encounter.** Encounters are facilitated meetings where primary stakeholders have meaningful exchanges about wrongdoing, its impact and how to repair harm flowing from the wrongdoing. Encounters are the mechanism used in restorative processes and generally take three forms: victim-offender mediation, conferences and circles.

**Primary stakeholders.** The people most impacted by wrongdoing—offenders, victims and the community. Within the community are communities of care, other community members and the government. When defining primary stakeholders and their role in restorative justice processes, the key questions are a) who cares about the offense; and b) how should they be included in the process?

**Communities of care.** Individuals who have emotional connections with victims and offenders, such as parents, spouses, children, siblings, close friends, co-workers and teachers.

**Community members.** Concerned or compassionate members within the community, like neighbors, business owners or the church body, who want secure and peace-filled neighborhoods.

**Government.** Local justice officials and government institutions with legitimate interests in public safety, human rights and citizen wellbeing.

**Justice officials.** Government officials employed with the contemporary criminal justice system, such as individuals who work in law enforcement, probation, the district attorney, the public defender, the court, child welfare and child protection, detention and correctional facilities and prisons.

**Victimless crimes.** Crimes that do not involve any direct harm or loss to an individual, for example, drug offenses, weapons charges or crimes committed against an institution, like businesses (e.g. shoplifting) or the city (e.g. vandalism).

**Surrogate victim.** A person who represents the actual victim's voice and experience during a restorative justice process. Often surrogate victims experienced the same crime by a different offender.

**Redress agreements.** An agreement primary stakeholders collaboratively reach at the end of some restorative processes that describes stakeholder needs and how to repair harm flowing from wrongdoing.

**Shalom.** God's vision for his kingdom where we live in right relationship with God, our neighbor and all creation. *Shalom* has three basic dimensions about how things should be: 1) a physical realm, where people experience health, security and material well-being; 2) in social relationships, where people live in right relationship with others and 3), a moral or ethical realm, where people reflect the character of honesty and integrity.

# Appendix B

## PFI Core Values

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### **WE ARE AUTHENTIC**

- We are truthful with no separation between what we say and how we act.
- We are reliable; we do what we say we will do.
- We are direct without being offensive, striving to have constructive disagreements that lead to productive outcomes.



### **WE ARE PROACTIVE**

- We value work as expressed as service to others. We are committed to developing and implementing programs and services that are culturally relevant and which demonstrate respect, dignity, and the worth of people as those created and loved by God.
- We aren't just dreamers, we're doers. We turn our vision and passion into action.
- We are confident in our abilities and have the courage to take risks.
- We see problems as opportunities and act quickly to identify solutions.



### **WE VALUE RELATIONSHIP**

- We believe people are more important than projects and we respect and care for those around us.
- We are team players and we help each other.
- We value collaboration, togetherness, and unity in Jesus Christ. We respect the diversity of Christian traditions, history, and culture.
- We celebrate international context and character, seeking to strengthen regional and global cooperation that is grounded in independent and indigenous leadership with common vision and purpose.



### **WE GROW**

- We are lifelong learners who own, build, and grow our capabilities.
- We value humility and welcome new ways of thinking, working, and creating.
- We grow from our mistakes and demonstrate kindness and forgiveness.



### **WE ARE ACCOUNTABLE**

- We take ownership of our work and life balance to stay happy, healthy, and effective.
- We strive for excellence; we hold ourselves and our colleagues to high standards and live as people ready to account for how we steward our gifts.
- We embrace the core values of Prison Fellowship International and recognize them in action.

# Appendix C

## How does restorative justice connect with our faith and mission?

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### ***A Christian response to injustice***

God's soul hates injustice and evil.<sup>12</sup> As God liberated the Israelites from slavery in Egypt, he calls us to intervene when others exploit or oppress the vulnerable. When Christians see injustice occurring or know a wrong has occurred—whether at an individual or systemic level—we should do something about it. We should shine light on wrong, and when necessary, intervene and stop the injustice.

But then what? Once wrongdoing occurs or ongoing harm has stopped, we sense something must be done. Justice requires a response. What does God's justice require?

To help answer this question, we need to explore three interconnected concepts within the Old and New Testaments: *shalom*, covenant and the law.

### **A) *Shalom***

God's vision for humanity is encapsulated in the concept *shalom*.<sup>13</sup> The Hebrew word *shalom* often is translated as peace, but that only partially captures its essence. It expresses God's vision for his kingdom where we live in right relationship with God, our neighbor and all creation.<sup>14</sup>

The concept of *shalom* is woven throughout the Old and New Testament biblical narrative. It reflects God's desire for a present reality and anticipates a hoped-for future.<sup>15</sup>

In the present, *shalom* should "bring Christians together in a common struggle so that God's will might be done and God's kingdom come on earth as it is in heaven."<sup>16</sup> But we are called to anticipate *shalom* fully realized when Christ returns to abolish sin, establish a new heaven and new earth and make all things new.<sup>17</sup>

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<sup>12</sup> See Psalm 11: 5.

<sup>13</sup> New Testament uses the Greek word *eirene*, which has the same basic meaning as *shalom*. Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 19. One key distinction is *eirene* also is used to talk about God and the good news of God for humanity. Through Jesus Christ, things are made things right between God and humanity. Id. at p. 20.

<sup>14</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 133. *Shalom* has three basic dimensions about how things should be: 1) a physical realm, where people experience health, security and material well-being; 2) in social relationships, where people live in right relationship with others and 3) mentioned least often, a moral or ethical realm, where people reflect character of honesty and integrity. Yoder, pp. 11–16.

<sup>15</sup> See Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 8.

<sup>16</sup> Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 9.

<sup>17</sup> See Revelation 21: 1-5.

Building upon this vision, NT Wright writes that God's kingdom is a world set free from evil. He wants us to imagine:

“a new world as a beautiful, healing community; to envisage it as a world vibrant with life and energy, incorruptible, beyond the reach of death and decay; to hold in our mind's eye as a world reborn, set free from the slavery of corruption, free to be truly what it was made to be.”<sup>18</sup>

### **B) The Law and covenant**

Within the covenant relationship with his people, God's justice produces *shalom*. Covenant relationships are personal with mutual responsibilities between parties.<sup>19</sup> In the Old Testament, a covenant existed between God and the Israelites. In the New Testament, a radically inclusive covenant was sealed between God and all people who put their faith in Jesus Christ.<sup>20</sup>

#### **1) Old Testament covenant and the Exodus**

In the Old Testament covenant, God's relationship with the Israelites was set apart from his relationship with other people and based on a deep love for them.<sup>21</sup> God's defining act of love and justice within the covenant is when he liberated the Israelites from slavery and gave them land to establish a nation.<sup>22</sup> In return, the Israelites were “to act justly, love mercy and walk humbly” as an expression of their covenant love for God.<sup>23</sup>

Of course, the Israelites often were unfaithful to God and the covenant. While the exodus was definitional, the books of the Law and prophets are filled with God's acts of love and deliverance and the Israelites unfaithfulness. Yet God remained faithful to the covenant and his desire for *shalom*. He did not give up on his people, despite their unfaithfulness.<sup>24</sup>

#### **2) Law and justice within the Old Testament covenant**

Within God's covenant relationship with the Israelites, the law functioned differently than how we often understand it. It functioned as a teacher, the way to walk or wise indications for how to live in *shalom*.<sup>25</sup> Offenses were understood as wrongs against people, against *shalom*, rather than lawbreaking.

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<sup>18</sup> See Wright, N.T. (2006). *Evil and the justice of God*. Downers Grove, Ill: Intervarsity Press, p. 118.

<sup>19</sup> See Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 76.

<sup>20</sup> See Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 78.

<sup>21</sup> See Yoder, P. B. (1987). *Shalom: The Bible's word for salvation, justice, and peace*. Newton, Kan: Faith and Life Press, p. 76-77.

<sup>22</sup> See Burnside, J. (2011) 'Retribution and restoration in biblical texts', in G. Johnstone and D.W. Van Ness (eds) *Handbook of Restorative Justice*. Abingdon: Routledge Publishing, and Cullompton, Willan Publishing, p. 135.

<sup>23</sup> See Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 143.

<sup>24</sup> See Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 141.

<sup>25</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 144. See also Van Ness, D.W. (1986). *Crime and its victims*. Downers Grove, Ill: Intervarsity Press, p. 123 (“[t]he people understood the Law was a teacher, a direction-setter. The point was not simply to avoid breaking it, but to live within its spirit.”).



Justice produced *shalom*. It was intended to settle disputes and create right relationships with one another. While retributive justice is a theme in the Old Testament, usually punishment was not the end of justice. Rather it was a means to an end: a way to break power, like Pharaoh's oppressive rule and the Israelite's slavery, or to correct and guide people into right living. Often, punishment's retributive potential was limited because it operated within the context of love and community.<sup>26</sup>

Unlike today's contemporary criminal justice system, biblical justice was not an exercise to establish guilt and decide punishment. Rather it focused on finding solutions and creating harmony and wellbeing.<sup>27</sup>

### **C) Jesus, the Law and the new covenant**

The relationship between *shalom*, law and justice are even more fully realized within the new covenant. In the New Testament, the defining act of God's love and justice is Jesus Christ's death and resurrection.<sup>28</sup> Jesus, however, overcomes a far greater oppressor than Pharaoh: he defeats the Great Accuser, Satan.<sup>29</sup>

But how is Jesus Christ's crucifixion an act of justice? Wasn't it a great act of injustice? From a paradigm of *shalom*, it makes sense: Jesus's death and resurrection make it possible to reconcile ourselves, or bring ourselves into right relationship, with God.

Jesus's death was also a great act of love that inaugurated a new covenant through his blood shed on the cross.<sup>30</sup> The new covenant is radically inclusive: all people are children of God if they put their faith in him:

"So in Christ Jesus you are all children of God through faith...there is neither Jew nor Gentile, neither slave nor free, nor is there male and female, for you are all one in Christ Jesus."<sup>31</sup>

#### **1) Law and justice in the new covenant**

Just as radical is the "way to walk" that creates *shalom*, which Christ models through his life and teaching. A central theme in the gospels is the tension between the religious leaders and the rigid law they preach and what Jesus does and teaches.

Often, the religious leaders use the law to condemn and look down upon others. While God intends the Law to be "wise indications" for how people should relate with him and one another,<sup>32</sup> the religious leaders demand people to rigidly follow the letter of the law. They also viewed a person's health, physical disabilities and socio-economic status as indicative of whether they were "righteous" or "sinners".

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<sup>26</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 143-44.

<sup>27</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 144.

<sup>28</sup> See Burnside, J. (2011) 'Retribution and restoration in biblical texts', in G. Johnstone and D.W. Van Ness (eds) *Handbook of Restorative Justice*. Abingdon: Routledge Publishing, and Cullompton, Willan Publishing, p. 135.

<sup>29</sup> See Burnside, J. (2011) 'Retribution and restoration in biblical texts', in G. Johnstone and D.W. Van Ness (eds) *Handbook of Restorative Justice*. Abingdon: Routledge Publishing, and Cullompton, Willan Publishing, p. 135.

<sup>30</sup> At the Last Supper, Jesus proclaimed the new covenant to his disciples, "This is my blood of the covenant, which is poured out for many[.]", Mark 14:24.

<sup>31</sup> Galatians 3: 26, 28.

<sup>32</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottdale, Pa: Herald Press, p. 146.

In contrast, Jesus lives and walks within the world's brokenness. He engages the vulnerable, marginalized and those without power. He heals physically through touch and word and eternally through the forgiveness of sins. Jesus fulfills the spirit of the law and shows what it means to love your neighbor as yourself. He shows us *shalom*.

For example, tension is ripe between Jesus and the Pharisees after Jesus heals a blind man on the Sabbath.<sup>33</sup> When Jesus and his disciples come upon a man born blind, his disciples ask whose sin caused the man's blindness: the man or his parents. Jesus corrects the disciples' assumption, "Neither this man nor his parents sinned." Instead, he places the man's blindness in a positive light. He restores the man's sight so "the works of God might be displayed in him."<sup>34</sup>

When the Pharisees learned Jesus healed the man on the Sabbath, some claimed he was not from God because he broke the law that prohibited work on the Sabbath. Instead of celebrating the man's restored sight, they interrogated him, his parents and the community.<sup>35</sup>

Similar scenes with Jesus and the Pharisees unfold throughout the gospels: the Pharisees focus on the law, their superiority and desire to condemn others, while Jesus engages "sinners" and chooses to heal, forgive sins and offer abundant life.<sup>36</sup>

### **2) Love your neighbor**

Similarly, an expert in the law tests Jesus about the Law. He knows that two commandments embodied the Law and lead to eternal life (and *shalom*): Love God with heart, soul, strength and mind and love your neighbor as yourself. But he argues with Jesus about who is his neighbor. In response, Jesus teaches the parable of the Good Samaritan.

In the parable, a man was beaten, robbed and left for dead on the road. A priest and Levite saw the man, but they crossed the road and went on their way. A Samaritan, from a group of people who the Jews despised, was moved when he saw the dying man. He dressed the man's wounds and bandaged him, took him to an inn and cared for him. The next day, he gave the innkeeper money to look after him.<sup>37</sup> After Jesus finishes the parable, He and the expert have this exchange:

"Which of these three do you think was a neighbor to the man who fell into the hands of robbers?"

The expert in the law replied, "The one who had mercy on him."

Jesus told him, "Go and do likewise."<sup>38</sup>

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<sup>33</sup> See John 9: 1-12

<sup>34</sup> John 9: 5.

<sup>35</sup> See John 9: 13-34.

<sup>36</sup> See e.g. Luke 6: 1-10. When the Pharisees challenge Jesus about his disciples picking grain and him healing on the Sabbath, Jesus responds, "I ask you, which is lawful on the Sabbath, to do good or to do evil, to save life or to destroy it?"

<sup>37</sup> Luke 10: 25-35.

<sup>38</sup> Luke 10: 36-37.

Jesus expands what it meant to love one's neighbor. The definition of neighbor is not confined to people like us or the person next door. Jesus includes our enemies.<sup>39</sup> Indeed, our neighbor is anyone we come across who has need, regardless of where the person is from or our existing relationship with them.<sup>40</sup>

In summary, Jesus's life and teachings give full expression of how to live in right relationship with our neighbor, in *shalom*. Jesus eliminates false boundaries that separate sinners from saints or determines who deserves our love. We are all equal sinners.<sup>41</sup> Those who harbor resentment or anger in their hearts are as much sinners as the person who takes another's life.<sup>42</sup>

### **When injustice or wrongdoing occurs, what response does justice require?**

Back to the question posed at the beginning of this section: when injustice or wrongdoing occurs, what response does justice require?

Justice requires acts of love and mercy that bring humanity closer to *shalom*. Justice mends the torn fabric of *shalom* that sin causes. We are called to love our neighbors and live in right relationship with them. Within our covenant relationship with God, he does not give up on us. Quite the opposite, through a radical act of love, he sacrificed his life so we could be reconciled with God.

Practically, a pattern that furthers *shalom* in scripture when wrong occurs is twofold: people who commit wrong should make amends and seek reconciliation,<sup>43</sup> and those who are wronged should forgive.

#### **1) Making amends**

In scripture, when God's people make amends, four obligations pattern a response to make things right.<sup>44</sup> First, a person should confess or acknowledge sin and express remorse.<sup>45</sup> Second, they should repent—reject their past actions and commit to future change, expressed in outward actions.<sup>46</sup> Third, they should provide restitution to repay harm they may have caused. Finally, they should seek reconciliation with those they harmed.<sup>47</sup>

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<sup>39</sup> See Matthew 5: 21-26.

<sup>40</sup> See Sen, A. (2009). *The idea of justice*. Cambridge, Mass: Harvard University Press, p. 172.

<sup>41</sup> See Romans 3:23.

<sup>42</sup> See Matthew 5: 21-22.

<sup>43</sup> Marshall, C. (2012). 'Divine justice as restorative justice', Center for Christian Ethics, p. 17.

<sup>44</sup> Marshall, C. (2012). 'Divine justice as restorative justice', Center for Christian Ethics, p. 17.

<sup>45</sup> See, e.g., Leviticus 6:5 (stating when a person sins against their neighbor and are unfaithful to the LORD, and recognize their guilt to give restitution); Numbers 5:7 (stating that any person who wrongs another must confess their sin and make full restitution for the wrong done).

<sup>46</sup> E.g. Luke 3:3 (discussing John the Baptist's role in preparing the way for the Messiah and preaching repentance for the forgiveness of sins). See also, Luke 13: 1-8 (describing Jesus' interaction with people who believe sin was connected to bad events, stating all people needed to repent and produce good fruit).

<sup>47</sup> Marshall, C. (2012). 'Divine justice as restorative justice', Center for Christian Ethics, p. 17.

In scripture, these obligations are fluid and often flow together. For example, as John the Baptist prepares people for the coming Messiah, he calls them to repent.<sup>48</sup> He implies that outward change must accompany a person's repentance when he says, [p]roduce fruit keeping with repentance.<sup>49</sup>

Also, Zacchaeus patterns this response in his encounter with Jesus.<sup>50</sup> As a tax collector, Zacchaeus had wrongfully abused his position to extract money from people. He had heard about Jesus and climbed a Sycamore Tree to see him as he passed. While unclear when it occurred, at some point Zacchaeus experienced an internal change and recognized his wrongdoing. He welcomed Jesus into his home gladly. As a way to repair harm he caused, he paid anyone he had cheated four times the amount. As symbolic action of his change, he gave half his possessions to the poor.<sup>51</sup>

### **2) Forgiveness and reconciliation**

Ultimately, for people to live in right relationship with one another, they need to reconcile differences that separate them. Reconciliation fulfills justice and demonstrates *shalom*. But it requires both parties to want to reconcile. A person who commits wrong can make amends and seek reconciliation. But full reconciliation is possible only when the person harmed forgives the person who wronged them.

In the Sermon on the Mount, Jesus teaches that God will forgive our sins only when we forgive those who sin against us.<sup>52</sup> In fact, we must generously forgive people, even if they sin against us seven times in one day and seven times repent and ask forgiveness.<sup>53</sup> Finally, Jesus models this radical teaching when he forgives those who crucify him, "Father, forgive them, for they do not know what they are doing."<sup>54</sup>

As we further *shalom* on earth as in heaven, Jesus calls us to reconcile divisions that separate us. When wrongs occur, we should repent and as much as possible make right the harm. When we are harmed, we are called to let go of our desire to payback the wrong, accept people back into community and forgive.

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<sup>48</sup> See Luke 3: 1-14.

<sup>49</sup> See Luke 3:8. Afterwards, the crowds approached John the Baptist and asked what they should do. He replies that people who have more than they need should give to those in need. He also states that those with authority should stop abusing their power and exploiting others. Luke 10-14.

<sup>50</sup> See Luke 19: 1-9.

<sup>51</sup> Luke 19:8. Zacchaeus's actions demonstrated the principle of generosity when making amends. See Van Ness D.W. and Strong, H.W. (2015). *Restoring justice: an introduction to restorative justice*. 5th ed. Abingdon, UK: Taylor and Francis, p. 104. When doing more than one needs to do, it shows genuine repentance and desire to make up for a pattern of wrong behavior. Id.

<sup>52</sup> See Matthew 6: 14-15. Prior to this passage, when Jesus teaches how to pray, he specifically includes forgiveness, "forgive us our sins as we ourselves release forgiveness to those who have wronged us." Matthew 6: 12 (The Passion translation).

<sup>53</sup> See Luke 17: 3-4.

<sup>54</sup> See Luke 23: 34.

# Appendix D

## Explaining PFI's restorative justice definition

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While no agreed-upon restorative justice definition exists, the following definitions are prominently cited in restorative justice literature.

Tony Marshall defines restorative justice as:

A process whereby all parties with a stake in a specific offense come together to resolve collectively how to deal with the aftermath of the offense and its implications for the future.<sup>55</sup>

Howard Zehr adapts Tony Marshall's definition and defines restorative justice as:

An approach to achieving justice that involves, to the extent possible, those who have a stake in a specific offense or harm to collectively identify and address harms, needs and obligations in order to heal and put things as right as possible.<sup>56</sup>

Howard Zehr gives a definition with more context in his influential book *Changing Lenses*:

Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance.<sup>57</sup>

Dan Van Ness and Karen Strong define restorative justice as:

A theory of justice that emphasizes repairing the harm caused or revealed by criminal behavior. It is best accomplished through cooperative processes that include all stakeholders.<sup>58</sup>

PFI defines restorative justice as:

**A response to wrongdoing that prioritizes repairing harm, to the extent possible, caused or revealed by the wrongful behavior. The stakeholders most impacted by the wrongdoing cooperatively decide how to repair victim harm, hold offenders accountable and strengthen the community's relational health and safety.**

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<sup>55</sup> Marshall, T. F. (1999), *Restorative Justice: An Overview* (London: Home Office Research Development and Statistics Directorate, 1999), p. 5.

<sup>56</sup> Zehr, H. (2012). *The little book of restorative justice*. New York, NY: Skyhorse Publishing, p. 29.

<sup>57</sup> Zehr, H. (2005). *Changing lenses: A new focus for crime and justice*. Scottsdale, Pa: Herald Press, p. 183.

<sup>58</sup> Van Ness D.W. and Strong, K.H. (2015). *Restoring justice: an introduction to restorative justice*. 5th ed. Abingdon, UK: Taylor and Francis, p. 44.



PFI's definition maintains the essence of these definitions but also references key stakeholder needs that arise from wrongdoing, as defined by Paul McCold.<sup>59</sup> The definition better captures restorative programs that focus on individuals who are incarcerated or reentering their communities.

Below are reasons certain words or phrases are used in the definition:

- **Response.** The PFI definition limits restorative justice to responses to wrongdoing. It excludes programs with a primary focus to prevent potential wrongdoing.
- **Wrongdoing.** This definition extends beyond crime and includes all behavior that is harmful. It leaves open the possibility for programmatic responses to wrongdoing outside the criminal justice system.
- **Prioritizes.** This definition uses prioritize to show that responses need to prioritize repairing harm over other potential objectives.
- **To the extent possible.** This phrase recognizes limits restorative justice practices have when repairing harm. Often, when a person wrongs another, the harm can never be fully repaired.
- **Stakeholders impacted most.** This phrase recognizes that participants are those with a stake in what happened and its resolution.
- **Cooperatively decide.** This phrase distinguishes restorative justice processes from adversarial processes.
- **Repairing victim harm, hold offenders accountable and strengthen relational health and safety within the community.** This phrase follows the PFI framework discussed in this handbook.

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<sup>59</sup> Paul McCold developed a restorative justice framework that measures a program's restorative character as the extent it meets primary stakeholder needs: a) victims and their need for reparation; b) offenders and their need to take responsibility; and 3) communities of care and their need to achieve reconciliation. See McCold, P. and Wachtel, T. (August 12, 2003). *In pursuit of paradigm: A theory of restorative justice*, p. 2. In a paper presented at the XIII World Congress of Criminology. Rio De Janeiro, Brazil. Retrieved from [www.iirp.edu/eforum-archive/in-pursuit-of-paradigm-a-theory-of-restorative-justice](http://www.iirp.edu/eforum-archive/in-pursuit-of-paradigm-a-theory-of-restorative-justice). PFI's definition broadens the community's need to relational health and safety, because it better captures the community and government's role in restorative practices.

# Appendix E

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