



Australian Association
for Restorative Justice

Mailouts to AARJ members through 2022

From 2014 through 2018, the Committee of the *Victorian* Association for Restorative Justice distributed several *newsletters* annually to Association members.

In 2020, following the formation of the *Australian* Association for Restorative Justice (AARJ), the Committee distributed an annual *Review of Current Practice* to Association members.

Association members requested more regular mailouts, providing information on relevant:

- Job *vacancies* for restorative practitioners and program managers, and
- *Events* offering awareness-raising and restorative skills development.

Since 2021, regular mailouts from the AARJ Committee have also included longer reflective pieces, with links to relevant resources.

The following reflective pieces were distributed to AARJ members through 2022:

Victim-Centred Restorative Justice

A new program commences in Victoria

5th December 2022



The Victorian Department of Justice & Community Safety has today announced a new [Victim-Centred Restorative Justice \(VCRJ\) Program](#).

The first stream of the VCRJ Program is for **registered victims-of-crime** seeking a restorative process with **adults serving a sentence** in prison or on parole.

Two additional streams will be added, to provide restorative justice options for:

- families experiencing **adolescent violence in the home**;
- applicants to the new **Financial Assistance Scheme**.

The Victims Register will inform eligible victims about VCRJ and provide referrals.

Registered victims can self-refer by contacting the VCRJ Program:

03 9194 2994

or

VCRJProgram@justice.vic.gov.au.

To share information about the service, download the [VCRJ Program stakeholder kit](#).

From trauma informed to shame sensitive practice

25th October 2022



Many of us will be familiar with the concept of [Social-Emotional Learning](#) (SEL).

It was first clearly articulated in the 1960s by the Child Study Center at Yale School of Medicine, and has more recently had a significant impact in education. A collation of recent articles by the Maryland-based *Editorial Projects in Education* provides examples of [How Putting Students' Welfare First Can Transform a District](#).

SEL in schools is inspired by the simple notion that ***when kids feel safer and happier, they'll do better academically***. Anyone needing formal proof can now cite evidence from [a cluster randomised trial](#) conducted by public health researchers. Perfectly reasonably, Ohio Congressman [Tim Ryan](#) introduced in the 116th Congress H.R.4626 - *Social Emotional Learning for Families Act of 2019* (SELF Act) in October 2019 to create a grant program that can support schools to support students to develop positive social and emotional habits. Perfectly predictably, [SEL is now being politicised](#) in the US as part of the Republican attack on good governance and integrated social support.

Much SEL work is described as **trauma-informed**. While the concepts of *Adverse Childhood Experiences* introduced at the end of the 1990s, and "*trauma-informed*" in the early 2000s, usefully shifted the focus from "*What is wrong with you?*" to "*What happened to you?*", the concept of trauma-informed can be misappropriated and misapplied in service delivery and professional practice.

Two British academics recently penned a a usefully provocative piece: [Beyond a trauma-informed approach and towards shame-sensitive practice](#). Authors Luna Donezal and Matthew Gibson are part of the interdisciplinary [Shame and Medicine research project](#), based at the Universities of Exeter and Birmingham, and collaborating with Children's Health in Ireland.

Donezal and Gibson argue persuasively that:

- Trauma research shows that shame and trauma are inextricably linked, but the influence and importance of *shame in post-trauma states* has been neglected;
- Understanding shame, especially chronic shame, as a key sequela of trauma experiences may *elucidate the root cause of a range of maladaptive behaviours*;
- Accordingly, frontline social services should implement '*principles for shame-sensitive practice*': (i) acknowledging shame, (ii) avoiding *shaming*, and (ii) addressing shame.

Professor Matthew Gibson [discussed] ***shame sensitive practice*** at an online presentation on **Wednesday 2nd November**.

Not the High-Performance Sports Restorative Program: small differences - big impact

10th August 2022



Three weeks ago, we brought your attention to the **Australian Sports Commission's** (ASC) [Restorative Program](#). The Program is open to former athletes who experienced abuse at the **Australian Institute of Sport** (AIS) while on a High-Performance Scholarship anytime between 1981 and 2013.

ASC CEO [Kieren Perkins spoke at the program launch](#) about opportunities for **recovery and reform** afforded by **restorative engagement**.

Today, ABC news includes the headline:

[Former gymnasts asked to sign a non-disclosure agreement during reconciliation meeting following abuse claims.](#)

Q: *What does this have to do with the ASC Restorative Program?*

A: *Nothing.*

Gymnastics Australia appear to have established their own 'restorative' program. Today's ABC's report is accurate and detailed - although it doesn't sufficiently emphasise the difference between the considered initiative of the Sports Commission and that of Gymnastics Australia (GA).

Unfortunately, GA appear not to have followed the ASC's example of seeking advice from experienced Redress Scheme administrators and restorative engagement facilitators. GA have failed to distinguish:

- a 'reconciliation meeting' from **restorative engagement**;
- a mediator from a **restorative engagement facilitator**;
- a mutual **Agreement to Participate** from a **Non-Disclosure Agreement** (NDA).

These are not minor differences. The request for an NDA is simply wrong. It is antithetical to the philosophy of restorative engagement, and has caused understandable upset and anger on the part of former gymnasts seeking recovery and reform.

Some months back, one of the ABC's most thoughtful sports journalists wrote that *"It is too early to identify a major sporting organisation with an unimpeachably "right" approach to confronting its history of abuse."*

The ASC, having drawn on lessons from other Redress Schemes, *is* certainly heading in the right direction. But their work and ours is made harder when obviously *wrong* approaches rightly attract negative publicity, and taint by association our work for restorative reform.

How do restorative processes work

Fostering dialogue between facilitators and researchers

3rd August 2022



Australian Association
for Restorative Justice

Those who follow **restorative research** and **literature** will be interested in the work of **Dr Masahiro Suzuki**, who currently teaches at Central Queensland University's Melbourne campus, and is a member of our Association.

Dr Suzuki has recently published a number of works reviewing the **literature on restorative justice**:

- **'From 'what works' to 'how it works' in research on restorative justice conferencing: the concept of readiness'** [*The International Journal of Restorative Justice* 2020 vol. 3(3)]

This article notes a dearth of research on the dynamic and effects of *interaction* in restorative justice.

- **'The role of (self-) forgiveness in restorative justice: Linking restorative justice to desistance'** [*European Journal of Criminology* 2022 19(2), with Tamera Jenkins from the Griffith Institute of Criminology]

This article notes that the literature still lacks a full account of whether and how *self-forgiveness* facilitates change towards desistance, the role that gender and personality play in a person's capacity or will to self-forgive, and how self-forgiveness is related to 'secondary' desistance, which involves identity transformation.

- **'How Does Restorative Justice Work? A Qualitative Metasynthesis'** [*Criminal Justice and Behavior*, 2021 48 (10), with Xiaoyu Yuan from the Shanghai University School of Political Science and Law]

This article notes that much of the restorative justice literature still has little to say on "how RJ works". The literature that *does* address this question typically suggests that transformations take place primarily *inside individuals* who have

caused harm and been harmed. The literature typically underplays how these transformations are facilitated by the *web of support networks*.

Members will recall the [recent research from Swinburne University](#), using life course methodologies, which found that support networks were indeed the key variable associated with behavioural change after a group conference. Suzuki and Yuan suggest that transformations derive from an accumulated power residing in *and outside* of individuals, and so carry the potential of exerting broader societal impact.

Suzuki and Yuan suggest that facilitators can play a “bridging” role, and support research into these macro–micro interactions. All facilitators need some working theory of:

- **what we’re doing, & why**
[the underlying explanatory theory] &/or
- **what we’re trying to achieve, & how**
[the consistently effective techniques].

The need for this *practical theory* has become ever-clearer, as facilitators extend our practice to different and more complex types of case. Our various **communities of practice** are finding that analysing case studies in detail is a very helpful way to clarify the *why* and *how*, and so to both (i) test and (ii) refine our practical theory.

Accordingly, those of us who facilitate would invite researchers interested in *how restorative processes work* to play a complementary bridging role by considering how practice-can-inform-theory, and so filling some of the gaps in the research literature.

Dr Suzuki has recently submitted other articles on *myths* about restorative justice, *victim recovery*, and *sincere apologies*. He is also doing further work on the definition of *forgiveness*, and on *desistance* processes and outcomes.

Any Association members interested in this important research – and in promoting dialogue between facilitators and researchers - are welcome to [contact Dr Suzuki](#).

High-Performance Sports Restorative Program

learning from the past - but not through media coverage

21st July 2022



The **Australian Sports Commission** (ASC) [yesterday launched a Restorative Program](#) for any former athletes who experienced abuse at the Australian Institute of Sport (AIS) while on a High-Performance scholarship. The AIS scholarship program operated from 1981 and 2013.

Gymnastics Australia unreservedly apologised last May to athletes and their families who experienced abuse in their sport. ASC chair Josephine Sukkar explained that this new ASC program “has been established to help our former athletes report and raise concerns directly with the ASC about practices at the AIS that were detrimental to their wellbeing.”

ASC chief executive **Kieren Perkins** explained that former AIS athletes would be entitled to:

- counselling and support services,
- the opportunity to engage with senior representatives from the ASC & AIS, &
- a reparation payment

Athletes and advocates have welcomed the program. Predictably and regrettably, most media coverage to date has focused only on the cash and counselling, and have overlooked or failed to understand the opportunities for recovery and reform afforded by restorative engagement.

The Murdoch press is consistent, with The Herald Sun recycling the same headline used for all other redress schemes: [AIS abuse survivors offered thousands in compo](#). The ABC headline names 2 of the 3 elements of the redress package: [Australian Institute of Sport to offer restoration payments, counselling to abused athletes](#). The ABC report cites:

Donaldson Law director Adair Donaldson:

"At long last, so many people are going to receive the acknowledgement, the apology and the assurance that things now are different, and — in addition to that — they will have access to some financial assistance".

Melinda Coombes, who represented Australia in artistic gymnastics at the 2000 Olympics, and established the advocacy group Athletes Rights Australia:

"It's long overdue but, thank goodness, they're taking this seriously."

Naomi Lee, an AIS gymnastics scholarship holder from 2008 to 2010 *"welcomed the assurance that former athletes can engage with senior representatives of the ASC and AIS but wants an assurance that former athletes will have an avenue of appeal if they feel they are not being heard."*

So, for those actually affected, there is some understanding of restorative engagement - but still very little. And in media coverage: still next-to-none. Our work is cut out for us.

Congratulations to Dr Lois Peeler!

2022 NAIDOC Female Elder of the Year

11th July 2022



Dr Lois Peeler AM was last week announced the **2022 NAIDOC Female Elder of the Year**.

Dr Peeler is executive director of Worawa Aboriginal College, and a committee member of our Association for Restorative Justice.

Aunty Lois spoke to Andrew Ford on [last Saturday's ABC Radio National Music Show](#), reflecting on the restorative power of music, and its capacity to celebrate and create change.

Their segment opens, appropriately, with [Ngarra Burra Ferra](#) from the soundtrack of the movie *The Sapphires*, and closes with Sam Cooke's [A Change is Gonna Come](#).

What does justice look like for conservation?

Innovation in Oregon

8th July 2022



[Wildlife traffickers in Oregon sentenced to help researchers study wildlife crime](#)

National Geographic reports that the U.S. Attorney's Office and the Fish and Wildlife Service are supporting a program in Oregon described as a restorative approach to fighting wildlife crime. Federal judges have begun imposing sentences that obligate convicted wildlife traffickers to participate in wildlife crime research. According to the Fish and Wildlife Service: "Understanding what causes people to become involved in wildlife trafficking is crucial to preventing individuals and groups from becoming involved in the first place."

Sentencing obligations have included searching social media for posts that advertise illegal wildlife products, and recording findings in a database shared with researchers. University of Maryland wildlife crime expert Professor Meredith Gore, along with graduate students and research collaborators, meets regularly online with those sentenced to learn from their experiences. Professor Gore notes: "*I'm seeing much more about motivations, attitudes, behaviours, and just the emotions of it all.*"

Some of those sentenced hope that their work will help authorities better to understand the challenges faced by owners of traditional medicine shops, and will help businesses to remain compliant: "*We want to better educate people, and we feel that we weren't knowledgeable enough about this area, and that's why we got into trouble.*" They also suggest mandatory continuing education from the Fish and Wildlife Service, or from city or state officials, to inform owners of traditional medicine shops about import restrictions and changes in domestic or international wildlife trade laws. Canadian wildlife crime expert Sheldon Jordan, an analytical coordinator with Interpol, says he is looking forward to seeing what Interpol can learn from the program.

National Redress & Stolen Generations

increased NRS support –

and a reminder of the profound importance of this work

7th July 2022



For the **restorative engagement facilitators** among our members:

The new Minister for Social Services, [Amanda Rushworth, yesterday announced](#) increased funding for support services in the **National Redress Scheme** (NRS). More than 15,000 people have accessed support from the NRS since the Scheme was established in 2018. The additional funding will be directed to service providers who have demonstrated the best outcomes for scheme participants. Funding will also be directed to 15 new organisations, including at least one new provider in each state and territory.

Meanwhile, a powerful video has been released during this NAIDOC week. It relates the experiences of boys taken to the **Kinchela Boys Home** in Kempsey, and is yet another reminder of the importance of this work of acknowledging and addressing institutional justice: [We were just little boys.](#)

Restorative Practices in UK prisons

the long road towards a rehabilitative culture

28th June 2022



Association members working in or around **Corrections** may be interested in:

[AN EXPLORATORY STUDY OF UNDERSTANDINGS AND EXPERIENCES OF IMPLEMENTING RESTORATIVE PRACTICE IN THREE UK PRISONS.](#)

Our UK-based colleague **Charlotte Calkin** reports on projects in HMPs Warren Hill, Buckley Hall & Thorn Cross. She argues that these projects are demonstrating how restorative practices (RP) in correctional settings can prevent and de-escalate conflict, support communication and personal and collective responsibility - and that a rehabilitative culture can offer a better prison experience for both residents and staff. However, she notes:

- There is still, generally, a very limited understanding of restorative practices;
- Prisons could learn more from the implementation of RP in schools;

Those pockets of RP that are quietly thriving are doing so without the top-down or centralised support that could help RP to flourish and become more replicable.

Accordingly, she recommends:

- branding this work explicitly as restorative;
- making readily available a basic restorative toolkit;
- providing training in the toolkit for both prison staff and residents.

Looking further ahead, she suggests that:

- Restorative Practices should be introduced in initial officer training;
- Skills-development for residents could be offered through online/in-cell courses;
- Correctional facilities could then also support residents to use restorative practices to build better family and community ties for their lives beyond prison;

To truly embrace a restorative culture, the principles of restorative practice could be extended to management structures, to ensure that all staff model these behaviours in all aspects of their roles.

Similar work is underway in Australia and New Zealand. Our experience in some of the facilitates where this work is being pioneered has been that many senior managers are supportive, and the logic of applying restorative principles to general governance and culture is clear to many staff and residents.

If you are indeed working in or around Corrections in Australia &/or Aotearoa, and would be interested to talk with colleagues who are doing this restorative work, [please contact us](#).

More news from the European RJ Forum

41 countries represented in Sardinia

24th June 2022



On the eve of our southern mid-year school holidays, we bring you a further update from Justice Beyond Borders, the 11th international conference of the European Forum for Restorative Justice, which has been meeting in Sassari, Sardinia, and concludes this Saturday.

In her address to the conference, Italian Justice Minister Marta Cartabia spoke enthusiastically about moves in Italy to adopt a comprehensive regulation on restorative justice in criminal matters, and also about the Venice Declaration at the Council of Europe in late 2021, the Kyoto Declaration on Crime Prevention at the UN, also in 2021, and the new [EU Victims' Strategy](#).

Since we count more than a few Italian speakers among our AARJ members, we provide the poetry of Minister Cartabia's original words:

"In questa era di rabbia, paura, risentimento, odio e guerra, la pratica della giustizia riparativa può dare un contributo essenziale nel rispondere ai bisogni più urgenti del nostro tempo. Sul lungo periodo, la diffusione della giustizia riparativa promette di trasformare, passo dopo passo, la qualità dell'orizzonte delle nostre relazioni, con lo scopo di prevenire l'esplosione di dissidi irreparabili, che aprono ferite che non possono essere sanate".

"In this age of anger, fear, resentment, hatred and war, restorative justice practice can make an essential contribution in responding to the most pressing needs of our time. In the long-term, the spread of restorative justice promises to transform, one step at a time, the quality of the horizon of our relations, with the purpose of preventing the explosion of irreparable disagreements, which open wounds that cannot be healed".

Meanwhile, the EFRJ has presented their annual award for influence and impact to Siri Kemény of Norway's National Mediation Council ([Konfliktrådet](#)). Australian trainers delivered the original restorative skills development workshops for the [Konfliktrådet](#) in the late 1990s. Even at that time, we had engaging collegial

discussions, including with the late [Niils Christie](#), about the tension between community ownership and professionalisation. Siri Kemény's [recent observations on the evolution of thinking](#) around the need for advanced facilitation skills are illuminating:

"People within [the Mediation Council] system mostly believe in the model based on lay mediators, and for good reasons. It [...] has done the job fairly well until the demanding violence cases landed on the lay mediator's plate. But I fear that the lay system with its present restrictions will not be up to facing today's challenges in applying restorative justice with serious cases like for instance sexual and other intimate violence, serious discrimination or racism, not to speak of extreme radicalisation, just to mention some."

This recognition of the need for higher order facilitation skills aligns with our experience, and is consistent with the Association's strategy of supporting communities of practice, and developing restorative facilitator skills, within regions and across professions.

So: thank you to all our members who have recently renewed your annual membership - or are about to do so! Your membership helps to ensure that the now thoroughly international restorative movement can indeed respond to some pressing needs in our time.

Youth Justice Group Conferencing & reoffending: A new Report

31st May 2022



A [new report from Swinburne University's Centre for Forensic Behavioral Science](#), prepared for The Children's Court of Victoria, examines the **longitudinal effects of group conferencing on youth recidivism** among a cohort that included high-risk young people.

Bonett, R.J.W., Lloyd, C.D., & Ogloff, J.R.P. (2022)

[Group Conferencing Effects on Youth Recidivism and Elements of Effective Conferences.](#)

Centre for Forensic Behavioural Science,

Swinburne University of Technology, Melbourne, Australia

The authors used life-course methodologies to explore different elements of the group conference, including **different types of victim-, family-, and police participation**, and to determine whether conferencing effects were consistent across **different types of crime**. The treatment sample involved **836 young people** processed through the metropolitan Melbourne group conferencing program **between 2012 and 2018**. The control sample involved 1530 young people who appeared in the Children's Court Clinic, in comparable cases, during the same period.

An essential finding is that the Victorian group conferencing program **significantly reduces recidivism**. Second, group conferencing is **appropriate with higher risk young people** charged with violent crimes and more serious property crimes. Third, **reduced recidivism is not contingent on a face-to-face victim-offender interaction**. Instead, **victims of crime may choose how they participate**, if at all, *without compromising the aim to reduce crime*.

There was an **enhanced reduction in recidivism when primary and secondary victims attended together**. This effect was also consistent when secondary victims

(someone indirectly affected by the crime such as a family member of the victim) attended in the place of a primary victim.

Attendance by a police informant was related to **lower recidivism** when compared to conferences attended by a youth resource officer in place of a police informant. Finally, after taking into account all the relevant variables, **the sentence** received after returning to court **did not predict recidivism.**

The findings from this important research are consistent with the *practical theory* used in contemporary skills development for group conference *facilitators* and program *administrators*:

When we expand the social network of people affected by a situation, the members of that network can more readily *make sense* of their situation, then negotiate *an agreement* to improve their situation.

The group can more readily **transform conflict into cooperation.**

Practicing Peace

17th May 2022



Michael Wood, a member of the AARJ committee, has recently published the book ***Practicing Peace: Theology, Contemplation, and Action***. [It \[was\] formally launched on Thursday, June 2nd, 5:30 – 6:30 pm at St Stephen's Anglican Church, 360 Church Street, Richmond \[Wurundjeri Country\].](#)

Michael is a founding member of the ***Peace and Nonviolence Education Australasia network***, and is both a professional facilitator and an Anglican priest.

He has written *Practicing Peace* for three cohorts:

- *lay and ordained church leaders* fostering positive relationships in their church community;
- his *fellow Christians* who wish to contribute more intentionally to peace; and
- *any young and emerging leaders* - of any or no faith background - who wish to make a difference in the world, but are unsure where to start.

All three groups are interested in the foundational existential question of *how we can peaceably co-exist*. A positive peace is not merely the absence of war. It requires the presence of *just relationships*. And, in an effort to counter enduring myths of redemptive violence, Michael seeks to 'join the dots between theology, contemplation, action', and promote a just peace, where relationships are routinely set right. His hope is that many small initiatives can contribute cumulatively to transformational tipping points of change.

In a thoughtful foreword to the book, Michael's colleague Peter Catt, Dean of St John's Cathedral in Brisbane, discusses their shared interest in how organisations attend to the emerging future. Michael describes his own experience of navigating the complex relational and other daily demands of a small parish, such that he was a ready student when a teacher appeared in the form of *Open Space Technology*, the dialogical process developed by Episcopal priest Harrison Owen. Contemplation and dialogue are core practices that support people to work together in community.

St Anselm defined theology as '*faith seeking understanding*'. Michael Wood suggests that collaborative **dialogic processes are '*practices seeking understanding*'**. For example, in an ongoing project at the University of Western Australia, Michael has used collaborative emergent design to **expand the circle of people interested in implementing restorative practices** within their sphere of influence. That circle continues to expand.