

Classroom Activities

Activity 1 - Defining Restorative Justice

The object of this activity is to come up with a working definition of restorative justice. Your teacher may lead your entire class in finding answers to the following questions, or may divide you up into smaller groups and have each group discuss and research the answers.

- 1) What do the popular media - movies, television, news media, books, etc. - tell us about what justice means?

(Revenge, retaliation, “eye for an eye”, etc.)

- 2) If you could give Canada’s justice system a “makeover”, what would you change about it? How would you make it fairer for victims? For offenders?

(Student answers will vary. Possible responses: make the offender give back to the victim what was taken; make sentences that are meaningful and don’t just punish or deal with the offender; etc.)

- 3) What do you think is meant by the phrase, “restorative justice”? Break the phrase down into its component words, if that’s helpful.

(Restorative: bringing things back to where they were before; justice: fairness, etc.)

- 4) The following is a list of qualities or principles. Highlight the ones you think belong to restorative justice.

Healing

Reintegration

Participation

Sentencing

Revenge

Encounter

Accountability

Confrontation

Punishment

Repair

Separation

Imprisonment

- 5) Research, either online or in your school library, one or more definitions of “restorative justice”. How do the definitions you found compare with the ones your class or the other group came up with?
- 6) Research, either online or in your school library, one or more definitions of “retributive justice”. How are these definitions different from the ones for “restorative justice”? How are they similar?

- 7) Use the definitions of restorative justice you found in your research to create your own definition. You can do this either in groups, or as an entire class.
- 8) Below is a list of attributes that a justice system might have.¹ Fill in the columns next to each attribute with a description of it as it applies to retributive justice and restorative justice. Some answers have been filled in already to help you get started. Once you have filled in your best answers, discuss them with the class. Your teacher will have some suggestions as well.

	Retributive Justice	Restorative Justice
What is a crime?	The breaking of rules or laws; violation of the law and the state	Harm done to a person; violation of people and relationships
What is the result of the violation that arises from a crime?	It creates guilt	It creates <u>obligations</u>
What are the requirements for justice?	The state must determine guilt, and impose punishment	The victim, the offender, and community members work together to determine how to make things right
What is the central focus?	The offender getting what is deserved for the offence	The victim's needs, and the offender's responsibility for repairing the harm
An offence creates a debt. To who is the debt owed, and how is it paid?	Owed to the state, paid by being punished	Owed to the victim, paid to the victim
The offender's role	To be found guilty or innocent, and if guilty, to be punished	To make amends to the victim and the community; to "right the wrong"
The offender's rights	Due process rights (as given in the Charter of Rights and Freedoms, law and regulations)	Right to express concerns and to negotiate reparation
Who is the victim?	The state	The harmed individual

¹ Adapted from Howard Zehr's "The Little Book of Restorative Justice".

	Retributive Justice	Restorative Justice
What is the actual victim's role?	To report the offence, and to testify in court if required	To reconcile with the offender and to negotiate reparation
What is the nature of the victim's role?	Peripheral, may be non-essential to the process	Central, essential to the process
The victim's rights	None	To confront the offender, to receive restitution
The community's role	None	To mediate reconciliation
The community's rights	To be protected from crime	To be involved in restoration
The court's role	To determine guilt and to impose a sentence	To help the mediation process
Standard of proof	Beyond a reasonable doubt	Balance of probabilities
Nature of the administrative process	Confront, argue; adversarial	Negotiate, mediate; collaborative
Focus	The past	The future
Concept of guilt	Guilt is absolute and permanent	Guilt is removable through acceptance of responsibility and reparation
Outcome of the process	Punishment	Reparation, reconciliation

Activity 2 - Restorative Justice Case Studies

Case Study: Jamie and Alex

The following is a fictional account of two teenage boys involved in the same crime. Read this account aloud or silently to yourself. After reading the cases, discuss them by answering the questions. These questions may lead to others, or to more discussion. The teacher may break the class into small groups for the discussion, or lead the discussion with the class as a whole.

A local community hall has been vandalized: windows broken, offensive and racist graffiti painted on the outside walls, fire damage to a door. After an investigation, police arrest Jamie, a 17 year old who lives in the neighbourhood, and his friend Alex, also 17.

Jamie's Case

Jamie has no prior criminal record, and no record of any other offences. He is referred by police to the local Youth Justice Committee. The committee is made up of trained volunteers from the community. They look over Jamie's case and decide that he would be a good candidate for a restorative justice process. The Committee arranges for Jamie to meet with some members of the community, including active community league members. Jamie reluctantly agrees to the meeting.

At the meeting, which is held at the community hall, a mediator asks each person in turn to talk about the hall vandalism, and how it has affected them. Jamie listens as each person tells their story: a woman who is afraid to take her children to the park near the hall; a man who was deeply hurt by the racist graffiti because he is a member of the racial group; volunteers who just finished painting and renovating the hall three months ago, and have no idea where the money will come from to repair the damage. Alex is then asked to tell his own story, and to answer questions from the others about why he did it. The group then discussed how the harm should be repaired, and after a while it was agreed that Jamie should pay for paint, glass, and any other materials needed to repair the hall, and to work for 4 consecutive weekends repairing the damage with the hall custodian.

After the meeting, some community members felt good about the process, while a few thought Jamie was "getting off lightly". Jamie said that the experience made him see how many people he had harmed by his careless and thoughtless act, and what he thought was just "letting off steam" had real consequences.

Each weekend, Jamie and the hall's custodian worked on repairing the hall. After 3 weekends, the work was done, so Alex offered to help out with some routine maintenance jobs. That fall, Jamie volunteered to help the custodian by doing renovations to the community hall's kitchen, and learned he had a real knack for carpentry. Jamie now does renovation jobs part-time in the neighbourhood, and plans to apprentice as a cabinetmaker.

Alex's Case

Alex has had several previous convictions, mainly for property damage, break and enter, and two drug-related offences. He is offered the VORP process by the Youth Justice Committee, but he refuses, convinced it is a waste of his time. Based on his refusal, the Committee decides there is no alternative but to send him back to the courts. There is a trial, and Alex is found guilty of the offence. In sentencing, the judge tells Alex that normally she would give a lighter sentence for the crime he's committed, but because this is the latest in a long list of convictions for Alex, stricter measures must be taken. Alex is sentenced to a period of custody and probation. While in custody, Alex begins hanging out with known gang members who are also in custody. He becomes involved in a gang, and two years later, is charged, tried and convicted for a major drug offence. Five years later, he is released, but continues to be involved in drug and gang activity.

Discussion Questions

Discuss the differences between Jamie's and Alex's stories by answering the following questions.

- 1) What principles of restorative justice are applied in Jamie's case? Use what you learned in Activity 1 to identify the principles.
- 2) Who were the victims of Jamie's and Alex's crime? Can you think of other victims that may not have been mentioned?
- 3) How did Jamie benefit from the restorative justice process?
- 4) How did the community members benefit from the process?
- 5) How might Alex have benefitted from the process?

Activity 3 - Restorative Justice Cases

This activity has two parts. In the first part (optional), the class as a whole goes through a practice case using a fairy tale to explore the restorative justice process. In the second part, the class is divided into groups, and each group is given its own case to work through.

The Fairy Tale Case (optional warm-up exercise)

NOTE TO TEACHERS: This part is intended to be a light-hearted and fun introduction to the restorative justice process. Some teachers may choose not to do this part of the activity with their classes, as they may feel it detracts from the seriousness of the subject matter, or that the activity is not suitable for their class. If so, they may skip it and go on to the other cases below. If this is done, one of the cases should be done with the class as a whole first.

Choose from one of the three following fairy tales. (The teacher may decide which one to use, or may ask the class to vote on it.)

- Goldilocks and the Three Bears
- Little Red Riding Hood
- The Three Little Pigs

Once a story (or one of the cases) is chosen, work your way through the following questions, writing down the answers on the board.

Questions for Fact Gathering

- 1) Who is the victim? If there is more than one, who are they?
- 2) Who is the offender - the character in the story who causes harm?
- 3) What is the background of the victim? Come up with a brief history.
- 4) What was the harm done?
- 5) What are the victim's emotions?
- 6) What does the victim want to see happen to the offender?
- 7) What are the victim's expectations for the restorative justice process?
- 8) What is the background of the offender? Brainstorm a brief history.
- 9) What was the harm done?
- 10) What are the offender's emotions?
- 11) What are the offender's expectations for the restorative justice process?

Restorative Justice Process - Role Play

Once the class has answered the questions, the teacher chooses a person to play the roles of the victim(s) and the offender. The teacher acts as mediator for the role playing.

The session begins with the teacher (the mediator) introducing everyone in the role playing situation. Then the mediator introduces the offender, and asks him/her to explain to the victim what the offence was.

After the offender finishes, the mediator asks the victim (or victims, if more than one) to explain to the offender what harm was done - that is, what happened to him/her as a result of the offender's actions. The victim is also asked to talk about how the offence made them feel - angry, fearful, etc.

After the victim and offender have had their turn to speak, the mediator leads a discussion to come up with a way to repair the harm caused, a way that everyone agrees upon.

After the role-play is finished, the teacher leads the class in a discussion, answering the following questions.

- 1) What does the restorative justice process do that would not have been done without it?
- 2) What principles of restorative justice are used in the process, and how are they used? (Your teacher can provide definitions of these principles.) The principles are:
 - a. Healing
 - b. Participation
 - c. Accountability
 - d. Reunion
 - e. Prevention

Group Work Cases

Divide the class into small groups of 3-6 people. Choose one of the group members to take the mediator role in the group, or have the group choose a mediator. Hand the case sheets to the mediator in each group. (Depending on the class size, some groups may end up working on the same case, but because of the nature of the exercise, two groups working on the same case may come up with different scenarios and/or outcomes.)

After all the groups have completed the instructions for each of their cases, the teacher will choose one group that worked on each of the cases, to present their case and what they discovered through the exercise process.

Case 1 - Jordan

Late on the night of August 13, police responded to reports of vandalism on a local golf course. Golf carts were stolen, then driven around the course, damaging some greens, flowerbeds and landscaping. The carts were then driven on a city street for a few kilometers, then abandoned in a vacant lot and set on fire. Police arrested three youths, all age 17. Jordan was one of the youths arrested. He and the other two youths were charged with possession of stolen property, theft of property and mischief to property. There was over \$20,000 in damage.

Jordan has no prior record of any offences. The Crown attorney referred Jordan to a Youth Justice Committee, who met with Jordan and golf course management. Both parties agreed to a restorative justice mediation process. (The other two youths that were charged in the same incident were dealt with in separate meetings.)

Your group will re-enact the mediation meeting. Begin by determining the answers to the following questions.

- 1) Who is the victim? Is there more than one? Assign the victims to one or more of your group's members.
- 2) Who is the offender? Assign the offender to one or more of your group's members.
- 3) What was the harm done? Make a list of any obvious damages, but also include less obvious ones, such as loss of trust, a perception of lower security, etc.

Victim Questions (to be answered with the input of the victim representative in your group):

- 1) What is the background of the victim? Come up with a brief history.
- 2) What are the victim's emotions?
- 3) The victim has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 4) What are the victim's expectations for the restorative justice process?
- 5) What does the victim want to see happen to the offender?

Offender Questions (to be answered with the input of the offender representative in your group):

- 1) What is the background of the offender? Brainstorm a brief history.
- 2) The offender has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 3) What are the offender's emotions?
- 4) What are the offender's expectations for the restorative justice process?

Instructions for the Mediator

Once you have answers for all of the above questions, the person designated as the Mediator in the group will start the role play of the meeting. Here is an outline of the main steps that should be followed.

Ask the participants to introduce themselves.

Ask the offender to describe the harm done - what was done and the damage caused.

Ask the victim(s) to talk, one at a time, about the harm done to each of them, and the feelings that have arisen from the harm.

Once everyone has had a chance to speak, work with the group to come up with a resolution agreement. This is a list of things the offender agrees to do that everyone is satisfied is within the offender's ability to repair the harm done, and that satisfies the victims as far as possible. Write down these requirements so that you can share them with the class after the re-enactment.

For example, the offender might be required to do community service, provide financial compensation, participate in mandatory counselling, or agree not to have any contact with a certain group. Make sure your resolution agreement is very specific, so that none of it can be misinterpreted.

Case 2 - Dakota

On September 27, police responded to a call on the city's east side. 65-year-old Maria Rizutto was attacked by a young Aboriginal woman and her purse was taken from her. After investigating, police arrested Dakota, a 17-year-old Aboriginal woman.

Dakota has been living off-reserve for about 5 years, and has been arrested 3 times before on minor theft charges. She has no history of drug use, but does associate with people who are known drug users and dealers.

Your group will re-enact the mediation meeting. Begin by determining the answers to the following questions.

- 1) Who is the victim? Is there more than one? Assign the victims to one or more of your group's members.
- 2) Who is the offender? Assign the offender to one or more of your group's members.
- 3) What was the harm done? Make a list of any obvious damages, but also include less obvious ones, such as loss of trust, a perception of lower security, etc.

Victim Questions (to be answered with the input of the victim representative in your group):

- 1) What is the background of the victim? Come up with a brief history.
- 2) What are the victim's emotions?
- 3) The victim has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 4) What are the victim's expectations for the restorative justice process?
- 5) What does the victim want to see happen to the offender?

Offender Questions (to be answered with the input of the offender representative in your group):

- 1) What is the background of the offender? Brainstorm a brief history.
- 2) The offender has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 3) What are the offender's emotions?
- 4) What are the offender's expectations for the restorative justice process?

Instructions for the Mediator

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Case 3 - Carson

On the morning of April 5, Stacey looked out her bedroom window and noticed the car she had spent many months saving up to buy was gone. She reported the incident to police, who later found her car partially submerged in a lake outside of town. The car had been burned before it was pushed or driven into the lake. Police arrested 16-year-old Carson, who has a previous record of minor charges of mischief. Carson lives with his divorced father, a doctor, in an affluent part of town.

Your group will re-enact the mediation meeting. Begin by determining the answers to the following questions.

- 1) Who is the victim? Is there more than one? Assign the victims to one or more of your group's members.
- 2) Who is the offender? Assign the offender to one or more of your group's members.
- 3) What was the harm done? Make a list of any obvious damages, but also include less obvious ones, such as loss of trust, a perception of lower security, etc.

Victim Questions (to be answered with the input of the victim representative in your group):

- 1) What is the background of the victim? Come up with a brief history.
- 2) What are the victim's emotions?
- 3) The victim has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 4) What are the victim's expectations for the restorative justice process?
- 5) What does the victim want to see happen to the offender?

Offender Questions (to be answered with the input of the offender representative in your group):

- 1) What is the background of the offender? Brainstorm a brief history.
- 2) The offender has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 3) What are the offender's emotions?
- 4) What are the offender's expectations for the restorative justice process?

Instructions for the Mediator

Once you have answers for all of the above questions, the person designated as the Mediator in the group will start the role play of the meeting. Here is an outline of the main steps that should be followed.

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Ask the offender to describe the harm done - what was done and the damage caused.

Ask the victim(s) to talk, one at a time, about the harm done to each of them, and the feelings that have arisen from the harm.

Once everyone has had a chance to speak, work with the group to come up with a resolution agreement. This is a list of things the offender agrees to do that everyone is satisfied is within the offender's ability to repair the harm done, and that satisfies the victims as far as possible. Write down these requirements so that you can share them with the class after the re-enactment.

For example, the offender might be required to do community service, provide financial compensation, participate in mandatory counselling, or agree not to have any contact with a certain group. Make sure your resolution agreement is very specific, so that none of it can be misinterpreted.

Case 4 - Taylor

Taylor has a reputation in his school for losing his temper easily, and being physically and verbally abusive towards other students. On October 12, Taylor was walking down the hall when he suddenly grabbed some books from Melissa, throwing them in the air, and then tearing pages out of them. Melissa was not physically hurt, but she had to miss two days of school, as she was fearful of returning and confronting Taylor.

The in-school constable initially considered charging Taylor with assault. The constable met with the school counsellor instead, and decided to take the matter to the school's circle of support, which then decided to try a mediated meeting. After separate meetings with the school counsellor, Taylor and Melissa agreed to the meeting.

Your group will re-enact the mediation meeting. Begin by determining the answers to the following questions.

- 1) Who is the victim? Is there more than one? Assign the victims to one or more of your group's members.
- 2) Who is the offender? Assign the offender to one or more of your group's members.
- 3) What was the harm done? Make a list of any obvious damages, but also include less obvious ones, such as loss of trust, a perception of lower security, etc.

Victim Questions (to be answered with the input of the victim representative in your group):

- 1) What is the background of the victim? Come up with a brief history.
- 2) What are the victim's emotions?
- 3) The victim has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 4) What are the victim's expectations for the restorative justice process?
- 5) What does the victim want to see happen to the offender?

Offender Questions (to be answered with the input of the offender representative in your group):

- 1) What is the background of the offender? Brainstorm a brief history.
- 2) The offender has agreed to participate in the restorative justice process. Why do you think s/he agreed?
- 3) What are the offender's emotions?
- 4) What are the offender's expectations for the restorative justice process?

Instructions for the Mediator

Once you have answers for all of the above questions, the person designated as the Mediator in the group will start the role play of the meeting. Here is an outline of the main steps that should be followed.

Ask the participants to introduce themselves.

Ask the offender to describe the harm done - what was done and the damage caused.

Ask the victim(s) to talk, one at a time, about the harm done to each of them, and the feelings that have arisen from the harm.

Once everyone has had a chance to speak, work with the group to come up with a resolution agreement. This is a list of things the offender agrees to do that everyone is satisfied is within the offender's ability to repair the harm done, and that satisfies the victims as far as possible. Write down these requirements so that you can share them with the class after the re-enactment.

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Additional Activities

Restorative Justice in Reality

Find someone in your community who would be willing to come to your classroom to talk about restorative justice. The person could talk briefly about the process and how it is applied in their situation, and then answer questions from the class. Here is a list of suggested sources for speakers, or people who might know of a willing speaker.

- A local Youth Justice Committee member
- A lawyer
- A social worker
- A member of a local restorative justice society

Restorative Justice in Our School

If there is a restorative justice program in your school, ask one of the key organizers to come in and talk about the program. If there is no program in your school, find out how you might go about organizing one. Your school counsellor might be a good resource.

Poster Contest

Divide the students up into groups and assign each group one of the principles or key values of restorative justice. Have each group collectively create a poster that promotes restorative justice, with that particular principle or key value as its theme. When the posters are complete, post them in the classroom or in the school.

Acknowledgements and Resources

The John Howard Society of Alberta gratefully acknowledges the assistance of several individuals in the creation of this document. Some of them have agreed to be included as resource people for those seeking further information on certain topics.

For more information on restorative justice:

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Alberta Restorative Justice Association
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For more information on youth justice committees in general and the Alberta Youth Justice Committee Program in particular, contact:

Sandra Prokopiw
Manager
Young Offender Branch
Correctional Services Division
Alberta Solicitor General and Public Security
780- 427-3303
Sandra.Prokopiw@gov.ab.ca

Links and Resources

Here are some links that may be valuable for further information and research on restorative justice and related topics.

Restorative Justice Online - the major online resource for everything concerning restorative justice
www.restorativejustice.org

Restorative Justice - Department of Justice Canada's fact sheet
<http://www.justice.gc.ca/eng/pi/pcvi-cpcv/res-rep.html>

Restorative Justice in Canada: what victims should know
(Prepared by the Canadian Resource Centre for Victims of Crime)
<http://www.crcvc.ca/docs/restjust.pdf>

The Youth Criminal Justice Act: A Step Forward for the Advocates of Restorative Justice
<http://www.sfu.ca/cfrestorativejustice/fulltext/charbonneau.pdf>

Victim Offender Mediation Association
<http://www.voma.org/links.shtml>

Community Justice Forum: Canadian Resource Guide
<http://www.rcmp-learning.org/restjust/docs/ccap0001.htm>

The Centre for Restorative Justice - Simon Fraser University
<http://www.sfu.ca/crestorativejustice/index.html>

Department of Justice Canada - Restorative Justice Page
<http://www.justice.gc.ca/eng/pi/pcvi-cpcv/res-rep.html>

Restorative Justice Online
<http://www.restorativejustice.org>

"Restorative Justice: A Vision for Healing and Change" by Susan Sharpe
A book available from the Mediation and Restorative Justice Centre, Edmonton
<http://mrestorativejustice.ca/documents-publications/a-vision-for-healing-and-change/>

Alberta - Provincial Restorative Justice Programs and Services
A list maintained by Correctional Service of Canada, includes contact information and links to sites
http://www.csc-scc.gc.ca/text/restorativejustice/crg-eng.shtml#_Toc289176149

Restorative Justice Program - developed by The Society for Safe and Caring Schools and Communities
Includes downloadable resources on RESTORATIVE JUSTICE, including lesson plans
http://www.sacsc.ca/Restorative_Justice.htm#Resources



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