

Restorative Justice as a Conflict Resolution Process

by Sophia



WHAT'S COVERED

There are many different methods of conflict resolution. In this lesson, we'll look at the method of restorative justice in more detail. Our discussion breaks down as follows:

1. Restorative Justice as a Conflict Resolution Process

Restorative justice is a group of conflict-resolution/alternative dispute-resolution processes used in the wake of an offense, or a criminal act that may bring an individual into contact with the justice system.

These criminal acts are most often petty crimes, but they can also be more serious crimes. In either case, restorative justice requires offenders to show **accountability**, which is the acknowledgment of and responsibility for a given action and its consequences.

This resolution process is intended to produce results beyond those allowed by the court system by focusing on the needs of the victims, or members of a community that could have been impacted by a crime, and the offenders, as opposed to simply punishing the offender.

When it begins, the restorative justice process opens up a dialogue by bringing together the following parties:

- The victims
- The offender
- The conflict resolver (facilitator)

The victims will have an opportunity to share the impact the **offense** had on them. After listening to the victims, the offender will have a chance to talk about his or her motivations and react to what the victims shared.

The goal in this process is accountability, as the three parties will decide together on an appropriate way for the offender to give restitution to the victims and community members that have been impacted by the crime.



BIG IDEA

The major theory behind restorative justice is that crime is really an offense against individuals in the

community, not against the state.



TERMS TO KNOW

Restorative Justice

A group of conflict resolution processes used in the wake of a criminal act intended to produce results beyond those allowed by the court

Accountability

Acknowledgement and responsibility for a given action and its consequences.

Offense

A criminal act that may bring a minor into contact with the juvenile justice system.

2. What Restorative Justice Looks Like in Action

Restorative justice programs have an extremely good success rate. Victim satisfaction is higher than in most cases; the offenders' accountability is also higher, and their recidivism (repetition of crimes) is lower than when many of these crimes are processed through traditional court systems.

IN CONTEXT

In the city of Minneapolis, both the Hennepin County Court System and the police will refer juvenile offenses to restorative justice programs. These could be offenses such as vandalism, graffiti, or shoplifting. The juveniles who have committed these crimes will then sit down with the victims. For example, if the crime is shoplifting, the store owners will share how this affected them, and the community members can talk about how a theft from a store in their neighborhood has impacted their sense of safety.



HINT

Keep in mind that while this example pertains to juvenile offenders, there are a number of restorative programs that also work with adults. Furthermore, restorative justice has on occasion been used successfully with crimes of a more serious nature.



SUMMARY

In this lesson, you learned about **restorative justice as a conflict resolution process** that brings a crime victim face to face with the offender for a facilitated dialogue. You now understand **what restorative justice looks like in action** and that the goal of this process is accountability on the part of the offender.

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Accountability

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Offense

A criminal act that may bring a minor into contact with the juvenile justice system.

Restorative Justice

A group of conflict resolution/ADR processes used in the wake of a criminal act, intended to produce results beyond those allowed by the court system.