



RESTORATIVE JUSTICE

PRINCIPLES AND VALUES

Everyone engaged in restorative justice tends to have their own definition of what it means. While no single universal definition of restorative justice has yet emerged, the roots of its understanding lie in examining the core elements shared between them. These common elements, or values, are fundamental to ensuring that restorative justice approaches remain consistent with the philosophy underpinning it. The following is a list of common elements found among many restorative justice writings:

Harmful Behaviour: At the core of restorative justice is an appreciation of the full effects of criminal behaviour. Restorative justice views crime not only as law breaking, but primarily as damage to individuals, their property, their relationships and their communities. As such, any appropriate response requires a principal focus on the harm caused by crime. In addition, there is also an acknowledgement of harm created by the criminal justice process on the participants.

Inclusion: Restorative justice is driven by an engagement of all people affected by crime, who are most often identified as the victim, offender, their individual support people (family, friends, others) and the community. This requires elevating the roles of those traditionally excluded from the process, particularly the victim and the community. Government, criminal justice professionals and Canadian society in general also need to be included in appropriate ways within these processes. Inclusion involves the important elements of giving voice, accessibility, ownership of the process and support.

Accountability: Restorative justice is about creating processes that allow offenders to take responsibility for the harms created by their actions, directly to those harmed. As well, it is an opportunity for community to see its role in contributing to the crime. This requires, to the degree possible, an ability to hear all points of view and understand the "truth" of what occurred. In all cases, accountability involves not only accepting responsibility for the crime, but also accepting responsibility for addressing the harms and needs arising from it. For many, accountability also represents the opportunity to denounce the criminal act and reinforce social rules and laws.

Safety: A complicated element, safety has two primary folds. First, safety is identified as the need to restore a sense of security to those impacted by the crime. Second, safety refers to the need to create processes for restorative justice that are safe (physically, emotionally, psychologically) for those participating. This often involves creating support structures within and around the restorative intervention. In cases of power imbalances among the participants, these dynamics can be powerfully destabilizing to the creation of a safe environment for restorative justice. Safety also involves ensuring that the rights of participants are respected.



Transformation: Another complicated element, transformation implies restorative justice's forward looking aspects. The potential outcomes of restorative justice interventions typically include healing, personal growth, reparation of harms, restoration of positive relationships, and creation/re-creation of enhanced personal and communal situations. These goals apply equally to all parties involved but are not always possible within the scope of all circumstances. While these long-term goals are essential, restorative justice interventions foster movement towards these goals.

Voluntary: Many authors identify the need for choices among the participants - these choices range from choices about participation, to process design, to limitations, to timeframes. As restorative justice is designed to fully engage the range of needed participants, the degree to which the processes reflect their needs, wants and desires becomes essential.

Humanistic: This refers to wide subset of values that describe the nature of interactions between those involved. These include respect, compassion, dignity, honesty, openness, and growth. Fairness and equality/equity are essential. Multi-cultural issues are important in ensuring the processes are balanced for all those involved.

Interaction: Communication, either direct or indirect, between those impacted by the crime is typically required. This communication is most often facilitated and supported and can take many formats from face-to-face meetings, correspondence and video exchanges, shuttle communication, online discussions and multi-party representation.

Holistic: These processes take into consideration and value the full breadth of each individual participant as well as the larger context in which they function. This includes appreciation of the physical, psychological, mental, emotional, spiritual and social context surrounding each person as well as the environment. It is important to note that the spiritual component is important for many participants and a restorative experience connects deeply to their belief systems. For example, at the heart of many Aboriginal processes are the reflection of the world view of the inter-connected nature of all things.