

PACS 329/LS 344 Restorative Justice	Winter 2019 Mondays, 6:00 – 8:40pm Room 1208 Peace & Conflict Studies Conrad Grebel University College University of Waterloo
Instructors: Office: Email:	Chris Cowie by appointment (Mondays: 5:30-6:00pm) c3cowie@uwaterloo.ca Please note: instructor only replies to Waterloo emails, not ones sent via D2L platform.
Required Texts:	(1) Course Reader (Available from UW Bookstore) (2) Some material will be obtained directly from course instructors or via D2L

Course Description

This is a seminar course investigating the history, theory, principles, practices and people of restorative justice. Content will centre on restorative justice as a way of dealing with interpersonal conflict and violence in the Canadian context. Although the roots of restorative justice practice go back 1,000's of years in many indigenous communities, it is only since the mid-1970's that restorative practices garnered consideration within the Western legal system as viable diversion options.

This course will be an opportunity for students to gain a first look into a different way of seeing, articulating and participating in justice – as tangible, complex, and relationship-focused.

This course will not be a purely intellectual experience. Course content is likely to reach students at a personal level. This can make for a powerful learning experience, and yet it can be difficult at times.

*Please see warning below

This course will follow four themes related to restorative justice:

- (1) Context** – What does our society tell us about justice? What is the context out of which the Restorative Justice movement emerged? How does the Canadian Criminal Justice System conceptualize and implement justice?
- (2) The people of restorative justice** – What does justice mean to victims, offenders and communities? How do people experience crime – both those who are harmed and those who cause it? How does crime impact communities?
- (3) Restorative practices** – What does restorative justice look like in practice? What are the limits and possibilities of these practices?

***WARNING:** *Some of the course content might be difficult. We will be exploring topics that might trigger overwhelming feelings for some. Please note that the class is not intended to be a therapeutic environment, rather an educational one where difficult issues can be explored in depth. If you suspect that a particular topic/class will be too difficult emotionally for you, please contact the instructor in advance to make alternative arrangements. Please consult the syllabus regularly for an outline of each class.*

Land Acknowledgement

We would like to acknowledge that we are on the traditional territory of the Attawandaron (Neutral), Anishnaabeg, and Haudenosaunee peoples. The University of Waterloo is situated on the Haldimand Tract, land promised to Six Nations, which includes six miles on each side of the Grand River. Considering that this course is about restoring justice, as much as possible, to those who have been harmed, it is important to acknowledge our role as treaty people, and our responsibility to attempt to make things right in this regard.

Learning Outcomes

By the end of the term, students should be able to:

- Explain the history, theory, principles, practices and people of restorative justice.
- Appreciate the impact of criminal and noncriminal harm on victims, offenders and communities.
- Articulate reasons – personal and social – why some people commit harm.
- Identify various types of restorative justice practices and models.
- Describe some of the complex dynamics of interpersonal violence.
- Articulate some of the limits and possibilities of restorative practices.
- Articulate the different philosophies restorative justice and the western criminal justice systems are predicated on.
- Apply a restorative worldview to a situation of crime or injustice.
- Practice restorative values inside the classroom.

Teaching Philosophy

1) Critical & Creative Thinking: I appreciate when people ask thoughtful questions and formulate their own original ideas and conclusions.

2) Participatory Learning: I value co-learning with students. I understand that I have a particular role as course instructor, yet I will do this by eliciting the life experience/wisdom of students. I value student participation, and think the success of the course depends on it.

3) Bridging Theory & Practice: I am interested in fostering a learning environment wherein the principles and practices of Restorative Justice can be explored.

5) Fun: I appreciate that the study of conflict and justice can be difficult and value fun and appropriate humour as a way to maintain health and balance. I value spaces where both can co-exist.

6) Fairness & Feedback: I appreciate when people receive continuous, fair feedback on coursework and assignments.

7) Safety & Respect: I like when people contribute thoughts in a respectful manner, without fear of backlash. This will be an integral aspect of this course's success. For this reason, I ask that all ideas be respectfully considered, as well as requests for confidentiality. I am committed to making the learning environment as safe as possible.

Accommodation for Students with Disabilities

Note for students with disabilities: The AccessAbility Services (AS) Office, located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the AS Office at the beginning of each academic term.

Course Outline

Date	Subject	Reading	Assignment Due
January 7	Introduction	No readings	Online forum posting 1 due January 13 at 11:59PM
January 14	Building a Restorative Worldview	<ul style="list-style-type: none"> • Compensation and Punishment: “Justice” Depends on Whether or Not We’re a Victim (NYU) • “Digging for the Healing Vision” in Returning to the Teachings (Ross) • “Restorative Justice and the Philosophical Theories of Criminal Punishment” in The Spiritual Roots of Restorative Justice (Brunk) • “An Overview” in The Little Book of Restorative Justice (Zehr) 	Online forum posting 2 due January 20 at 11:59PM
January 21	Victimization	<ul style="list-style-type: none"> • “The Victim”, in Changing Lenses (Zehr) • “Disconnection” in Trauma and Recovery (Herman) • Shannon Moroney interview on CBC’s <i>The Current</i>: • “Introduction”, in Building Communities from the Inside Out, (Kretzmann and McKnight) 	Key Learning Assignment 1 due January 27 at 11:59 PM
January 28	Offending, Cycles of Violence, and Prison	<ul style="list-style-type: none"> • “The Offender” in Changing Lenses (Zehr) • “CoSA: An Evaluation of the Pilot Project in South-Central Ontario”, i-ii (CoSA) • Excerpts from A Crowbar in the Buddhist Garden (Reid) • Excerpts from Down Inside (Clark) 	Online forum posting 3 due <u>February 3</u> at 11:59PM
February 4	Shame and Power	<ul style="list-style-type: none"> • “Why and How does Shaming Work?” in Crime, Shame and Reintegration (Braithwaite) • Pages 18-23 from “Introduction to the Politics of Restorative Justice” in The Politics of Restorative Justice (Woolford) • “Introduction” in The New Jim Crow (Alexander) 	Online forum posting 4 due <u>February 10</u> at 11:59 PM
February 11	Restorative Justice in Practice	<ul style="list-style-type: none"> • “An Overview” in The Little Book of Family Group Conferences (Macrae and Zehr) • “Introduction” and “Circles in Practice” in The Little Book of Circle Processes (Pranis) • “What is VOC?” in The Little Book of Victim Offender Mediation (Stutzman-Amstutz) • “Use of Peace Circles in Large-Scale Community Conflict: A case Study” (Hamlin and Darling) 	

February 18	No Class		
February 25	RJ & Serious Crime	<ul style="list-style-type: none"> • “The Challenge of Sexual and Racial Violence” in A Restorative Justice Reader (Hudson) • “Victims and Offenders” in Restorative Justice and Criminal Justice (Hudson) • Chapters 1-3 from Little Book of Restorative Justice and Sexual Abuse • “Learning to Forgive” (Roth) • “Might informative Media Reporting of Sexual Offending Influence Community Members’ Attitudes Towards Sex Offenders” (Malinen, et al) 	Law and Order Critique due <u>March 3 11:59 PM</u>
March 4	Meeting with Practitioners	No readings	Online forum posting 5 due <u>March 10 at 11:59 PM</u> Final assignment proposals due <u>March 10 at 11:59 PM</u>
March 11	Navigating a New Restorative Worldview	<ul style="list-style-type: none"> • “Restorative Justice In Everyday Life” in the Handbook of Restorative Justice (Wachtel and McCold) • “Compassion, Justice and the Work of Restoration”, from the 2013 Bechtel Lectures: Violence Victimhood and Recovery (Marshall) • Fear of Crime CPC Fact Sheet 	Key Learning Assignment 2 due <u>March 17 at 11:59 PM</u>
March 18	RJ & Healing Historical Harms	<ul style="list-style-type: none"> • Transforming Historical Harms Manual (receive from instructor) • “Essential Elements of Healing After Massive Trauma” in The Handbook of Restorative Justice (Danieli) • “Reparations and Restorative Justice: Responding to the Gross Violations of Human Rights” in Restorative Justice and Family Violence (Cunneen) 	
March 25	A Critical Issue: The Canadian Context of Historical Harms	<ul style="list-style-type: none"> • “Healing from Lies that make us crazy: Practices of Restorative Solidarity” in Yours, Mine, Ours (Enns & Meyers) • “The Movement Towards Teaching and Healing” and “Healing Inside the Whirlwind of Sexual Abuse” from Returning to the Teachings (Ross) • “Decolonization is not a Metaphor” (Tuck & Yang) • “Learning to See Relationally; Seeing Justice Relationally” from Indigenous Healing (Ross) 	Final Assignment due <u>April 1 at the beginning of class</u>

April 1	Conclusion	No readings	Reminder: Final Assignment due today!
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Course Assessment

(1) Participation	20%
(2) Key Learning Assignments (2)	30%
(3) Law and Order Critique	20%
(4) Research Paper	30%

Course Assessment: Details & Instructions

Participation (20%)

Participation marks will reflect an assessment of students' engagement in online and class discussions.

In-class participation (5%)

In this class, attendance is imperative in order to have the course material illustrated and clarified through lectures, guest speakers, media and class discussion. The literature associated with restorative justice is quite extensive, but deep understanding requires discussion of stories and anecdotes from practitioners and media. It also requires open and honest reflection on your own life experiences and notions of justice and identifying how the course material is providing a new lens through which to reflect. Contributing meaningful thoughts and questions to group and circle discussions, and actively listening to the contributions of your colleagues and professor, is integral to a complete learning experience. To this end many discussions and circle processes will be facilitated.

Note: Our expectation is that quieter students will challenge themselves to speak more, while students who have the potential to monopolize group discussion will challenge themselves to share the floor.

A. Online discussion forum posts (3% each)

Additionally, there will be questions and/or comments posted to discussion boards 5 times throughout the course that students are expected to contribute to. This provides a little more time for reflection and thought when engaging with others in the class. Students are expected to participate in all discussions posted in Learn. Grades will be pass/fail.

Key Learning Assignments (2 assignments, worth 15% each)

Please submit via LEARN.

- Key Learning Assignments are to be 3 pages in length each, double spaced, Times New Roman, 12 font.
- Key Learning Assignments will be graded based on the course rubric, and will be worth 15% each. You will write 2 of them. Topics provided below.
- Although you may only reference course material for this assignment, bibliography and citations are required.

Paper topics:

Key Learning Assignment 1 - Restorative vs. Rehabilitative theory

In week 2 we discuss the dominant theories of justice that emerge from the Brunk reading. In this summary you are asked

to compare and contrast the rehabilitative theory with restorative justice. Your objective is to provide an analysis of the key concepts, issues, ideas, etc. that are similar and different between rehabilitation and restorative justice. Your primary focus should be on a critical analysis of the conceptual underpinnings of the two approaches. Your aim is to demonstrate that you understand and appreciate the key concepts within the two approaches well enough that you are able to identify in what ways they are comparable, and in what ways they are at variance with one another.

Key Learning Assignment 2 - Restorative Justice and me...

Choose a personal experience of injustice or harm and describe how a restorative justice process may have altered outcomes and why. Use the following questions as a guide: Briefly describe the experience. How were you affected by this? What did you do (or not do)? What model of restorative justice would have been the most applicable to the situation you are reflecting on and why? How might the outcomes have been different if that model had been employed? What does this make you think about restorative justice?

Be sure to view your experience through a complete restorative lens and include insights gained from all relevant aspects of course information such as trauma, accountability, shame etc. Even though this is a personal reflection you must use solid references to support the points you make.

Law and Order Critique (20%)

Please submit via LEARN.

The purpose of this course is not simply to accumulate knowledge about the concepts associated with Restorative Justice. The primary purpose is to develop a new lens through which to view established and frequently accepted systems of justice, determine the values and assumptions they are predicated on and their potential effectiveness. This new lens also provides a means to assess whether or not systems reflect one's own values and assumptions.

Criminal Justice is a prevalent topic in popular media (television, film, literature etc.). The popular television crime drama Law and Order ran for 20 seasons between 1990 and 2010 and spawned several spinoff shows that have been equally as popular. The original series were one hour shows that take place in New York based on real crimes. A show consists of a half hour portrayal of a crime being investigated by police followed by a half hour portrayal of the prosecution of the criminal in court.

Assignment breakdown:

For the purpose of this assignment you are to watch an episode of Law and Order (the original series only) and write a critique of the show through a restorative lens. Your critique must address the following:

1. What are the assumptions and values regarding the justice system portrayed that you identify, which relate to victims, offenders, communities, trauma, shame, accountability etc.? Tie in theories from the course.
2. What restorative assumptions and values are missing?
3. Do you believe that this portrayal of the system has an impact on viewers' faith in the system and their perception of its effectiveness?
 - If so, describe the impact and comment on whether it contributes to a positive, negative or neutral influence on the general public's perception of the criminal justice system that is portrayed and its effectiveness. Is the show contributing to a realistic understanding of what those impacted by crime (offenders, victims, community etc.) require and desire from the system?
 - If not, provide rationale for why you believe the portrayal of the system does not influence an individual's perceptions.

This assignment is to be 5 pages in length, double spaced, Times New Roman 12 font. Please include the episode title in your cover page. Grading will be according to the course rubric and how well the paper:

- Draws on specific details from the episode
- Correctly identifies and describes underlying assumptions and values
- Clearly critiques the show from the perspective of a restorative world view.
- Draws a logical connection from watching the show to its potential impact on a viewer's perception of justice.

Although you are only referencing course material for this assignment, bibliography and citations are required.

Research Paper/Major Project (30%)

Please submit via LEARN.

Students will choose a topic in the field of restorative justice that they are interested in exploring further. Many topics are possible. Some might include:

- (1) does restorative justice practice adequately address concerns of victim advocates?
- (2) critical issues in restorative justice – what are the pressing issues in the field?
- (3) what does a particular (faith/religious) group have to say about restorative justice?
- (4) create a theory of violence – how does restorative justice address your theory?

Although research sources can include books, media and internet, the majority of sources should be peer-reviewed journal articles. **Must use at least 8-10 sources and there must be a high amount of peer-reviewed content to support new arguments. Both the art-based assignment and traditional research paper are held to the same standard of research quality.**

All assignments will be marked based on the course rubric below. All students must submit a 1 page abstract of their proposed project by **March 10, 2019**. Students who choose an art-based final must submit a 1 page proposal, including a rationale for how their work will meet the requirements of the “Aspects” of the grading rubric (particularly D, E, F) by **March 10, 2019**.

There are two options - modalities - for completing this assignment:

Option 1: Research Paper:

The research paper will be 8 to 10 pages in length (not including title page/bibliography/footnotes or other non- content pages), double spaced and in Times New Roman Font (size 12). This can take a variety of formats, including a position (argumentative) or analytical paper.

Format:

- Title page: Paper title, student’s name, ID and course number
- 1 page abstract: summary of paper – thesis, arguments and conclusion
- Content
- Short Conclusion
- Bibliography

Option 2: Arts-Based Project

The arts are becoming increasingly important in the field of restorative justice. Students selecting this option will complete a project using an arts-based medium, such as, but not limited to, painting, poetry, sculpture, narrative, monologue, etc.

In addition to the artistic submission, each student will also submit 3 additional elements:

1. A 3 page summary that includes the following:
 - A clearly stated research objective, as well as a statement about how the research contributes to the field of restorative justice
 - An in-depth summary of research findings, with in-text citations included
2. A 1-page summary of artistic choices including why the medium was chosen and what the artistic choices represent
3. A works cited

Note about APA 6 referencing:

APA 6 must be adhered to. There are many online tools and guides that cover every aspect of APA 6 referencing. This is one that can be used as a guide. Please ensure that page numbers are only provided in an in-paper citation if it is referencing a direct quote.

Course Rubric

Aspect	Below Expectations	Satisfactory	Good	Exceeds Expectations
Form (5) <ul style="list-style-type: none"> • Introduction/Body/Conclusion • Sequence and organization of thought 	(1) No clear form, disorganized	(3) Somewhat organized, but still much disjointed thought	(4) Organized and flows well, can follow author's thought	(5) Clearly Structured Intro/body/conclusion, excellent sequencing and organization of thought
Mark:		Comments:		
Conventions (10) <ul style="list-style-type: none"> • Spelling and punctuation • Grammar • Sentence Structure • Adherence to APA 6 	(2) Many errors, does not adhere to APA 6	(6) A few errors, or APA 6 is not used properly	(8) Limited errors	(10) No errors, follows APA 6
Mark:		Comments:		
Writing style (10) <ul style="list-style-type: none"> • Clarity of content • Concise communication of concepts • Impact of language 	(2) Redundant and/or convoluted, very low impact	(6) Some fuzziness and/or redundancy, low impact	(8) Clearly and concisely written, impact is good	(10) Concise communication of concepts, writing has high impact
Mark:		Comments:		
Integration of course material (30) <ul style="list-style-type: none"> • Amount of course material used • Choice and application of evidence • External sources need to effectively integrate with course lectures and readings 	(6) Minimal and/or poor use of course material, external sources irrelevant	(18) Some course material used, somewhat relevant evidence	(24) Use of a variety of good sources, evidence is relevant	(30) Excellent amount of course material, used and evidence is highly relevant
Mark:		Comments:		
Original thought (45) <ul style="list-style-type: none"> • Critical thinking • Creative thinking • New ideas presented 	(13) Limited original thought, relies	(23) Some new ideas and interpretations	(34) Original thought is evident, interpretation of	(45) Outstanding original thought and insight, strong

Aspect	Below Expectations	Satisfactory	Good	Exceeds Expectations
<ul style="list-style-type: none"> Interpretation of course material <p>For final research project: Must be a high amount of peer-reviewed content to support new arguments.</p>	solely on personal opinion	, relies mainly on personal opinion	material evident, clear arguments supported by research	interpretation of material, well presented arguments supported by research
Mark:		Comments:		
Instruction concerns Word count: Spacing: Font: Late (-5%/day):		Comments:		
Final Mark:		Comments:		

Assignment Deadlines are firm. Late written assignments will be deducted 5% per day.

Deadlines are firm. Assignments submitted late will be assessed an automatic penalty of 5% with an additional 5% penalty assessed per additional day. A valid medical document is required for medical excuses.

Missed Classes

Students who miss class are responsible to obtain lecture notes from classmates.

Standard Practice with Respect to Illness

From time to time students become ill or have ongoing medical conditions that prevent them from meeting academic obligations. The University is committed to assisting students who are ill and has established the following policy, which is fair and practical.

Documentation

Students in on-campus course who are ill and unable to meet assignment due dates or write a term test or final examination should seek medical treatment and provide confirmation of the illness to the instructor(s) within 48 hours by submitting a completed UW Verification of Illness Form to support requests for accommodation due to illness. Students in distance education courses must also provide confirmation of the illness but submit it to the Distance Education Office. The UW Verification of Illness Form is normally the only acceptable medical documentation and is available [online](#). Students who consult their physician or use the services of an off-campus walk-in clinic must provide this form to the attending physician for completion; doctors' notes and forms created by the physician or clinic are normally not acceptable. Although not compelled to do so, instructors may accept medical documentation that contains the same information specified on the UW Verification of Illness Form. Health Services charges a \$10 fee for completing the University of Waterloo Verification of Illness Form, which is not covered by OHIP/UHIP. Fees for this service levied by off-campus practitioners are the student's responsibility.

Academic Integrity

Academic Integrity: In order to maintain a culture of academic integrity, members of the University of Waterloo are expected to promote honesty, trust, fairness, respect and responsibility.

Discipline: A student is expected to know what constitutes academic integrity, to avoid committing academic offences, and to take responsibility for his/her actions. A student who is unsure whether an action constitutes an offence, or who needs help in learning how to avoid offences (e.g., plagiarism, cheating) or about “rules” for group work/collaboration should seek guidance from the course professor, academic advisor, or the Undergraduate Associate Dean. When misconduct has been found to have occurred, disciplinary penalties will be imposed under Policy 71 – Student Discipline. For information on categories of offenses and types of penalties, students should refer to [Policy 71 - Student Discipline](#)..

Grievances and Appeals

Grievance: A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance. Read [Policy 70 - Student Petitions and Grievances](#), Section 4. When in doubt, please be certain to contact the department’s administrative assistant who will provide further assistance.

Appeals: A decision made or penalty imposed under Policy 70 - Student Petitions and Grievances (other than a petition) or Policy 71 - Student Discipline may be appealed if there is a ground. A student who believes he/she has a ground for an appeal should refer to [Policy 72 - Student Appeals](#).

Mental Health Support

All of us need a support system. The faculty and staff in Arts encourage students to seek out mental health supports if needed.

On Campus

Counselling Services: counselling.services@uwaterloo.ca / 519-888-4567 ext 32655

MATES: one-to-one peer support program offered by Federation of Students (FEDS) and Counselling Services

Health Services Emergency service: located across the creek from Student Life Centre

Off campus, 24/7

[Good2Talk](#): Free confidential help line for post-secondary students. Phone: 1-866-925-5454

Grand River Hospital: Emergency care for mental health crisis. Phone: 519-749-433 ext. 6880

[Here 24/7](#): Mental Health and Crisis Service Team. Phone: 1-844-437-3247

[OK2BME](#): set of support services for lesbian, gay, bisexual, transgender or questioning teens in Waterloo. Phone: 519-884-0000 extension 213

Full details can be found online at the Faculty of ARTS [website](#)

Download [UWaterloo and regional mental health resources \(PDF\)](#)

Download the [WatSafe app](#) to your phone to quickly access mental health support information

Territorial Acknowledgement

We acknowledge that we are living and working on the traditional territory of the Attawandaron (also known as Neutral), Anishinaabe and Haudenosaunee peoples. The University of Waterloo is situated on the Haldimand Tract, the land promised to the Six Nations that includes 10 kilometres on each side of the Grand River.

Academic Integrity [website](#) (Arts)

[Academic Integrity Office \(uWaterloo\)](#)