

PACS 329/LS 344 Restorative Justice	Fall 2015 Mondays, 6:00 – 8:50pm Peace & Conflict Studies Conrad Grebel University College University of Waterloo
Instructors: Office: Email:	Michelle Jackett by appointment (Mondays: 5:30-6:00pm) <u>michelle.jackett@uwaterloo.ca</u> Chris Cowie by appointment (Mondays: 5:30-6:00pm) <u>c3cowie@uwaterloo.ca</u> 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 center 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 aboriginal and indigenous communities, it is only since the mid-1970's that it began to formally (re)emerge in Canada.

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

Our 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.*

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.
- Appreciate the many of the needs of victims, offenders and communities when harm occurs.
- 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.
- Laugh at Michelle & Chris' jokes.
- 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
Sept 14	Introduction	No readings	Journal 1 due Sept 20 11:59PM
Sept 21	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) 	Journal 2 due Sept 27 11:59PM
Sept 28	Victimization	<ul style="list-style-type: none"> • “The Victim”, in Changing Lenses (Zehr) • “Disconnection” in Trauma and Recovery (Herman) • “Common Responses to Traumatic Events” in The Little Book of Trauma Healing (Yoder) • “Continuing Cycles of Unhealed Trauma” in the Little Book of Trauma Healing (Yoder) 	Journal 3 due Oct 4 11:59PM
Oct 5	“Exploring Resilience” reception in CPA	<ul style="list-style-type: none"> • Visit Shannon Moroney’s website at www.shannonmoroney.com and read about her story. 	
Oct 12	<i>No Class – Thanksgiving</i>	No readings	
Oct 19	Offending and Breaking Cycles of Violence	<ul style="list-style-type: none"> • “The Offender” in Changing Lenses (Zehr) • “Why and How does Shaming Work?” in Crime, Shame and Reintegration (Braithwaite) • “CoSA: An Evaluation of the Pilot Project in South-Central Ontario”, i-ii (CoSA) 	Summary 1 due Oct 19 11:59 PM
Oct 26	Restorative Justice in Practice	<ul style="list-style-type: none"> • “Introduction”, in Building Communities from the Inside Out, (Kretzmann and McKnight) • “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) 	Journal 4 due Nov 1 11:59 PM
Nov 2	RJ & Serious Crime	<ul style="list-style-type: none"> • “The Challenge of Sexual and Racial Violence” in A Restorative Justice Reader (Hudson) 	Law and Order

		<ul style="list-style-type: none"> • “Victims and Offenders” in Restorative Justice and Criminal Justice (Hudson) 	Critique due Nov 2 11:59 PM
Nov 9	Meeting with Practitioners	No readings	
Nov 16	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 	Summary 2 due Nov 16 11:59 PM Journal 5 due Nov 22 11:59 PM
Nov 23	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) 	
Nov 30	Critical & Frontier Issues	Readings given out by instructors (TBD)	Research Paper due Dec 2 11:59 PM
Dec 2	Conclusion	No readings	

Course Assessment

(1) Participation	15%
(2) Journal and Summary Assignment	
a. Journal Entries	15%
b. Summary Papers	20%
(3) Law and Order Critique	20%
(4) Research Paper	30%

Course Assessment: Details & Instructions

Participation (15%)

In this class, participation has to mean more than attending classes. Contributing meaningful thoughts and questions to large group discussion, and actively listening to the contributions of your colleagues, is integral to a complete learning experience. Hence, it is integral to receiving an above-average participation grade.

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.

Journal and Summary Assignments (15% and 20% respectively)

This assignment is dynamic and multifaceted. It is designed to help you engage with the course material through critical thought and personal rumination.

It has two parts:

- A. Journal Assignments (15%)
- B. Summary Assignments (20%)

The assignment will include 5 one-page journal entries, which will be submitted online via LEARN, and 2 five-page summary papers, where the thoughts of your journal entries will be synthesized and fleshed out.

The idea is that you do a good portion of your reflecting and connection-making in your journal entries, so that your summaries can be a *summary* rather than the first time you think critically. Take note: If you do not do the hard work in your journal entries, the quality of your summary will likely suffer.

Below is a more detailed outline of this assignment's breakdown:

A. Journal Assignments (15%)

Please submit via LEARN.

- 5 1-page entries (double spaced, Times New Roman, 12 font) (each worth 3% of your final grade)
- Due dates for journal entries are provided on course outline, and entries are due at 11:59pm the day they are due
- Entries should address the themes of the corresponding summary assignment, so:
 1. Restorative vs. Rehabilitative theory
 2. "Restorative Justice and me"
- Entries will be graded as pass/fail. In your entries, we want to hear how the course is impacting your view of the world and of justice.
- Please use full sentences. Point form will not be accepted.
- Bibliography and citations not required.

B. Summary Assignment (20%)

Please submit via LEARN.

- Summary paper is to be 5 pages in length, double spaced, Times New Roman, 12 font.
- Summary papers will be graded based on the course rubric
- Bibliography and citations required.
- Here are the suggested topics for your summary papers. *Note that your journal entries should follow the theme chosen for your summary assignment.*

Summary 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.

Summary 2 - Restorative Justice and me...

Choose a personal experience of injustice or harm and describe how restorative justice may or may not have helped in dealing with this particular situation. Use the following questions as a guide: Briefly describe the experience. How were you affected by this? What did you do (or not do) to try to "recover"? How might a restorative justice approach have helped (or not...or both) with this particular situation? What might a restorative justice approach be missing? What does this make you think about restorative justice?

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 assumptions and values are present in the system being portrayed?
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 and its effectiveness.
 - If not, provide rationale for why you believe the portrayal of the system does not to influence an individual's perceptions.

You can use any or all of the following questions to make your arguments:

- How effectively does the system bring forward the relevant truths of the case?
- Does the system correctly identify and address the needs of victims?
- Does the system provide opportunity and encourage the perpetrator to understand the impact of their crime?
- How efficiently and effectively does the system work toward a satisfying resolution?
- How does the portrayal of these systems compare with your understanding of the actual workings of the system?

This assignment is to be 2 to 3 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.

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) how do aboriginal communities use restorative justice to deal with violence?
- (4) what does a particular (faith/religious) group have to say about restorative justice?
- (5) 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.

Format:

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

All assignments will be marked based on the course rubric below. Students completing Option 2 must submit a 1 page summary of their proposed project by **March 9, 2012**, including a rationale for how their work will meet the requirements of the “Aspects” of the grading rubric (particularly D, E, F).

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. Be sure to use a variety of sources.

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 a 3 page summary that includes the following:

- o clearly states the objective of the project
- o summarizes how the piece contributes to the field of restorative justice and why the medium is important
- o a short summary of what you learned as a result of the process
- o other relevant reflections
- o references

Course Rubric

Aspect	Below Expectations	Satisfactory	Good	Exceeds Expectations
Form (5) -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
Conventions (5) -Spelling and Punctuation -Grammar -Sentence Structure	(1) Many errors	(3) A few errors	(4) Limited Errors	(5) No errors
Writing Style (10) -Clarity of Language -Variety of Language -Impact of Language	(2) Redundant and/or Convoluted, Very low impact	(6) Some fuzziness and/or redundancy, Low impact	(8) Clearly written, Well-chosen wording, Impact is good	(10) Language is clear and dynamic, Writing has high impact
Integration of Course Material (30) -Amount of course material used -Choice and application of evidence	(6) Minimal and/or poor use of course material	(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, Evidence is highly relevant
Original Thought (50) -Critical Thinking -Creative Thinking -New ideas presented -Interpretation of course material	(12.5) Limited original thought	(25) Some new ideas and interpretations	(37.5) Original thought is evident, Interpretation of material evident, Clear arguments	(50) Outstanding original thought and insight, Strong interpretation of material , Well-presented arguments
/100				

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

Deadlines are firm. Late written assignments (reading assignments, lab reports, poster presentation & research essay) 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 on line at: http://www.healthservices.uwaterloo.ca/Health_Services/verification.html 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, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-71>.

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, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-70>. In addition, consult <http://arts.uwaterloo.ca/student-grievances-faculty-arts-processes> for the Faculty of Arts' grievance processes.

Appeals: A student may appeal the finding and/or penalty in a decision made under Policy 70 - Student Petitions and Grievances (other than regarding a petition) or Policy 71 - Student Discipline if a ground for an appeal can be established. Read Policy 72 - Student Appeals, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-72>.

Academic Integrity website (Arts): http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html

Academic Integrity Office (uWaterloo): <http://uwaterloo.ca/academic-integrity/>