

# Healing from Conflict: Restorative Approaches and a Path Forward for Justice

## Q&A

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The Center for Court Innovation held a [virtual event](#) on restorative justice, and invited some of our most valued teachers. The speakers discussed the power of restorative justice to address our nation's most pressing problems. The webinar and an array of related supplemental materials are all available [online](#).

Unfortunately, we ran out of time to respond to questions asked by the audience. While we all wish we could hear from our panelists instead, we did feel an obligation to share where our team of practitioners land on some of these. As said in the webinar, we do not speak on behalf of all restorative justice practitioners. These questions are complex and ongoing. With every project we develop, we revisit them, and we hope that you will be encouraged to come up with your own answers that reflect your community.

1. **How can we use restorative justice within the criminal legal system without being coercive? Is restorative justice only beneficial if all the participants voluntarily choose to be in the restorative justice process?**

Ideally, participants in a restorative process attend voluntarily. However, by choosing to work alongside the criminal legal system, we acknowledge that there are coercive elements at work and outside of our control. We try to mitigate the coercive elements by being clear with participants, by pushing for informed consent, and by ensuring that participants can stop the process at any time. We encourage our system partners to offer alternatives to completing a restorative justice process that do not include incarceration.

2. **How many people are usually involved in a circle? Is there a general "rule of thumb" for how many is "too many" or "too few" people? Can you have a RJ circle with just two people?**

In our practice, we would not consider it a circle with just two people, although others may disagree. We think it's important to bring in some level of community participation- whether in the form of direct supporters for those impacted by harm or broader community residents. The aim is not to mediate a dispute between two parties (which is an important practice, but not the same as restorative justice). Rather, we are trying to repair relationships, broaden our understanding of how to remedy harm, and prevent future incidents of harm. Those goals cannot be achieved without support and participation from the community.

3. **How have restorative processes adapted to work in virtual settings? How has the virtual setting affected bridging cultural differences?**

The Center has moved all of our restorative programs online or outdoors, weather permitting. We have approached this in two ways: the first is to ensure that all participants

have access to technology and the internet. A process will suffer if there are constant tech interruptions. Additionally, we communicate with all participants that they will need to secure a quiet space where they can speak freely. For individuals in the same household we have asked that people simply sit in different rooms.

Second, an essential element of our circle process is food. When in person, we always ate together as meal time is often a unifier. During this pandemic we have continued this tradition by either ordering food to our participants' homes or asking that everyone come to the circle with a small snack so that we can pause and eat together during the circle.

We have found that the virtual space has not hindered our ability to build community, although we do look forward to being in person together again.

4. **How can government actors take accountability beyond issuing a statement?**  
Accountability will look different for various government actors but it will always begin with listening to those most impacted and taking steps to respond to what is shared. In order to address our current systemic harms as well as our inherited harms, institutions must make meaningful investment in

human rights such as housing, healthcare, education, and an opportunity to earn a living. While statements acknowledge wrongdoing, accountability lies in the actions taken to build a more equitable society. True accountability paves the way for healing.

5. **What is the connection between restorative justice and transformative justice? What are the differences?**

While restorative justice and transformative justice share many of the same values, transformative justice practitioners generally do not work with the state's legal systems, while restorative justice practitioners may sometimes work with or alongside system actors. See [www.transformharm.org](http://www.transformharm.org) and [www.creative-interventions.org](http://www.creative-interventions.org) for excellent resources on Transformative Justice.

6. **Who wrote the poem recited at the end of the event?**

The poem, 'Mermaids,' was written by our own Erica Wright. You can listen to her poem [here](#) at 1 hour and 20 minutes into the event. She also wrote '[Who Tells the Story of the Children Who Didn't Belong?](#)' which she performed during our New Thinking podcast episode, '[Restorative Justice is Racial Justice.](#)'

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**For More Information**

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