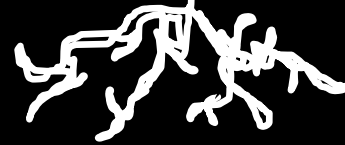


PACS 302 Special Topic: Restorative Justice

Winter 2009
Tuesday & Thursday, 2:30 – 3:50pm
Conrad Grebel University College
University of Waterloo
CGUC Room 1300

Instructor: Judah Oudshoorn
Office: CGUC 2130D
Office Hours: Tuesday & Thursday, 1:45 – 2:30pm
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A) Course Description

This is a seminar course investigating the history, theory, principles, practices and people of restorative justice. Content will centre particularly on restorative justice as a way of dealing with crime and interpersonal violence in the Canadian context. Although restorative justice practice goes back 1,000's of years in many aboriginal and indigenous communities, it has only been since the mid-1970's that it began to formally (re)emerge. Since then restorative justice programs have sprouted up all over the world.

This course will follow five major themes related to restorative justice:

- (1) *Context* – what is the history of restorative justice? What are the indigenous, spiritual and secular traditions that support it? What is justice? 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 kinds of programs have been started? How do they work? What they can and cannot do.
- (4) *Interpersonal Violence* – what is it? Why is there so much of it in families? How does restorative justice address domestic violence and sexual abuse?
- (5) *Transitional Justice* – what is the Truth & Reconciliation Commission in Canada? How does restorative justice address structural violence?

WARNING: *Some of the course content might be difficult. We will be exploring topics like domestic violence & sexual abuse, which can 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.*

B) Learning Outcomes

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

- Understand the history, theory, principles, practices and people of restorative justice
- Become acquainted with the philosophy driving the Canadian Criminal Justice System
- Understand where restorative can and does fit in relation to the Canadian Criminal Justice System
- Become familiar with the impact of crime on victims, offenders and communities
- Understand many of the needs of victims, offenders and communities when crime occurs
- Articulate reasons – personal and social – why some people commit crime
- Identify various types of restorative justice practice, understanding what they can and cannot do
- Understand the complex dynamics of interpersonal violence
- Analyze how restorative justice can and cannot address domestic and sexual violence
- Apply a restorative justice lens to a situation of crime
- Begin to understand how restorative justice might be applied to situations of political and structural violence

C) Course Assessment

(1) Attendance, Participation & Reading Assignments:	20%	(Due: Each Class)
(2) Short Writing Assignment:	20%	(Due: Feb 12.09 – 2:30)
(3) Group Discussion & Presentation:	20%	(Due: Mar 24 or 31.09)
(4) Research Paper	40%	(Due Apr 9.09 – 4:00pm)

D) Course Assessment: Details & Instructions

(1) Attendance, Participation & Reading Assignments (20%)

(a) Attendance (5%)

- Attendance will be taken at the start of every class.

(b) Participation (5%)

- This is a 300-level seminar course.
- Students are expected to make meaningful contributions to class discussion, including critical questions and thoughtful comments.
- Much of the course content will be discussion-based and students will have ample opportunity to interact with guests who are restorative justice practitioners, as well as victims and offenders.

(c) Reading Assignments (10%)

*** DUE AT THE START OF EVERY CLASS ***

- Every class at the start, students will hand in a ½ page (minimum) summary of the reading for that class (12 point font; Times New Roman; can be double-spaced)
- This summary will include: 2 thoughtful comments and 1 critical question based on the readings for the class.
- This summary can be in point form and should show evidence of quality, meaningful interaction with the readings.
- Each Reading Assignment will be scored out of 5.
- There are 18 classes that require readings, but students need only complete 16 Reading Assignments. (Total Possible Mark 16 x 5 / 8 = 10)

(2) Short Writing Assignment (20%)

*** DUE THURSDAY FEBRUARY 12, 2009 (BEGINNING OF CLASS – 2:35PM) ***

(a) *Option 1*

- i. Students will write a 5 (min) to 7 (max) page paper (double-spaced, 1 inch margins, 12 point font, Times New Roman) on a personal experience of injustice or harm and how restorative justice could and/or could not deal with this particular situation.
- ii. Briefly describe the experience. How were you affected by this? What did you do (or not) to try to “recover”?
- iii. 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?

(b) *Option 2*

- i. Choose a person and explain restorative justice to them.
- ii. Students will write a 5 (min) to 7 (max) page paper (double-spaced, 1 inch margins, 12 point font, Times New Roman) about this experience.
- iii. Who did you choose to explain it to? Why? How was the experience? What did you learn about restorative justice through the process? What questions/comments did the other person have about restorative justice? What suggestions would you make to restorative justice advocates as a result of your efforts?

(c) *Grading*

- i. Papers will be graded as follows:
 1. 15% Quality: is paper grammatically correct? Is paper structured appropriately and flow well as a written document?
 2. 25% Effort: does paper demonstrate evidence of serious engagement with assignment task?
 3. 60% Critical Thinking: does paper demonstrate evidence of critical reflection on the concept of restorative justice in relation to the task?

(3) Group Discussion & Presentation (20%)

*** DUE TUESDAY MARCH 24, 2009 OR TUESDAY MARCH 31, 2009, DEPENDING ON DATE OF PRESENTATION ***

(a) *Group Discussion*

- i. Students will be assigned into small groups of 5 or 6.
- ii. Small groups are expected to meet (as often as desired or appropriate for the assignment) to discuss a Canadian criminal case that has received significant news coverage in Canada in the past 10 years.
- iii. The focus of discussion will be: how can restorative justice be applied to this case?

(b) *Class Presentation* (25 minutes + 5 minutes for class discussion/feedback)

- i. Summarize the case – what happened? How does the media portray it?
- ii. Apply a restorative justice lens to the case: who was affected? What are their needs? What kind of process might be helpful? What needs to be done to make things as right as possible? What are the limits of restorative justice to this case? How might restorative justice practitioners interact with other “systems” in this case?
- iii. Be creative & engage the class!
- iv. Create a 1 page handout for each class member.

(c) *Grading*

- i. 10% Anonymous peer review: class will individually grade presentation
- ii. 10% Anonymous Self-review: small group members will individually grade group discussion & presentation
- iii. 10% - 1 page handout for class
- iv. 10% - 1 page summary of small group process: how did the group function? What was your process? Was there any conflict? How was it dealt with? What worked/what didn't?
- v. 60% presentation
 1. 10 Marks: Quality – evidence of preparation
 2. 10 Marks: Creativity
 3. 10 Marks: Engagement of class
 4. 30 Marks: Quality of restorative justice application

(4) Research Paper (40%)

*** DUE THURSDAY APRIL 9, 2009 4PM: PLEASE SUBMIT TO CGUC FRONT OFFICE ***

- (a) Write a research paper related to the theme of restorative justice. Many topics are possible. For example: (1) does restorative justice practice adequately address the concerns of victim advocates? (2) how do First Nations communities use restorative justice to deal with conflict and violence? (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 of violence? (5) your choice?
- (b) Paper should be 13 (min) to 16 (max) pages in length (excluding bibliography and footnotes): 1 inch margins, 12 point font, Times New Roman, double spaced.
- (c) Research should include a variety of sources: books, peer reviewed journal articles, media and internet.
- (d) Paper format
 - i. Title page: Paper title, student's name, ID and course number
 - ii. 1 page abstract: summary of paper – thesis, arguments and conclusion
 - iii. Content
 - iv. Short Conclusion
 - v. Bibliography
- (e) Grading
 - i. Papers will be graded as follows:
 1. 15% Quality: is paper grammatically correct? Is paper structured appropriately and flow well as a written document?
 2. 25% Effort: does paper demonstrate evidence of serious engagement with assignment task?
 3. 5% Abstract: how well does abstract summarize paper?
 4. 55% Critical Thinking: does paper demonstrate evidence of critical reflection on the concept of restorative justice in relation to the task?

E) Assignment Deadlines

Deadlines are firm. Late written assignments (reading assignments, group work summary & research paper) 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.

F) Course Materials

Required Texts

- (1) Zehr, Howard. Little Book of Restorative Justice. Intercourse, Pennsylvania: Good Books, 2002.
 - Available from Campus bookstore
- (2) Course Reader
 - Available from Fedex Kinkos (located in the University Plaza – corner of University Ave & Philip St)
- (3) Internet Sources (see syllabus)
- (4) Mika et al. A Listening Project: Taking Victims & Their Advocates Seriously. Akron, Pennsylvania: Mennonite Central Committee Office of Crime & Justice, 2002.
 - Available from Instructor
- (5) Some Material posted on PACS 302 ACE website.

Recommended Texts

- (1) Zehr, Howard. Transcending: Reflections of Crime Victims. Intercourse, Pennsylvania: Good Books, 2001.
 - Available from Campus bookstore.
- (2) Zehr, Howard. Doing Life: Reflections of Men and Women Serving Life Sentences. Intercourse, Pennsylvania: Good Books, 1996.
 - Available from Campus bookstore.
- (3) www.restorativejustice.org

G) Missed Classes

Students who miss class are responsible to obtain lecture notes/handouts from other students.

H) Standard Practice with Respect to Illness

A medical certificate presented in support of an official petition for relief from normal academic requirements must provide all of the information requested on the 'University of Waterloo Verification of Illness' form or it will not be accepted. This form can be obtained from the Health Services or http://www.healthservices.uwaterloo.ca/Health_Services/verification.html

I) Students with Disabilities

Note for students with disabilities: The Office for Persons with Disabilities (OPD), 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 OPD at the beginning of each academic term.

J) Academic Ethics

Note on avoidance of academic offenses: All students registered in the courses of the Faculty of Arts are expected to know what constitutes an academic offense, to avoid committing academic offenses, and to take responsibility for their academic actions. When the commission of an offense is established, disciplinary penalties will be imposed in accord with Policy #71 (Student Academic Discipline). For information on categories of offenses and types of penalties, students are directed to consult Policy #71. <http://www.adm.uwaterloo.ca/infosec/Policies/policy71Sept2008.htm>.

If you need help in learning how to avoid offenses such as plagiarism, cheating, and double submission, or if you need clarification of aspects of the discipline policy, ask our course instructor for guidance. Other resources regarding the discipline policy are your Academic Advisor and the Undergraduate Associate Dean. Students who believe that they have been wrongfully or unjustly penalized have the right to grieve; refer to Policy #70 (<http://www.adm.uwaterloo.ca/infosec/Policies/policy70Sept2008.htm>).

There is also a website, "Avoiding Academic Offences" (http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html), available, which all students are encouraged to check. It is important for students to be aware that one may commit plagiarism inadvertently, through ignorance of appropriate citation methods, so checking this website prior to submitting a paper is to the student's advantage.

K) UW Grievance Policy

Students who believe that they have been wrongfully or unjustly penalized have the right to grieve; refer to Policy #70, Student Grievance (<http://www.adm.uwaterloo.ca/infosec/Policies/policy70.htm>).

L) Course Schedule

Week 1: Justice

Jan 6: Meeting Each Other & Setting a Course

Jan 8: Conceptualizing Justice

- *Assigned Reading:* "Restorative Justice & the Philosophical Theories of Criminal Punishment" in The Spiritual Roots of Restorative Justice, p. 31-56 (Course Reader)

Week 2: What is Restorative Justice?

Jan 13: Restorative Justice Values & Theory

- *Assigned Reading:* The Little Book of Restorative Justice, p. 1-41 (Course Text)

Jan 15: The Roots of Restorative Justice

- *Assigned Reading:* "Digging for the Healing Vision" in Returning to the Teachings, p.52-75 (Course Reader)

Week 3: The People of Restorative Justice

Jan 20: Victim Voices

- *Assigned Reading:* A Listening Project (available from Instructor)
- **Guest: Sexual Assault Centre of Waterloo Region**
 - i. Therapist & Client re. experience of victimization and justice system

Jan 22: Debrief Victim Voices

- *Assigned Reading:* “The Victim” in Changing Lenses p.19-32 (Course Reader)
- *Assigned Reading:* “Looking for the Burma Shave Signs” in Transcending, p.186-197 (Course Reader)

Week 4: The People of Restorative Justice II

Jan 27: Offender Voices

- *Assigned Reading:* “Reconnecting Offenders” & “Reconnecting Offenders’ Families” in The Little Book of Restorative Justice for People in Prison, p.43-59 (Course Reader)
- *Assigned Reading:* “Circles of Support & Accountability” posted on PACS 302 ACE
- **Guest: Circles of Support & Accountability**
 - director & client – reintegration project for high risk sex offenders re. experience of being an offender and justice system

Jan 29: Debriefing Offender Voices

- *Assigned Reading:* “The Offender” in Changing Lenses, p. 33-44 (Course Reader)
- *Assigned Reading:* “The Body of the Condemned” in Discipline & Punish, p.3-31 (Course Reader)

Week 5: The Community of Restorative Justice

Feb 3: Community Voices

- *Assigned Reading:*
http://www.preventingcrime.net/library/2008-ViolenceProspectus_Ref-%2005052008.pdf
- **Guest: Community Safety & Crime Prevention Council**
- executive director to speak about community & crime

Feb 5: A Ladder without Rungs

- *Assigned Reading:* “To Be or Not to Be!” in Confronting the Horror, p.85-96 (Course Reader)
- *Assigned Reading:* “Disconnection” in Trauma & Recovery, p.51-73 (Course Reader)
groups established for Group Work

Week 6: The People of Restorative Justice III

Feb 10: The Ripple Effect of Crime

- *Assigned Reading:* “The Ripple Effect of the Matthew Shepard Murder” in *American Behavioural Scientist*, p. 27-50 (Course Reader)
- **Guest: crime victim Shannon M.**
 - to speak about the ripple effect of crime

Feb 12: Putting it All Together

- **Short Writing Assignment Due**

Week 7: Reading Week: ENJOY!

Week 8: Restorative Justice in Practice

Feb 24: Restorative Practices

- *Assigned Reading:* *The Little Book of Restorative Justice*, p.42-69 (Course Text)
- **Guest: Community Justice Initiatives**
 - Panel of Restorative Justice Practitioners & clients to speak about their work and lives

Feb 26: Restorative Practices II

- *Assigned Reading:* “The Outer Frame of Circles” in Peacemaking Circles, p.81-125 (Course Reader)

Week 9: Violence

Mar 3: Interpersonal Violence

- *Assigned Reading:* “The Biology of Violence” in Violence, p.209-223 (Course Reader)
- *Assigned Reading:* “Shame & the Death of Self” in Preventing Violence, p.29-37 (Course Reader)

Mar 5: Domestic Violence & Sexual Abuse

- *Assigned Reading:* <http://www.theactioncommittee.ca/violence.aspx>
 - Read section titled “what is domestic abuse” be sure to look at power and control wheel (approx 3 pages)

Week 10: Restorative Justice & Interpersonal Violence

Mar 10: Beyond Conviction

- *Assigned Reading:* “Shame: the Emotions & Morality of Violence” in Violence, p.103-136 (Course Reader)
- **Video: Beyond Conviction** – tracks restorative justice interventions in 3 situations of serious crime (video has intense emotional content related to sexual abuse and other forms of violence)

Mar 12: Restorative Justice & Serious Crime

- *Assigned Reading:* “Texas Case Studies” in Facing Violence, p.45-65 (Course Reader)
- **Guest: Correctional Services of Canada Restorative Opportunities Branch**
 - Serious crime mediator to discuss the application of restorative justice to violence

Week 11: Transitional Justice

Mar 17: Revenge & Forgiveness

- *Assigned Reading:* “The Forgiving Brain” in Beyond Revenge, p.134-156 (Course Reader)
- *Assigned Reading:* 2 stories from <http://www.theforgivenessproject.com>
- *Assigned Reading:* Community Justice Initiatives newsletter Fall 2008 (from course instructor)

Mar 19: Restorative Justice & Political Violence

- *Assigned Reading:*
 - (1) <http://www.trc-cvr.ca/historicalintroen.html>
 - (2) <http://www.trc-cvr.ca/indexen.html>
- **Guest: Ethiopian Centre for Victims of Torture**
 - Former director to talk about application of restorative justice to political violence

Week 12: Group Presentations & Wrap-up

Mar 24: Group Presentations

Mar 26: Conclusions & Wrap-up

- **Guest: Restorative Justice Practitioners**
 - Ched Meyers & Elaine Enns

Week 13: Group Presentations & Wrap-up

Mar 31: Group Presentations

Apr 2: Conclusions & Wrap-up

- **Research Paper Due: April 9, 2009 – 4pm**