
ARTICLES

Restorative Group Conferencing at School: A Constructive Response to Serious Incidents

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ABSTRACT. Serious incidents at school have profound consequences for many people—the direct or indirect victims—and often cause major tensions within the school. The school board has few or no means at its disposal for giving a constructive response. The positive results of restorative group conferencing in a judicial framework created the expectation that restorative measures might produce favourable results in education as well. Between 2002 and 2004, an experiment in restorative group conferencing at school was monitored scientifically in Flanders.

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On the basis of the observation of the sessions, interviews with the offenders, the victims, the supporters and the facilitators, and group discussions, it may be concluded that restorative group conferencing at school works. However, a number of aspects need to be investigated further. *[Article copies available for a fee from The Haworth Document Delivery Service: 1-800-HAWORTH. E-mail address: <docdelivery@haworthpress.com> Website: <<http://www.HaworthPress.com>> © 2006 by The Haworth Press, Inc. All rights reserved.]*

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Almost all schools are confronted regularly with disturbing or transgressive behaviour that may have a negative effect on life at school. It may hamper order and peace at school, the positive climate and the prescribed curriculum. School staff generally possess an arsenal of pedagogical measures for remedial action vis-à-vis misbehaving pupils. If large groups of young people are to live and work together day by day, a well-founded punishment policy is indispensable within the broader framework of school rules and regulations. How and when sanctions are to be administered is a theme that generates much discussion and in-depth debate. What sanctions are pedagogically warranted? Which sanctions are most effective? How many chances should a juvenile be given? To what extent can a difficult background or history be considered an attenuating circumstance?

However, besides regular, “normal” disturbances, every school is occasionally, but almost inevitably, confronted with serious to very serious incidents. Heavy fights, vandalism, drugs dealing, physical threats, serious theft or escalated bullying can have serious consequences for the persons concerned and may cause considerable tension within a school team. Not only the direct victims of the incident, but also their environment, classmates, teachers, school administrators are affected by these events. The victims as well as their family and friends suddenly become aware that school is not as safe a place as they believed it to be; they feel let down and are angry about what has happened. Teachers find their trust in a pupil shaken; they are personally affected by the victim’s distress and face the difficult task of continuing their classes in a tense atmosphere. The school administrators will have to answer critical questions about how this could possibly have happened and will be

pressured by the criticism from the teaching staff, negative media attention and angry phone calls from parents. The juveniles causing disturbances will of course have to face the consequences of their deeds. Their career at school is at risk, they are frequently isolated from their classmates or fellow pupils and often risk expulsion from school. In short, serious incidents may disrupt life at school for an extended period of time. Incidents generally affect numerous direct and indirect victims, and this severely hampers the functioning of the school.

In such crisis situations, the board have few or even no means at their disposal for giving a constructive response to the harmful consequences of the incident. Familiar measures or sanctions no longer suffice to cope with these consequences. By necessity, the only alternative—after intensive consultation within the school—turns out to be the expulsion of the pupil concerned. Although the board apply this measure in order to restore calm at school, they are fully aware that this measure is far from ideal. In the first place, it seldom offers a solution for the juvenile who caused the incident. On the contrary: at the new school, they will have to start a totally new trajectory and they will almost inevitably be “branded” for what happened in the first school; they will have to try and make new friends, catch up with the other pupils, etc. In this way the problem is to a certain extent shifted to another school. In addition, expulsion does not resolve other needs that have arisen within the school as a result of the incident. Direct and indirect victims may for a long time experience feelings of unsafety and insecurity. Many questions facing the victim are left unanswered: *Why did it happen? Why did they pick me as a victim? What did they do to my things?* Finally, the school’s image may remain tarnished for a long time afterwards.

Since 2000, the Flemish youth protection system has been applying “restorative group conferencing” in response to serious juvenile delinquency (Vanfraechem, 2003). This method was first applied on a large scale in New Zealand; it was subsequently adopted in Australia, Canada, North America and England, and is now becoming increasingly popular in Belgium (Walgrave, 2000). The promising results obtained by this method (Vanfraechem, 2005) suggested the idea of applying it in education as well. As well as focusing on the offender and his behaviour, this method makes it possible to address the different needs of all stakeholders that have arisen as a result of serious offences.

When the method of restorative group conferencing is opted for, this is done because the incident is deemed to be so serious that it is felt necessary to pay close attention to its consequences for the victims, the offenders, their environment and the school team alike. This is vital for

getting school life on the right track again; at the same time, it shows respect for the distress and the misery caused to the victims and assists them in recovering from these emotions. Moreover, the explicit aim of restorative group conferencing is *not* to exclude the offenders. On the contrary, they will be held accountable for their behaviour and responsibility, but in a respectful manner, and with the clear message that they will continue being accepted as a person.

This broad approach to the consequences of serious offences inspired the decision to launch an experiment in education. From October 2002 to March 2004, 14 restorative group conferencing sessions were organised in the wake of serious incidents, in 9 different schools. For this purpose, 12 pupil counsellors and staff members from the CLB (Centre for Pupil Guidance)¹ were trained as facilitators by the Dutch organisation *Echt Recht*. The experiment was monitored scientifically by the *Onderzoeksgroep Jeugdcriminologie* (Research Group on Juvenile Criminology) of the K.U.Leuven (Burssens and Vettenburg, 2004).

The experiment is one of the policy options taken by the Education Department of the Flemish Community Ministry. In 1999, this department developed an action plan on “Antisocial Behaviour at School.” This action plan included and stimulated various initiatives geared towards tackling antisocial behaviour at school, both preventively (for example, creating a favourable school climate, competent and satisfied teachers and school administrators, pupil guidance, value education) and curatively (for example, the school’s punishment policy, cooperation with external partners). This action plan already devoted considerable attention to the restorative approach (Scheys, Dupont and Huylebroeck, 1999/2000).

WHAT IS RESTORATIVE GROUP CONFERENCING?

Restorative group conferencing is a guided encounter between the offender and his or her supporters on the one hand, and the victim and his or her supporters on the other. The supporters may be parents, friends, colleagues, etc. A facilitator conducts the conference strictly on the basis of a script.² The aim of group conferencing is “to repair the consequences of the incident to the extent possible.” This refers not only to the material damage but also to the psychological, relational and/or emotional damage.

In the days preceding the restorative group conference, all participants have an initial individual contact with the facilitator. During this contact, the aims of the conference are clarified, the rules are discussed and the willingness to participate is assessed. This initial contact is of cardinal importance in creating a secure conferencing framework for participants.

The session itself starts with an introduction during which all the participants are presented and the aims and rules of the conference are repeated. In the first round, every participant is asked to describe the consequences of the incident for him or her. So, every individual participant is asked to express how they felt about the incident, in what way they were harmed, how they've been feeling ever since, etc. The victim is also given the opportunity to put questions about the incident directly to the offender.

When everyone—including the offender—has been able to express the consequences at the time of the incident and in the subsequent period, the facilitator initiates the second round. During this phase, participants try to seek possibilities for repairing the harm suffered. The offender is given the opportunity to take his or her responsibility in this process, but often others—sometimes even including the victim—will assume certain tasks as well. The proposals that are adopted by the groups are integrated into the restorative plan by the facilitator(s).

This second round concludes the formal part of the session; this is followed by an informal meeting in which participants are offered a drink and can talk things over. This enables them to recover from the—often tense, sometimes emotional—session. During this informal moment, the restorative plan is signed by all participants.

CRITERIA FOR RESTORATIVE GROUP CONFERENCING

Restorative group conferencing is not suitable for any type of incident. A first criterion is that a serious incident should be involved. Indeed, restorative group conferencing is a drastic measure and its organisation requires intensive preparation and a substantial time investment by the facilitator and the participants. Moreover, it is a highly emotional event. Such a drastic measure should therefore be reserved for serious problems. After all, it is no use cracking a walnut with a sledgehammer. In other words, the effort should be commensurate with the desired outcome.

In addition, restorative group conferencing is a voluntary and transparent process. Everyone is informed in advance of the aims and the process of the group conference. There is no hidden agenda. After the

initial contact, everyone is free to decide whether or not they wish to participate. Both the offender and the victim can decide which supporters they will invite to attend the conference.

Offenders are free to decide whether they will seize group conferencing as an opportunity for repairing their wrongdoing. Restorative group conferencing is only organised for offenders who are aware of what they have done wrong and who are prepared to take their responsibility. This voluntary basis is not absolute, of course, since the young offenders are aware that if they do not participate in group conferencing, a sanction is likely to follow. However, it is notable that if given the opportunity, most juveniles appear to be intrinsically motivated to help repair the harm they have caused.

THE AIMS OF RESTORATIVE GROUP CONFERENCING

As described above, the compensation of material damage is not the primary aim of restorative group conferencing. The method integrates various ideas which are well known in some schools (for instance, the accountability of the juvenile, the creation of a broad platform for dealing with problems, empowering the stakeholders, etc.) and which are in some cases applied already. However, what makes restorative group conferencing different is that it devotes explicit attention to the needs of all the stakeholders: the victim, the offender as well as the community.

The confrontation with the offender, during which the victim is given the opportunity to ask the offender pertinent questions, can to a large extent repair the psychological and emotional consequences of serious offences. It helps to restore the victims' feeling of security and their self-assurance. It has often been demonstrated that mediatory processes are powerful instruments for meeting the needs of victims, offenders as well as people from their environment. And this is not so much achieved by the eventual agreement but by the process itself. In other words, the mediatory process itself is of capital importance in achieving full restoration, irrespective of the final agreement reached (Aertsen and Peters, 1998).

However, restorative group conferencing not only focuses on the needs of the victims but also on the needs of the offenders. On the one hand, it keeps the young delinquent's accountability central, on the other hand it aims to counter stigmatisation and all the ensuing problems. In a restorative group conference, young offenders are confronted directly with the consequences of their behaviour. Hearing the story of

their victims and their environment enables juveniles to better grasp the consequences of their acts. Indeed, young people are not always fully aware of the far-reaching consequences of what they do. Restorative group conferencing aims to achieve this confrontation in a non-stigmatising way. That is why clear-cut rules are formulated, and the presence of supporters who really care about the young offender is of capital importance. It is made very clear that censuring behaviour does not equal censuring the person. In addition, offenders are given the opportunity to make up for their mistakes and to apologise, if they wish. Restorative group conferencing thus aims to achieve “reintegrative shaming.” This term was introduced by Braithwaite in 1989 (Braithwaite, 1989). Offenders can be shamed in various ways. For instance, you can shame people by running them down publicly, humiliating them or disgracing them. However, this has an extremely stigmatising and exclusive effect. Braithwaite claims that a totally different and much more useful type of shaming is possible. He refers to the very “normal” shame induced in people when confronted with the suffering or the problems they have caused to others. Offenders should not be disparaged, but their behaviour and its consequences should be discussed. In a restorative group conference, it is stated explicitly that an offence does not necessarily make a person bad, and the offender often receives the permanent support of his environment. At this moment, shame will occur as well, but it is of a much stronger reintegrative nature. Offenders will not feel excluded from the group and tend to develop a delinquent identity less easily. “Reintegrative shaming” is often associated with restorative group conferences and is frequently cited as a major factor in reducing recidivism (Maxwell and Morris, 2002).

Finally, restorative group conferencing addresses the needs of the school and of the community as well. A restorative plan should also include actions that address the feelings of insecurity caused by the incident, the school’s tarnished reputation, parents’ worries, etc. Furthermore, it should meet the needs of the people from both the victim’s and the offender’s environment, who often suffer hard times as well.

THE FINDINGS

The experiment applied restorative group conferencing to incidents of divergent natures: serious thefts, a case of prolonged extortion, the physical intimidation of a teacher, escalated bullying among pupils (including one incident involving vandalism against the victim’s possessions), the

bullying of a teacher and a serious fight in which a group of juveniles injured several pupils.

For the scientific monitoring of the experiment, 11 conferences were observed and 62 participants were interviewed, among them 14 victims and 9 offenders. In addition, supporters of the victims (20), parents of the offenders (9), other supporters of the offenders (8) and 2 absent victims were interviewed.

The facilitators completed a preparatory questionnaire for each session and also took part in interviews and a focus-group discussion.

On average 10 persons took part in a restorative group conference at school, with the number of participants varying from 4 to 17. Conferences lasted on average 69 minutes, with 40 minutes as the shortest and 145 minutes as the longest.

In general, the restorative group conference was judged as highly positive by respondents. The results obtained correspond to similar national and international research (Strang, 2001; Marshall et al., 2002; Vanfraechem, 2003; Vanfraechem, 2005). Satisfaction among the participants—offenders, victims, supporters and school staff—appeared to be high. When offered the choice between restorative group conferencing or a more traditional punishment, 57 of the 60 interviewees said they would prefer restorative group conferencing.

All the restorative group conferences eased or even eliminated tensions within a class or school and normalised the school situation.

The 14 victims interviewed claimed unanimously that their expectations had been met and that they viewed restorative group conferencing as an appropriate and just response to the incident. Restorative group conferencing prevented expulsion for several, though not all, offenders.

The victims and their supporters were also asked whether they found the confrontation with the offender a positive experience. Of 34 respondents, 30 answered “very positive” or “extremely positive,” whilst 4 respondents described the encounter as “moderately positive.”

In the interviews, the offenders said that they did in no way feel humiliated during the group conference. Of the 9 offenders interviewed, 4 said that they felt bad when hearing how their acts had harmed others, and 5 said they felt moderate compassion to great compassion for those they had harmed.

The respondents said that they were well informed during the initial contact, although this did not automatically imply that they felt well prepared for the restorative group conference. This finding suggests that a group conference remains a very tense and emotional event for most of them, in spite of the initial contacts. Bringing together the offender,

victim, their respective networks and representatives of the school following a serious incident is no obvious choice. It takes courage to take this step. However, if all the stakeholders are given adequate information and if a secure environment can be guaranteed, the degree of participation is relatively high; this finding is confirmed by international research (Umbreit, 1999).

Most respondents strongly felt that they had been able to say most of what they had to say during the restorative group conference and that they were given a fair opportunity to talk about what had happened. They felt treated politely and respectfully throughout the conference.

The victims said they felt well supported, not only by their own supporters, but also by the school administrators and teachers, and in some cases even by the offender's supporters.

During the group conference, the juveniles causing the incident also discovered that there were people who supported them and that positive things were said about them as well. They indicated that they did not experience the restorative group conference as humiliating or stigmatising. Still, two juveniles interviewed were less positive than the others. We will discuss this below, under *Some Focus Points*.

The facilitators had been trained to remain neutral throughout the restorative group conference and not to express a point of view. However, since some of the facilitators were already guiding the offender or the victim as pupil counsellor or as CLB staff member, it was feared that they might not be viewed as neutral facilitators. Still, 48 out of 51 respondents said that they had the impression the facilitator was impartial. During our observations, we occasionally found that participants tried to involve the facilitator in the discussion. This certainly did not hamper the process of the restorative group conferences, but facilitators who did not know any of the participants felt they enjoyed greater authority and were thus better able to facilitate the restorative group conference.

The restorative plans include restorative sanctions on the one hand and agreements in view of preventing future incidents and problems on the other. At the end of the restorative group conferences, it had become clear that participants were not out to punish the offender via heavy retributive sanctions: they primarily seek to have the harm repaired, to hear apologies and to find ways of continuing life together within the school. This is also confirmed by research on restorative group conferencing outside school (Vanfraechem, 2005).

The majority of respondents accepted the measures included in the restorative plan and were satisfied with the outcome. However, a few

offenders felt they had less influence on the elaboration of the restorative plan than the other participants. Empowerment of the juveniles appears to be of crucial importance and will need to be controlled adequately by facilitators in the future. Research shows that the agreements that are part of the restorative plan are largely complied with (Umbreit, 1999). According to McCold and Wachtel, this is mainly related to the fact that the juveniles have a say in the elaboration of the plan (McCold and Wachtel, 2002).

Of the 60 respondents, 50 believe that the offender will not reoffend against the same victim. However, opinions differ on possible recidivism against other victims: about half of the respondents think that the juvenile will not reoffend against other victims, the other half are less sure. In follow-up research in New Zealand, ex-delinquents and family members were interviewed six years after the restorative group conference. It was found that 51% do not reoffend at all or commit substantially fewer registered offences than before. Since it was impossible to compose a correct control group,³ the cautious conclusion of the study is "certainly no worse and maybe better" (Maxwell and Morris, 1999).

Yet, we must not forget that the prevention of recidivism is not the primary objective of restorative group conferencing. Indeed, this would negate the main *raison d'être* of this method, namely the integration of the needs of the victims, the community and the offenders. Restoration remains the first priority. However, it goes without saying that reducing recidivism is an important side-effect, but the prevention of recidivism requires other programmes to be implemented as well. As far as recidivism is concerned, juveniles with a long history of problem behaviour and/or psychic disorders cannot be helped by a single restorative group conference. Still, their participation remains necessary in view of achieving the largest possible degree of restoration.

SOME FOCUS POINTS

To conclude, we would like to present some focus points that emerged from the experiment. Indeed, although the restorative group conferencing experiment at school proved very positive on the whole, there are a few focus points or learning points that deserve special attention.

Two offenders said during the interview that they were not really satisfied with restorative group conferencing and the resulting restorative plan. However, even during the initial contact these two offenders had shown that they were not aware of their offence and consequently

were not really prepared to take their responsibility. In such cases, restoration cannot be sought via restorative group conferencing: since one of the criteria of restorative group conferencing is not met, other measures will have to be considered. In most incidents, it is sufficiently clear who committed the offence, so this criterion is rarely a real obstacle.

A second focus point is the time aspect. Restorative group conferences are highly time-intensive. The initial contacts and the conference itself have to be organised at short notice and as quickly as possible after the incident. It is not always easy for facilitators to allocate ample time for this within their busy schedule. Yet, the amount of time invested is relative. Serious crisis situations need to be addressed thoroughly, and this inevitably takes time. Otherwise, the school may face tensions for a long time, whilst the accompanying problems will keep cropping up regularly. This often costs pupil counsellors, teachers, governors and CLB staff more time than restorative group conferencing.

The explicit aim of restorative group conferencing is to serve not only the offender's and the victim's needs, but also the school as an institute. It is obvious that serious incidents have major repercussions on the image of the school, the climate at school, life at school. In order to address these needs during the conference, a member of the board or a representative was generally invited to participate. All too often, however, this person confined his or her input to supporting the victim and/or the offender, so that the resulting restorative plan contained no actions meeting the needs described above. During restorative group conferencing, the facilitator should make sure that such actions *are* developed.

Finally, we should mention that the introduction of restorative group conferencing is not evident in schools, which per se constitute a pedagogical environment. The important but very difficult mission of schools is not only to transfer knowledge but also to educate pupils into becoming good citizens. However, any serious incident creates new needs which extend beyond the (re)education of the offenders. After such an incident, schools often confine themselves to developing ways of instructing the offender. This not infrequently includes restorative group conferencing, since the confrontation with the consequences of the act is deemed to be instructive for the juvenile. However, this should not be the primary or only aim. Restorative group conferencing must not be used as a pedagogical instrument but should seek fair repair of the harm for the victim, the offender as well as the school. The pedagogical effect on the offender is of course welcome, but after incidents that have a strong impact on many people, it is only of secondary importance. Nor is this pedagogical effect achieved automatically. Schools

will therefore have to learn to shift the focus in these crisis situations to include the interests of the victim and of the community.

CONCLUSION

Schools are often powerless when a serious incident occurs within the school premises. Whatever measure is taken, the board and the teachers have the feeling that they fail. If the student is expelled from school, they risk hearing the reproach that they have chosen the easy way, saddling other schools with their problems; conversely, if the offender is kept on and counselled at school, they may be criticised for being too lax.

The experiment with restorative group conferencing demonstrates that there *is* a possibility for tackling these problems radically and constructively. The offenders have to take their responsibility, but without being stigmatised. The needs of the victims are acknowledged and the harm they have suffered will be repaired to the extent possible. Finally, a restorative plan is developed that commands broad support both inside and outside school.

In light of the positive outcome of this experiment, the Flemish Education Department are currently taking steps towards a broader implementation—probably from September 2005 onwards—of restorative group conferencing in Flemish schools.

NOTES

1. Pupil counsellors are part of the school team. They are teachers who are partially or fully relieved of their teaching task in order to guide and support pupils. The “Centre for Pupil Guidance” (CLB) is a service that can be called upon by pupils, parents teachers and school administrators for information, assistance and guidance.

In this experiment, 6 duos—each consisting of one CLB staff member and one pupil counsellor active in a secondary school belonging to the field of operation of the CLB staff member concerned—were trained to be facilitators.

2. The present experiment used the Australian model, whilst the experiment conducted by Special Youth Care uses the New Zealand model. The latter model runs a somewhat different course and makes no use of a script.

3. Since 1989, *all* young delinquents are to participate in restorative group conferencing in New Zealand.

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