
Positive Psychology and Restorative Justice to Reduce Recidivism in Youth Offenders

Positive psychology has roots in developing relationships between adults and youth and impacts the effectiveness of the programming. Since restorative conversations use an adult as a mediator, there can be a gain of greater effectiveness if there is a positive relationship that has or does exist. Can we help students to build a capacity for empathy and a willingness to emotionally connect? The answers can be found through the application of restorative justice. Reviewing literature that relates to effectiveness and questions raised by implementation and practice of restorative justice is necessary. Latimer, Dowden & Muike (2005) performed a meta-analysis of data gathered “from studies that compared restorative justice programs to traditional non restorative approaches to criminal behavior.”

The researchers looked at the satisfaction of the process by the victim and offender, how well restitution was given and the recidivism of occurrences from offenders. Latimer, Dowden & Muike (2005) found that restorative programs were statistically more effective. Daly (2002) used research on conferencing in Australia and New Zealand to show a version of restorative justice that differs from advocates’ account’s of restorative justice. Daly (2002) showed that there are documented connections between retributive acts and restorative acts. Daly (2002) used previous research to explain how origin stories are sometimes used to overcome opposition and may not truly relay the truths of the origins. Comparing advocates’ stories, Daly (2002) offered a critical review of their efforts. She summarized her article with a reflection about the future of restorative justice and whether the origin story as currently told or the real story as she determines will be more beneficial to the practices moving forward. Daly (2000) raised the question of what role punishment takes in the restorative justice process. The article does not answer the question but brings up the topic to begin discussion about the issue.

Punishment is a term that resonates, positively and negatively (in terms of application to an event), with many people. Daly (2000) discussed how this resonates within people regarding the use of the idea of punishment “when it is linked to a restorative justice process, that is, an informal legal process that includes lay and legal actors, which is partly, but not entirely state punishment.” Daly (2000) is adamant that we need to discuss this as a concern and an issue with the practice of restorative justice. Gavrielides (2008) “claims that the restorative movement is experiencing a tension between normative abolitionist and pragmatic visions of restorative justice.”

Gavrielides (2008) looked at six issues that contribute to the tension between the views and that

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these affect the theory and the practice behind restorative justice. These tensions are felt by people at the practice level and those that research, as well as, those that create policy and are interpreting the findings and the reports that are provided for them to make decisions for implementation and programming. Gavrielides (2008) stated that in order to begin to mediate the issues, we must understand all of the facets of the issues and how they are intertwined, as well as, the impact that these areas have on practice at the offender/victim level. As restorative justice has been created and implemented, the restorative process has been viewed through the paradigm of Critical Social Theory by social scientists. At the XIII Congress of Criminology, Watchel & McCold (2003) provided a summary of restorative justice, as well as the application of this to social scientists in explaining the validity of the practice. Watchel & McCold (2003) defined the foundation of restorative justice as working from the belief that “crime harms people and relationships and that justice requires the healing of the harm as much as possible”.

Criminology uses a Social Process Theory with three branches in learning, control, and reaction. The learning branch operates from how we learn by what we have viewed, control operates from how crime is born from a lack of connection with elements within society and reaction operates from an idea that criminals are identified as such and fully assume the given identity as their own. Restorative justice was developed as a social response to the branches and as a method to provide connections for offenders back to society.

Critical Social Theory works from a definition that study should improve understanding of society by integrating major social sciences. Restorative justice addresses emotional needs of victims and helps offenders find ownership in their actions, as well as the lasting effects of these actions on the victims. Watson and Watson (2011) stated that Critical Social Theory “clearly fits within critical theory and its focus by actively seeking to empower individuals and transform society’s systems and their policies and processes that replicate oppression and injustice. ” This paradigm matches the practices of restorative justice in an extremely cohesive fashion. Using the lens of Critical Social Theory on restorative justice can provide valuable information to social scientists looking for methods to provide improvements within social relations.

Wang (2013) wrote that critical social theory is “an influential approach that is oriented by critical theory intends to raise critical consciousness. . . and to help marginalized groups and individuals resist social oppression and actively pursue cultural transformation. ” Wang noted in her article that there are two important aspects to critical social theory. First, critical social theory “has a clearly defined notion of marginalized groups and positions their struggles as against domination; in other words, the marginalized other becomes the subject of emancipation. ” Secondly, critical social theory “is based upon a collective identity: Whether it is class, race, gender, or when multiple identities are acknowledged, the emphasis is on the coalition among oppressed groups in working together to achieve social justice through structural changes. ” Wang (2013) uses critical social theory to view how social justice education can be used to

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change the structural levels inhibiting social progress.

Action Research as a research methodology seems to be best suited to answer these inquiries. Traditional social sciences are challenged by action research through theoretical application happening in the moment, as well as, data collection which happens amid structures which are being refined rather than being based upon knowledge relayed by outside experts using samples of variable data sources. Within the Action Research umbrella, we must be able to participate within the research being a portion of the process and experiencing what happens throughout while documenting the effects on the social community. Participatory Action research seeks to understand the world by trying to change it, collaboratively and following reflection of the changes attempted. The changes are implemented using an approach to research in communities that emphasizes participation and action on their parts in bettering themselves and their society.

Wadsworth (2005) noted that participatory action research helps to remove the “I” from the study in place of the “we.” As researchers that are people with a given society, we have a stake in making good come from our work - we must remove the “I” in place of the “we.” Participatory action research can be used to look at the effects of utilizing this research in social values development, community development and within educational practices. Sandwick et al. (2018) writes about critical participatory action research as a connected element to social policy in a period where we have racial violence and community uprisings resulting from inequality that is being prominently displayed. Sandwick et al. (2018) argues that critical participatory action research can “facilitate more just social policy, by enhancing research validity, policy integrity, and organizing capacity.”

Empowering those that are subjected to the unequal treatment and the community violence is at the core of critical participatory action research. Sandwick et al. (2018) argues that “those most marginalized contribute distinct knowledge to shaping and implementing research; university researchers work alongside community researchers in design, data collection, analysis, and dissemination.” Dupont (2008) called for the need of participatory action research within the field of criminology, as well as, dialogue about the social values of their research. This research also has the ability to empower those that participate within the research as well. Liu, Gastardo-Conaco and Wong (2008) used a “qualitative approach of recording bottom-up processes of social change and community self-awareness”. The idea that participatory action research can make bottom-up changes is exactly what my research question needs and is aimed at developing. After an event occurs that causes a break in relationship or discipline infraction that occurs in a school, restorative Circles can be held with the offender(s) and the victims(s). These circles are aimed at building community and offering a safe place for adolescents to share their joys and concerns. Conversations within this group can range from discussing what happened over the weekend to processing through adverse scenarios while using peers to problem solve.

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Using the approach helps the students in finding their place amongst a social group thereby affecting a modicum of change to their maladaptive behaviors. Another element that is used within the restorative justice practice is the restorative chat. After a behavioral incident, a series of questions are asked of the adolescent identified as the offender. The questions that will be used are:

- Tell me what happened.
- What were you thinking at the time?
- What do you think about it now?
- Who did this affect?
- What do you think the other person's perspective is in the situation?
- What do you need to do about it?
- How can we make sure this does not happen again?
- What can I do to help you?

These questions are aimed at helping the control group participants learn how to take responsibility for both their actions and their sense of damage to relationships. With these conversations, victims and others that are near to the situation (i. e. , teachers, other staff, parents, community members, etc.) can also be brought in to be a part of the conversation in an effort to assist the students in truly understanding how their actions affect others around them. Metacognition as self-reflection provides one an opportunity to analyze what has occurred and the "why" about what has occurred. Metacognitive studies have looked into judgements of learning (JOL's) and confidence judgements (CJ's) as they relate to learning. As Destan & Roebbers (2015) show JOL's "being prospective in nature, participants are asked to judge how well they have learned a certain kind of information (i. e. , word-pairs) by making judgments on the item-level ... CJs, on the other hand, are retrospective judgments for which individuals are asked to judge the certainty that their response (i. e. , the answer on a recognition test) was correct for every single item".

Looking at Callender, Franco-Watkins & Roberts (2016) work, along with Destan & Roebbers', one can see how these ideas align with restorative justice principles to enhance a student's ability to self-reflect and use their metacognitive skills to create a systemic change to their behavior as well as their learning. In Callender, Franco-Watkins & Roberts (2016) research, students were taught the concepts of overconfidence, given feedback on exams, and provided incentives for accurate perceptions of their achievement. Results showed that "lower performing students initially displayed overconfidence and the highest performing students initially displayed underconfidence." There was also a second portion of the study in which feedback was not provided to one group, but was provided to another. Based on the results, they found that improvement and overconfidence was seen in those that received feedback but not in the others. This led to an idea that feedback is important in metacognition. The process of

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restorative justice provides feedback on how victims feel and their emotional response. If feedback can promote levels of improvement, then research looking into how this feedback is received by offenders during and after a restorative conference can prove beneficial overall.

Conclusion

Data has shown that Restorative Justice as a practice can reduce recidivism in youth offenders. Benefit can not only be seen in the data surrounding youth recidivism, but in relationship developing for adults with youth that they are responsible for. While there is more data that can be presented, research in this field can further practice of adults working with youth and help youth to find ways to reintegrate themselves into the communities after negative events occur. Youth can develop the ability to learn about themselves and how to trust others to help them to grow and develop. As adults in a community, our responsibility is to teach them and help them to develop in order to become productive, beneficial members of our society.

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