

# RESTORATIVE JUSTICE ASSESSMENT INSTRUMENT

**USE:** This assessment instrument is intended to stimulate thinking about restorative justice processes and procedures within your organization. It is a guideline, not a fixed, definitive statement of assessment.

Each restorative justice principle is followed by one or more assessments of that principle. Each assessment contains a question or incomplete sentence followed by four statements. These statements move from less restorative to more restorative in a left to right direction. The best way to use the assessment is to read each statement as a true-false question. If the statement is not completely true, then it is false. When you reach a statement that is completely true, that is the assessment that most closely approximates your view of restorative justice.

The assessment is most effective if given to as many people within an organization as possible then collating the results. The assessment can be used to track change in restorative justice practices over time. The use of the assessment itself will stimulate thinking and personal assessments, thus helping to instill the principles into the organization.

**PRINCIPLE:**

1. Restorative justice is a way of thinking and responding to conflicts, disputes, or offenses. Restorative justice concerns making things as right as possible for all people.

**ASSESSMENT:**

Our primary focus of addressing conflicts and offenses is:	Completely on the needs and interests of outside authority	Somewhat on the needs and interests of outside authority, somewhat on the victim	Somewhat on the needs and interests of all parties, and outside authority	Completely on the needs and interests of all parties, institutions, and organizations involved.
We respond to violations, offenses and injustices by	Always trying to identify and punish those who misbehave.	Usually trying to identify and punish those who misbehave	Sometimes working on making things right as possible for all parties	Usually make things right as possible for all parties.

Our view of restorative justice is	Restorative justice is limited to specific programs where offenses are minor.	Restorative justice has some applicability to offenses, violations and injustices.	Restorative justice may have potential applicability in our organization.	Restorative justice is a philosophy about relationships and conflicts embedded in many diverse practices and programs within our organization.
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**PRINCIPLE:**

- Restorative justice recognizes that response to conflicts, disputes or offenses is important. Restorative justice responds in ways that build safe and healthy communities.

**ASSESSMENT:**

In resolving conflict and dealing with offenses, is predominant use made of (1) fear, (2) threats, (3) punishment, (4) rewards, (5) involvement?	1, 2, 3, some 4	4, some 3	4, some 3 and 5	5, 4
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To what degree is the entire community involved in resolving conflicts, disputes and offenses?	Not at all	Somewhat	Usually	Always, except in emergencies
Conflict in our organization is	Ignored or avoided	Dealt with by coercion	Sometimes dealt with by coercion, sometimes collaboratively	Always collaboratively
Conflict in our organization	Always polarizes, ostracizes and separates people	Sometimes polarizes, ostracizes and separates people	Sometimes restores and reintegrates all parties, including the larger community	Usually restores and reintegrates all parties, including the larger community

**PRINCIPLE:**

3. Restorative justice is not permissive. Restorative justice prefers to deal cooperatively and constructively with conflicts, disputes and offenses at the earliest possible time and before they escalate.

**ASSESSMENT:**

Conflicts in our organization are	Considered unseemly and are therefore ignored	Distasteful, but inevitable. Ignored for as long as possible	Usually recognized and dealt with promptly	Recognized as important indication of organizational or community well-being and always dealt with promptly
Conflicts are allowed to escalate before they are resolved	Always	Usually	Sometimes, but not usually	Almost never. Conflicts are addressed immediately before they escalate
Conflicts are recognized and addressed, even if no violation of rules or laws have occurred, at the earliest possible time.	Never	Sometimes, but not usually	Usually	Always
When conflicts are identified and addressed, the first response is	Always coercive	Usually coercive	To sometimes invite cooperation	To always invite cooperation
What methods of resolving conflicts are used?	Suppression	Some suppression, win-lose confrontation	Negotiation, bargaining and compromise	Creative problem-solving using consensus
If parties refuse to be cooperative, the next response is	Always coercive	Usually coercive	To usually bring more support for the parties	To always bring more support for the parties

When we first learn of conflict, our organization's first response is to	Always tell parties to wait until a rule or law has been violated	Usually tell parties to wait until a rule or law has been violated	Sometimes deal with the conflict in restorative justice ways	Always deal with the conflict restoratively to prevent escalation
Our response to conflict is to	Resort to coercion or outside authority and rarely to problem solve, seek apologies and forgiveness.	Sometimes resort to outside authority and sometimes to problem solve and seek apologies and forgiveness	Sometimes start with creative problem solving and resort to outside authority as a back up	Always begin with creative problem solving, resorting to outside authority only as a back up

**PRINCIPLE:**

- Restorative justice recognizes that violations of rules and laws are also indicators of transgressions and offenses against persons, relationships, and community.

**ASSESSMENT:**

Conflicts, disputes and offenses are viewed as:	Violation of rules, laws, social order, threats to safety	Disruption of control by outside authority	Violations against a victim	Violations against persons, relationships, and community
When a rule is broken or a law violated, we	Always focus on the rule violation and ignore personal and community relationships	Sometimes focus on the rule violation and usually ignore personal and community relationships	Sometimes consider a rule violation as an indication of a disruption of personal and community relationships	Usually consider a rule violation as an indication of a disruption of personal and community relationships

**PRINCIPLE:**

- Restorative justice addresses the harms and needs created by, and related to, conflicts, disputes and offenses.

**ASSESSMENT:**

In resolving conflicts and offenses harms and needs of the primary and secondary parties are	Never addressed	Rarely addressed	Sometimes addressed	Usually addressed
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**PRINCIPLE:**

6. Restorative justice holds disputants and offenders accountable to recognize harm, repair damages as much as possible, and create a civil future.

**ASSESSMENT:**

How much does each party seek to use joint problem solving to develop innovative solutions satisfactory to both parties?	Very little	Some	Quite a lot	A very great deal
How open, candid, and unguarded is the communication and interaction between the opposing parties?	Extremely guarded	Quite guarded	Some guarded, some candid	Open, unguarded and candid
To what extent do the opposing parties seem to deceive or to inform the other correctly?	Parties try hard to deceive	Parties often try to deceive	Sometimes try to deceive, sometimes try to inform correctly	Consistently try to inform correctly
How effective are the channels for the flow of interaction and influence between opposing parties?	Highly ineffective	Moderately ineffective	Moderately effective	Highly effective
To what extent are efforts made to build or restrict channels of communication, interaction, and influence between opposing parties?	Extensive efforts to restrict except through top leaders	Some efforts to restrict; little interest in building	Some efforts to build, especially at top levels of organization	Extensive efforts to build at all levels of organization
To what extent are innovative, mutually acceptable solutions being sought, or is each party striving to impose the solution it now prefers on the other?	Each striving hard to impose own solution on other	Primary focus on own solution; may consider alternate solutions	Initially prefers own, but willingly considers alternate solutions	Earnestly seeks innovative solution acceptable to all parties

We view the appropriate response to conflicts, offenses, and violations as	Always punish discipline for violations and offenses	Usually punish or discipline for violations and offenses	Sometimes recognizing and repairing the harm and creating a better future for the parties	Usually recognizing the harm and creating a better future for the parties
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**PRINCIPLE:**

7. Restorative justice empowers victims, disputants, offenders and their communities to assume central roles in recognizing harm, repairing damages, and creating a safe and civil future.

**ASSESSMENT:**

In resolving conflicts and offenses	Primary resolution is by outside authority	Primary resolution is by outside authority with some concern for parties' desires	Parties usually retain power to resolve the issues, but outside authority must consent	Parties have the primary power and obligation to resolve the issue, with help from outside authority as needed
The community's role in conflicts, offenses, and violations is	To allow outside authority to take full responsibility for the problem	Usually to allow outside authority to take full responsibility for the problem	Sometimes to take responsibility for the problem, using outside authority as a last resort	Usually to take responsibility for the problem, using outside authority as a last resort
The government's role in conflicts, offenses, and violations is	To take over, assuming that it knows what is best for the community	Usually to take over, assuming it knows what is best for the community	Sometimes to empower and support the community and provide back up as needed	Usually to empower and support the community and provide back up as needed
Within organizations, conflicting parties	Rely on established organizational power to resolve the conflict	Usually rely on established organizational power to resolve the conflict	Sometimes are empowered by the organization to resolve conflicts and are provided assistance as	Usually are empowered by the organization to resolve conflicts and are provided assistance as needed

needed

**PRINCIPLE:**

8. Restorative justice repairs the breach and reintegrates the victim, disputant, offender and their community as much as possible.

**ASSESSMENT:**

How well can each conflicting party state freely and clearly and with understanding the points of view, needs, objectives, and preferred solution of the others?	Poorly	Not well	Moderately well	Very well
To what extent does each opposing party strive to gain power over the other party or seek mutually satisfactory solution with the other party?	Strives very hard for power over others	Strives primarily for power over others	Seeks some mutually satisfactory solutions but still strives for power over others	Seeks mutually satisfactory solutions through joint efforts with others
In conflicts and offenses	The focus is on settlement of issues and separation	Usually the focus is on settlement of issues and separation	Sometimes the focus is on repairing relationships and reintegrating those who are alienated as well as fairly settling disputes	Usually the focus is on repairing relationships and reintegrating those who are alienated as well as fairly settling disputes

**PRINCIPLE:**

9. Restorative justice prefers maximum use of voluntary and cooperative response options and minimum use of force and coercion.

**ASSESSMENT:**

In resolving conflicts and offenses, emphasis is placed on	Force and coercion by outside authority	Limited choices imposed by outside authority	Cooperation, with overt threats by outside authority if refused	Voluntary and cooperative responses by the primary parties
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In resolving conflicts and offenses, we	Discourage constructive, direct dialogue, either directly or indirectly	Usually discourage constructive, direct dialogue, either directly or indirectly	Sometimes encourage constructive, direct dialogue in a safe, supportive environment	Usually encourage constructive, direct dialogue in a safe, supportive environment
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**PRINCIPLE:**

10. Restorative justice authorities provide oversight, assistance, and coercive backup when individuals are not cooperative.

**ASSESSMENT:**

In resolving conflicts and offenses, outside authorities use coercive power	Always	Usually	Sometimes	Only as a last resort
In resolving conflicts and offenses	Outside authorities make all of the decisions, which are final	Usually outside authorities make all of the decisions, which are final	Sometimes outside authorities assure that problems are constructively addressed by the parties and the community has the opportunity to participate	Usually outside authorities assure that problems are constructively addressed by the parties and the community has the opportunity to participate

**PRINCIPLE:**

11. Restorative justice is measured by its outcomes, not just its intentions. Do victims emerge from the restorative justice response feeling respected and safe? Are participants motivated and empowered to live constructive and civil lives? Are they living in the community in a way that demonstrates an acceptable balance of freedom and responsibility? Are responses by authorities, community, and individuals respectful, reasonable, and restorative for everyone?



## ASSESSMENT:

When conflicts and offenses have been dealt with, all parties have a feeling of	Strong disrespect and sense of injustice	Dissatisfied, but resigned acceptance	Moderate satisfaction	Strong sense of empowerment accountability and responsibility
When conflicts and offenses have been dealt with,	Offended parties feel disrespected , unsafe and needs have not been met	Sometimes offended parties feel disrespected , unsafe and needs have not been met	Sometimes offended parties feel safe, respected and needs have been met	Usually offended parties feel safe, respected and needs have been met
When conflicts and offenses have been dealt with,	Offenders feel disrespected , unsafe and needs have not been met	Sometimes offenders feel disrespected , unsafe and needs have not been met	Sometimes offenders feel safe, channels for repair, re-entry to community are clear, respectful, and reasonable	Usually offenders feel safe, channels for repair, re-entry to community are clear, respectful, and reasonable
When solutions are reached, how well do the opposing parties accept and implement them?	Strong covert resistance except by victor	Some overt acceptance; appreciable covert resistance except by victor	Overt acceptance; some covert resistance except by victor	Overt and covert acceptance; full implementation sought
Do the solutions reached result in favorable cooperative attitudes among the opposing parties or in continued or increased hostility?	Increased hostility	Continued hostility; few favorable cooperative attitudes	Relatively favorable, cooperative attitudes on part of some; lingering hostility on the part of others	Favorable, cooperative attitudes prevail generally

**PRINCIPLE:**

12. Restorative justice recognizes and encourages the role of community organizations, including the education and faith communities, in teaching and establishing the moral and ethical standards that build up the community.

**ASSESSMENT:**

In resolving conflicts and offenses, part of the process includes educating all parties on the moral and ethical standards of the community.	Never happens	Sometimes happens	Usually happens	Is considered a critical element of resolution
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This assessment was designed by the Restorative Justice Framework Committee of Fresno County, California. The members of the committee are Ron Claassen (Co-director, Fresno Pacific University Center for Peacemaking and Conflict Studies), Phil Kader, Fresno County Probation Department), Charlotte Tilkes (Fresno County Sheriff's Department), and Douglas E. Noll, Esq. (Attorney, Peacemaker).

This assessment version is September 2001. Comments and questions may be directed by email to the committee members:

Ron Claassen	<a href="mailto:rlclaass@fresno.edu">rlclaass@fresno.edu</a>
Phil Kader	<a href="mailto:pkader@fresno.ca.gov">pkader@fresno.ca.gov</a>
Charlotte Tilkes	<a href="mailto:ctilkes@fresno.ca.gov">ctilkes@fresno.ca.gov</a>
Doug Noll	<a href="mailto:denoll@manageconflict.com">denoll@manageconflict.com</a>