Working Draft

Restorative Practices in New Zealand Schools: A Developmental Approach.

Paper for

Restorative Approaches to Conflict in Schools

Seminar Two: International Perspectives on RA

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An Historical Backdrop

Aotearoa New Zealand is a country which was settled by Māori in around 1300 AD by people who sailed and paddled canoes, called waka[1], from islands in the Pacific. Māori lived in different iwi[2] or nations around the country: relationships among the tribes were not always happy. The story sometimes goes that New Zealand was "discovered" by the Dutch sailor Abel Tasman, and then by the British sailor Captain Cook. Traders, sealers and whalers moved across from Australia and the country was eventually colonised by Britain. The British settlers had become a problem for the Māori who lived here, and when George Grey proposed a Treaty in 1840, many Māori may have breathed a sigh of relief, because they saw this as a chance for the Queen Victoria to take control of her unruly subjects (King, 2003). At the last Census in 2006, New Zealand had a population of 4 million, of whom 15% were Māori, 7% from Pacific Islands, and 9% from Asia – including China, India, and Korea. We have a small number of immigrants and refugees from the Middle East and Africa. The population of Māori is triangular, with 35% aged 15 years and under. The population of people of European extraction, called Pākehā[3], is rectangular, tending to a reverse triangle (Statistics New Zealand, 2007). So the future of the country is going to be Māori. There are growing numbers of Māori children in our schools, and the efforts of Māori to offer a more indigenous education is also growing apace. The Treaty of Waitangi is now commonly viewed as the founding document of Aotearoa New Zealand: this Treaty set up a bi-cultural model of society. And in spite of the growing multi-culturalism within our country, our primary task of citizenship remains the relationships between Pākehā, who are mostly settlers from Britain, and Māori, who were dispossessed of their lands, mostly by settlers from Britain during the nineteenth century. I work in the Waikato, where the local iwi is called Waikato Tainui. Tainui are the caretakers of the kingitanga, the movement that has grown over the last century, although it would be wrong to say they have united Māori under a King. Tainui own the land on which the University of Waikato stands; the University has a growing relationship with the kingitanga; 30% of the population of students at the University of Waikato are Māori. I too am an immigrant: I was born in Leicester, England, and my parents emigrated in 1949.

[1] Waka are large canoes, often hewn from tree trunks.

[2] Iwi is the word for tribe or people. There are many Māori tribes, which they prefer to call nations, since they were originally independent and self-governing.

[3] Pākehā is the name given by Māori to people who came mainly from Britain. There is another word Tauiwi, for people who have come lately.

Background to my involvement

In 1999, responding to concerns about escalating suspensions from schools, and prompted by judges in the Youth Court, the New Zealand Ministry of Education commissioned a team from the University of Waikato to develop and trial a process for conferencing in schools, using restorative justice principles. The major population of concern was then, and remains still, the disproportionate number of Māori and Pacific Island students in suspensions, exclusions, and early leaving. Our team developed and trialled a process that drew on indigenous practices of huitanga[4] and restorative justice (Zehr, 1990,1994) (see The Restorative Practices Development Team, 2004).

In my Department we teach a counselling approach called narrative therapy (Morgan, 2000; White, 2007), and the team drew also on this knowledge for the project, to help us think about ways of speaking, including the process of a conversation, and the productive importance of language in offering and producing both relationships and identities. Since that time I have maintained my interest in restorative practice. In my scholarly work, besides teaching and publishing in lifespan development I have tried to theorise the process of restorative conversation, and account for its success (Drewery, 2004; 2005; 2007). From time to time I respond to invitations from schools to present to staff, or to act as a consultant to their project of becoming more restorative. I contribute in a minor way to teacher education in my Faculty and also teach a postgraduate fully online paper on Restorative Practices in Education. This paper attracts mostly senior teachers who already have some knowledge of the practices. Part of my intention in teaching a paper on Restorative Practices in Education at the postgraduate level is to develop further understanding of the practices and how they "work", and to encourage reliable research on RP in students' own school situations.

Introducing the Practices: The current situation in NZ

The main training in restorative practice in New Zealand runs under the heading of "Behaviour Management". It is paid for, mostly, by the Ministry of Education, and run,

[4] Huitanga means the cultural practices of doing hui, or formal meetings, in Māori culture.

mostly, by Margaret Thorsborne, a well-known Australian consultant. Participants learn a process of conferencing which they are encouraged to adapt for the classroom, for smaller disciplinary conversations, and for formal conferences. The assumption is that the practices are intended for disciplinary purposes: and that they address behaviour difficulties. This is a primary motivation for the interest of teachers, policymakers and senior school managers in the practices.

Although there is widespread recognition that the practices require a whole school culture change, this professional development programme does not address the nature and processes of change required in an ongoing way in schools that embrace the practices. This kind of change cannot be achieved by a single teacher, however skilful she or he may be, without the understanding and support of the school leadership; and it takes a long time. In fact over the last decade I have seen schools take on, lose, and regain some form of the practices. The uptake and the nature of the practices are mixed, as is understanding of the practices across the education sector. In my view, although there has to be a set of common values, there is no single "standard" of practice, nor should there be; and the practices cannot simply be implemented in a linear fashion. On the contrary, every school has its own people, with their own quirks, strengths and weaknesses, and its own history of relationships both within and outside the school. So both the practices themselves, and the processes of introduction, are different in every school. Across New Zealand, teachers and school managers have developed a broad range of practices based on the restorative values: the creativity and dedication is hugely impressive. Further, the meaning of the project seems to grow and change in each school as their project develops.

What is "restorative" practice?

I am not sure how much agreement there is on what constitute restorative values – our team took Howard Zehr's writings as the basis for our understanding, but we have developed these further for the context of schools and as we began to understand the processes of conversation more clearly [slide]. But I think there is some confusion among policy-makers, teachers and principals about the purpose of these practices. My experience is that most begin with the expectation that the practices will address behaviour problems; so they are about "behaviour

management". As individual teachers use the practices in their daily interactions with students, some begin to see that speaking differently can stop trouble before it happens. Others take on the script as a conversation by rote. Yet others have concern that using the practices means relinquishing their power as a teacher. Some see the values as fundamental to whole school culture, and promote a focus on relationships across the school. I would guess that most people who support restorative practices in their schools in New Zealand see them as about far more than getting a just outcome when something has gone wrong.

As a scholar I am also interested in understanding how restorative practices "work" – and what it is reasonable to hope for. So how should we characterise these practices? Are they about addressing conflict, or behaviour, or relationships – or some combination of all these? And does it matter? I think it does matter, because how we think about this will determine a lot about what we go on to do, and to expect.

It seems to me that the practices operate at the intersection of the disciplinary and pastoral care functions of a school. Just as parents are expected to teach their children how to live in a community and observe its rules, a school has similar responsibilities, acting in loco parentis, and carrying out its educational function on behalf of society – producing the citizens of future. So I have begun to think that RP offers a process for the production of respectful relationships – and in this sense it is not simply therapeutic or remedial, or even about justice: it is about developing a caring culture where the values of respect for diversity are what we agree to strive for. This position of course appears to challenge the notion that the primary role of education is to produce useful citizens of the future – meaning, generally speaking, people who are ready to be productive through their paid work careers.

Examples of Restorative Practices in NZ Schools

Though suspensions do go down in schools who take on the philosophy, there is little systematic research, and evidence for the success of restorative practices in schools in New Zealand is largely anecdotal (see for example Buckley & Maxwell, 2007). I have heard many stories from practitioners, and I will recount some here as illustration. For example, the "small" conversations in the classroom are about resolving conflict before it has time to flourish. A Deputy Principal in a school I was visiting recently told me that since their teachers have been learning to use this

approach, there are fewer referrals to the central disciplinary system. She believes teachers are defusing issues before they escalate. Classroom meetings can take a variety of forms depending on the objective, from “circles” aimed at investigating a problem, to a simple practice of staying in touch with what’s going on for each class member. Another Deputy Principal in an Intermediate School told me that of 25 formal conferences run over three years by the school, “not one has come back” – meaning that the young persons have not reoffended or come back to notice. [slide: Undercover teams]

Colleagues at Aotea College in Wellington have developed a form of classroom meetings as their predominant mode of restorative practice. Teachers can ask for classroom meetings when they are finding that the dynamics of the class are interfering with the smooth running of their lessons, so there is a disciplinary motivation for these meetings. The meetings take a developmental form evolved by the Deputy Principal and the Guidance Counsellor, and classes can have up to four meetings in the same sequence, taking one period each (Kaveney, 2010; Kecskemeti, 2010). In my visits to Aotea College, teachers who are outside the project have told me that they have noticed a major change in the tone of the school: students are quieter and the whole school feels calmer. Referrals to the disciplinary system have gone down significantly (which means that the bulk of the Deputy Principal’s time which used to be spent dealing with recalcitrant students is now invested in classroom meetings instead).

The New New Zealand Curriculum

In 2007, the Ministry of Education published the new New Zealand Curriculum (Ministry of Education, 2007, 2010). [slide] This document was consulted widely, both within and outside of the Education sector, and has been very well received. Rather than prescribing exact objectives for learning at each year level, it describes the learning objectives in general terms, leaving the specifics of learning programmes to schools and teachers. A feature of this document is the principles that underpin it. The Principles include Treaty of Waitangi, cultural diversity, inclusion and community engagement. Thus the document is explicitly intent on preparing young people for life in diverse communities. It also names five “Key Competencies”: Thinking, Using language, symbols and texts, Managing Self, Relating to others and

Participating and contributing. With others, I have come to think that some forms of restorative practice can teach the Key Competencies.

One of the Deans in Aotea College has studied the video records of the classroom meetings held during last year (Gray, 2010). She can show that, where initially many preferred not to speak, or grunted monosyllabic comments at their turn in the circle, by the last meeting most were contributing in full sentences, looking directly at others, and making useful points. She argues that this demonstrates not only that the students learned to speak more clearly and more confidently, but they also learned to relate to others and to contribute and participate in the whole class discussion. She relates these results with the key competencies set out in the new New Zealand Curriculum (see below). This colleague is an English teacher, and she is delighted about the language development that she sees on the videotapes. Perhaps age accounts for development, but it would be difficult to argue that the classroom meetings had nothing to do with these developments: in fact, I would suggest that this shows that the meeting process both offers a way of addressing relationship difficulties and is an effective teaching tool.

Restorative Practice, Restorative Approaches, or Restorative Justice?

I think it is likely that schools who take on the philosophy and values of respect, rather than simply as a disciplinary tool, and who pay attention to the quality of their relationships across all levels of the school, are the ones who have had most success in reducing suspensions and exclusions. To enable this, the “buy-in” of not only the principal and the whole staff is required, but also the Board of Trustees (who are charged with the legal governance of the school), and often, parents’ associations as well. However, when asked by senior managers and enthusiastic teachers who are struggling with the “problem” of not having influential colleagues “on board”, I do not suggest that they put all efforts on hold until they have “permission”, but that they can begin to use the practices of conversation within their own sphere of influence, whether this is the classroom or the Dean’s office.

I am relatively relaxed about this because it does not cost any money, or contravene any regulations, to speak respectfully to students, or to use a different form of conversation. But if the matter is about serious behaviour issues that require referral to a higher authority in the school, then the disciplinary system in the school is

activated, and it is at this level that confusion can be generated. In my view it is not appropriate for some parts of a school to operate a system of restorative conferencing without this being mandated within the structure of the school. The difficulty here is that students and their families can go through a conference, produce a good outcome, and then they can find that the school requires a suspension hearing, and a punishment quite different from that agreed upon in the conference may be handed down. At present, unlike in our Justice system where, as Judge Carruthers (2010) has described, it is mandated that the outcomes of restorative conferences must be taken into account at sentencing, this is not the case in our schools. However, at the same time, I do not believe it is necessary to force the exclusive adoption of either a punitive or a restorative approach to discipline in schools. The two approaches are not mutually exclusive. After all, sometimes punishment is deemed appropriate and agreed upon by the perpetrator, as an appropriate outcome of a restorative conference. Because of the potential for confusion it is important that the school has policies and understanding of how discipline can be wielded across the whole school if they want to incorporate a restorative approach.

Thinking about "disengagement"

As noted earlier, the introduction of restorative practices in New Zealand began in direct relationship with suspensions. From this perspective, the restorative project in schools, as in social work and in Justice, has its origins in concerns about disengaged youth. Our initial project was part of the Suspension Reduction Initiative; this project evolved into the Student Engagement Initiative. More recently still, the Ministry of Education has launched its Positive Behaviour for Learning Action Plan (http://www.minedu.govt.nz/theMinistry/EducationInitiatives/PositiveBehaviourForLearning.aspx). The main assumption governing this Plan seems to be that the early years of family life are important for later social success (and failure), but it does include a plan to Review where the programme has been effectively implemented, Document critical success factors, and Develop support for consistent implementation and outcomes. I am very interested in how they will go about this, and excited that they have not dismissed RP. So something must be going right!

All of these Ministry of Education policy initiatives have as their underpinning motivation the desire to keep young people from disengaging too early from school – especially, Māori and Pacific Island youth. The earliest reference to this problem in relation to restorative justice was a plea from Senior Judge of the Youth Court, Judge McElrea (McElrea, 1993,1996), who noticed that most of the young people coming before him had dropped out from school early. Judge McElrea went on to champion the introduction of RJ [sic] in New Zealand schools. So, "disengaged" youth are an important focus of the "restorative" project in Education in this country. As a matter of related interest, Māori are disproportionately represented in our prison population.

Last year I was able to examine the disciplinary referrals for a whole year level in a secondary school. [slide] About 7% of the students were responsible for over 50% of the referrals. And 20% of students were the subject of over 80% of the referrals. These figures predated the school's restorative practices project, which includes teachers learning the principles of a restorative chat, as well as a focus on classroom meetings. The leadership of this school believes that by doing classroom conferences systematically from early in students' careers in the school, they will not only reduce the number of referrals, but also the number of students in the select 20% and 7% groups. I am not sure how these figures compare with other schools, and am interested to find out. I have not been able (for lack of time) to compare this year's figures after a full year of the project, but anticipate that perhaps the school will do so. The point here is not about that particular school, but that the overall numbers of students who might count as "disengaged" is probably quite small. And it is a moot point whether any of the initiatives described here have been able to address the problem directly. I believe that the number of young persons coming before the courts has declined since the introduction of Restorative Justice processes in the Youth Court, but I know of no systematic figures that can show what is happening to this "disaffected" group (if indeed it should be called a "group") in schools.

In spite of the interest of the judges in the general problem, there has been little systematic study of the "careers" of excluded students - with the notable exception of a large Australian study by Smyth and Hattam (2004). Their project proposed a correlation between the culture of a school and student drop-outs. This proposal is

not unlike the study that founded another major educational initiative in New Zealand – *Te Kotahitanga* (Bishop, Berryman, Tiakiwai & Richardson, 2004). This project is based on the assumption that students learn best when they have a good relationship with their teacher (Bishop, Berryman, Cavanagh & Teddy, 2007). Te Kotahitanga aims to change the perceptions and skills of teachers working with particularly Māori students. This project has been critiqued for its inherent blaming of teachers: but it cannot be denied that the results from schools in the project show strong increases in achievement by Māori students. I believe that a major aspect in its success is likely to be the development in teachers of respect and understanding of Maori students, including the better appreciation of the contexts of their lives and their relationships with whānau[5]. To this extent, Te Kotahitanga is a restorative project. However, I would prefer not to call it a restorative practice, because in my view, restorative values are more inclusive than the focus on teaching Māori students would suggest. That being said, I think that the traditional protocols of Māori meetings, manners of greeting and address, and general demeanour towards others (and expected in conversation) – actually, ways of being – offer an excellent model of hospitable and respectful relationship.

Paradigm issues

It is well accepted in the field of Education that relationships are fundamental to learning. However there is little attention paid to the notion of relationship itself: most teacher education seems to be concerned with teaching curriculum, by which is meant *subjects*. There is plenty of psychology about the individual, and some work in the therapy literature on how relationships affect individuals and how individuals can do relationships better. I think we know little about what produces "good" relationship as a basis for learning. We think we know a lot about the conditions for children's growth and development in families, but even this huge body of work does not pay much direct attention to the notion of "quality" relationship. In fact, we mostly assume we know what that means, and do not examine it. The focus of psychology, including in relation to behaviour difficulties, is generally on the individual, whether parent, child or teacher.

[5] Whānau is a Māori word for a broad and extended family.

In my view, the way forward lies in a changing the epistemological paradigm we are using to think about and address the problems of behaviour, disengagement, and underachievement. I think that restorative practice introduces a very different paradigm with which to think about these phenomena. However, most policy-makers and practitioners in Justice, Education and government are strongly located in a Modernist paradigm. In this paradigm, there is a tendency to search for a "fix": and the matter of disengagement is seen as a failure of students to control their own behaviour, or a failure of parenting, or a failure of teachers to control their classrooms. Some of the versions of restorative practice that have developed in New Zealand schools include the "Restorative Thinking Room", or the "Reflection Room". There is great store set on the idea that if students think rationally, they will not behave in inappropriate ways.

I do not hold much hope for approaches that try to change ways of thinking without addressing how a student experiences the world. I take a critical ecological approach to human psychology, which means that I believe there is an interactive relationship between the environment in which a person lives, and their sense, not only of what is right, but of their own identity. I see "identity work" as a production from a complex set of ongoing interactions – it is not a solo performance, nor is it necessarily one that is ever finished. In this paradigm, no process is ever finished; causal influences are multiple, frequently non-quantifiable, and usually non-linear; and there is always a further possibility for development and change. Not all change goes in the direction one might hope for. One's identity, in this framework, is always in progress. In Aotearoa New Zealand, this matter goes very deeply to our historical roots. Forgive me if I appear to digress.

About identity, colonisation, and relationship

The Treaty of Waitangi that founded Aotearoa New Zealand promised that the indigenous people would keep sovereignty over their land, fisheries and forests. According to the Pākehā version, the Treaty established a British governor in New Zealand, recognised Māori ownership of their lands and other properties, and gave Māori the rights of British subjects. Māori clearly thought differently at the time, and still contest this interpretation to this day. Māori culture is a culture of hospitality, by which I mean that Māori pay attention to the quality of relationships as a basic way of

life; underlying this value is a deep sense of personal honour, pride and self respect, which in turn is strongly connected with iwi and whānau[6] relationships and histories. [slide] Mana, variously translated as status, respect, dignity, strength, power, authority (and a wide range of similar words), is central to this code of honour. Colonisation is a process that eventually subsumes the identity of a people into the identity of another. In Aotearoa, during the early 1900s, Māori leaders encouraged their people to grasp the Pākehā education, while holding on to things Māori. As it emerged, Māori children were punished by Pākehā teachers for speaking their language in schools, and as a result, the language nearly died out. The drift from rural to urban living compounded the estrangement of many Māori from their roots.

I am running over time and word limits and so must truncate this story. Educational practices, and relationships, are central to the story. It is not surprising, perhaps, that many Māori families are conflicted, not least about the basis of their engagement with Pākehā culture. And it ought not to be surprising that young Māori "disengage" – or at least, are rethinking their identities. This matter goes to our history, and to our present. It is in process of forging our future. It may not be surprising to you, if you follow this trail of reasoning, that many Pākehā believe that Māori do not value education. The situation is fluid and dynamic. Since 1975 there has been a growing resurgence of Māori culture; we can foresee the day when Māori outnumber Pākehā in the population; we have two dedicated Māori language television channels; and it is very common now to hear Māori spoken around our university campus. Having experienced their power, many Pakeha have deep respect for Māori cultural practices and traditions. At the same time, the ethnic diversity of the total population is increasing.

Producing respectful relationships across difference

I have come to think of restorative practice as about managing relationships rather than behaviour. Central to this is establishing respectful relationships throughout the school and its communities. Within this commitment, the most important principle is respect for the dignity, or as Māori would say, the mana, of each person. A "restorative" school is one where respectful relationships predominate. Restorative

[6] Whānau is roughly translated as family, but it refers to a group who share a broad range of genetic and historical relationships.

practice includes both ways of developing relationships in a classroom situation, and also of restoring relationship in times of trouble and conflict. I believe that the process of classroom meetings being used in Aotea College addresses relationship trouble before it has a chance to develop too far: and it teaches the students skills that enable them to think about and resolve their own relationship issues.

Ways of speaking can compel the other into the frame of reference of the speaker – a colonising stance - or they can offer terms that do not require the submission of one speaker's terms of reference to those of the other – a respectful stance. Respectful speakers engage with the mana of the other, rather than assailing it, as some teachers still do in schools. In my experience, Māori in particular are exquisitely tuned to these nuances. In New Zealand media we hear daily now in radio and television interviews with members of the Māori party, who are now in coalition in government, rejection of forms of inquisition by journalists that are disrespectful, and patient reframing of the party members' positions. A new programme for Māori well-being, Whānau Ora, has been mandated as part of the coalition agreement. This project in effect puts money dedicated to Māori issues in Social Welfare and Health into direct Māori control. The speed at which Māori as a people are retrieving their mana is accelerating: very soon, responsibility for disengaged Māori youth will be completely reclaimed. As Pākehā we have a way to go to appreciate the impact of our somewhat bullying, certainly direct and mostly objectifying ways of speaking, diagnosing and exerting power over others. I see this as a problematic paradigm: a relationship with knowledge that is inherently alien to many indigenous people. I am a fan of the definition of restorative practice on the IIRP web site:

> "Restorative practices is an emerging social science that enables people to restore and build community in an increasingly disconnected world.
>
> The fundamental unifying hypothesis of restorative practices is disarmingly simple: that human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things *with* them, rather than *to* them or *for* them. This hypothesis maintains that the punitive and authoritarian *to* mode and the permissive and paternalistic *for* mode are not as effective as the restorative, participatory, engaging *with* mode." (International Institute for Restorative Practices, 2008) http://www.iirp.org/whatisrp.php

Concluding Remarks

In this paper I have painted a broad canvas: drawing what may seem to be tenuous connections across a range of ideas. I hope to build my own understanding of the restorative project through our forthcoming discussion, and look forward to the conversation we will have.

I think that the philosophy of restoration offers a basis for living peaceably in a diverse society. I do not see conflict as problematic, but rather as inevitable in a society that is dynamic and constantly changing. After all, peace is not about everyone agreeing – it is about having processes for getting through when we do not agree – even, when we do not understand the other at all. In my view, not every practice that claims the name "restorative" is in fact worthy of it, but there is a job to do to understand what is the essence of the practices (though I would go so far as to claim that the restoration of, and/or maintenance of mana is a central piece). I have invested myself in studying and teaching about the practices because I think the processes developed can enable reparation where otherwise there could be a future of ongoing disgruntlement, if not declared conflict. Thus the process of restorative conversation is an important factor in producing respectful relationship, where respect, or mana, may have been damaged, or relationships simply not developed yet; it can also provide a platform for repair, including willingness to seek understanding and offer reparation. I think the disciplinary function is part of this, because conflict happens at the boundaries of what is acceptable. Teachers and senior managers in many schools across New Zealand have appreciated this, and have enabled the development of a variety of different practices, many based loosely on restorative principles. Like many of them, I believe that restorative practice shows a possibility that could help to educate our children for citizenship in diverse communities. This project is strongly influenced by our understanding and respect for Māori ways of being. It is, and should always be, a work in progress, hiccupping along, born as much of our history as formative of it. Insofar as education is the biggest social project we undertake, learning to relate with others who are very different from oneself is more than a worthwhile project. In an increasingly diverse world, it is utterly necessary.

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