



Interpersonal Violence and Restorative Justice



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Introduction

- ❑ The latest iteration of the Multicultural Competencies emphasizes the need for counselors to incorporate “multicultural and social justice competencies into counseling theories, practices, and research” (Multicultural and Social Justice Counseling Competencies, 2015, p. 1).
- ❑ The Competencies acknowledge the contextual impact of environment and the reciprocal interplay of communities and individuals.
- ❑ Vera and Speight (2003) argued, in the original defense of the Competencies, that oppression and injustice have a direct impact on mental health. These notions underscore the increased scrutiny of late regarding law enforcement practices here in the United States. The failed “War on Drugs” along with the rash of shootings and other abuses in Communities of Color have reopened the door for a critical examination of our notions of justice in this country.
- ❑ Restorative Justice may offer a viable alternative to the way in which we conceptualize offenses against individuals, communities, and the State.

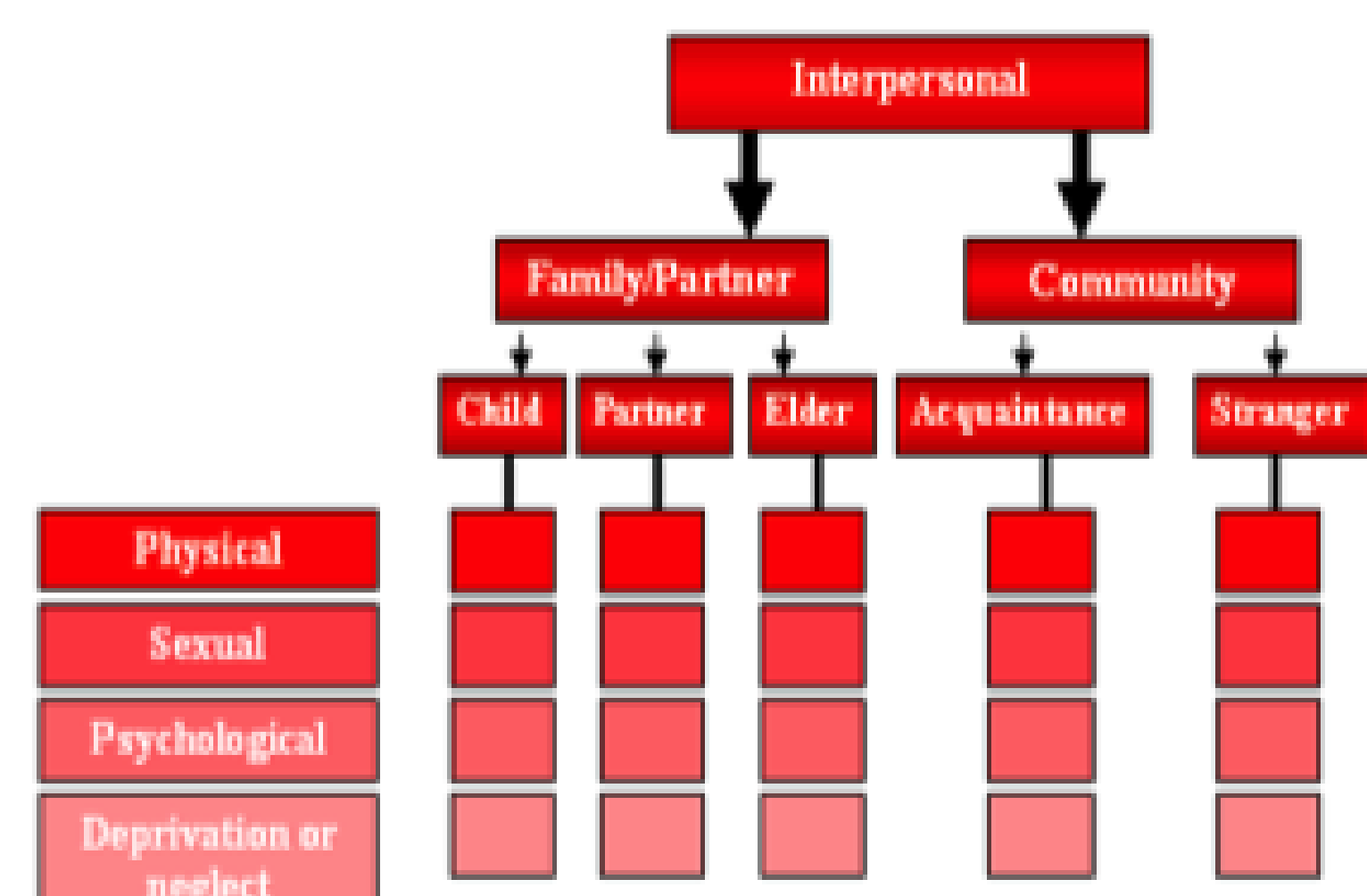
Restorative Justice Offers

- ❑ A reparative rather than retributive understanding of justice
- ❑ Accountability to victims and the Community rather than the State
- ❑ Collective decision-making and Community empowerment
- ❑ Allowing the responsible person (RP) to set right the wrong
- ❑ Re-empowering the surviving victim (SV) and those directly harmed by the offending behavior

Defining Interpersonal Violence

- ❑ Interpersonal violence is defined as “the intentional use of physical force or power, threatened or actual, against another person or against a group or community that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation (Dahlberg, 2002).”

Typology of Interpersonal violence



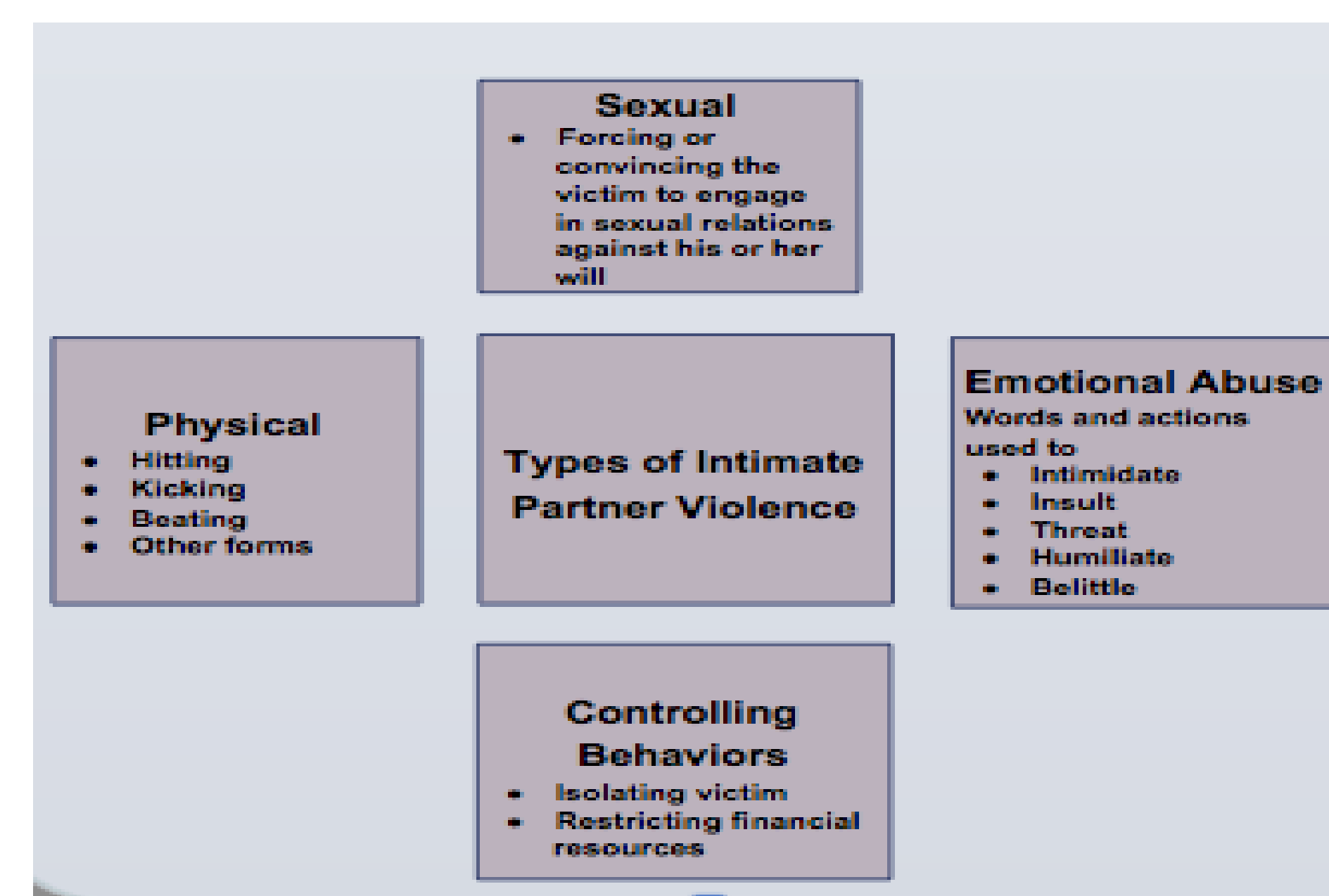
Zooming In on Intimate Partner Violence (IPV)

- ❑ On average, nearly 20 people per minute are physically abused by an intimate partner in the United States. During one year, this equates to more than 10 million women and men (Centers for Disease Control and Prevention, Human Health Service [HHS], 2012)
- ❑ 1 in 7 women and 1 in 18 men have been stalked by an intimate partner during their lifetime to the point in which they felt very fearful or believed that they or someone close to them would be harmed or killed (HHS, 2012).
- ❑ LGBT individuals in same-sex relationships, particularly transgender individuals, experience (IPV) at rates greater than their heterosexual counterparts (Roy, T., 2016).
- ❑ Domestic victimization is correlated with a higher rate of depression and suicidal behavior (Truman, J.L., Morgan R.W., 2014)
- ❑ Only 34% of people who are injured by intimate partners receive medical care for their injuries (Truman, J.L., Morgan R.W., 2014)
- ❑ More than 10 million children younger than 18 years-old experience some form of maltreatment from a caregiver, ranging from neglect to sexual abuse, but only a small percentage of these violent incidents are reported to law enforcement, health care clinicians, or child protective agencies (Sumner, S. A., et al., 2015).



Defining Intimate Partner Violence

- ❑ Greenwade & Smith (2016) define (IPV) as “a pattern of behavior that inflicts physical, psychological, or emotional harm from someone who has been or wishes to be in an intimate relationship with another person.”



Restorative Justice (RJ)

- ❑ Restorative justice (RJ) offers a paradigm shift in the way justice is conceptualized and practiced.
- ❑ Such a shift would unsettle our personal beliefs, the institutions that inform those beliefs, and the practices that define the institutions. The question concerns RJ’s ability to attend to behaviors we consider particularly offensive and harmful.
- ❑ The application of RJ principles and practices to IPV presents an important measure of the viability of RJ as an alternative.
- ❑ Scholarly debate regarding the application of RJ to sexual offenses has suffered from a lack of empirical data. The RESTORE Program of Restorative Justice for Sex Crimes, a program located in Arizona, is the first peer-reviewed quantitative evaluation of RJ conferencing for adult sexual assault (Koss, 2014). Despite some obvious limitations, findings, support “cautious optimism regarding feasibility, safety, and satisfactory outcomes” (p. 1).
- ❑ The application of RJ principles to IPV has met some understandable opposition. Foremost, is the safety of the surviving victim (SV) and need to ensure that they are not re-traumatized. Another recurring concern is the need to balance the interests of the responsible person (RP) as well as that of the SV (Daly & Stubbs, 2006; Stubbs, 2007).
- ❑ Citing RJ’s discursive process, Stubbs (2007) cautions that because “majoritarian opposition” is weak and men routinely trivialize IPV, those suffering from the violence need to have their voices heard on the widest stage possible. The effort may not only empower the person being abused but also lend voice to those similarly suffering. A Community conversation of the practice may present an excellent opportunity to expose and eradicate the social supports of the behavior.



- ❑ We do not want to think of the Community’s involvement as purely theoretical; i.e., without practical value or participation. In considering RJ principles, particularly when connected to IPV, it sometimes seems that the role and participation of the Community is overlooked in favor of the interaction between SV and RP.
- ❑ For instance, Community involvement in the RESTORE Program (see Koss, 2013) is minimal, at best, and does not appear to treat the harm done to the Community as germane to the proceedings. We envision RJ as a three-legged stool (the SV, the RP, and the Community); each leg being indispensable to the stability and transformative potential of the model.

Beyond Restoring: Can RJ be Applied to IPV?

- ❑ Restorative justice practices can be a place for SV, RP, and Communities to meet together to facilitate a restoring practice that moves beyond simply apology or repairing harm (Stubbs, 2007).
- ❑ Umbreit (2010) has described a model that shows promise as a unique application to IPV called Domestic Violence Surrogate Dialogues.
- ❑ Programs applying RJ practices in Canada have shown to be effective for empowering SV, changing attitudes of RP and in some cases reducing abuse and neglect (Pennell & Buford, 2000, Pennell, 2002).
- ❑ Australia has applied RJ practices to IPV among aboriginal tribes with positive results. However, most appear to agree that more research is necessary for widespread application of RJ to IPV including specific training programs to train practitioners. Consequently, counselors may have a unique opportunity to make a difference in this paradigm shift (Umbreit, 2010).

Implications for Counselors

Practice

- ❑ Counselors are trained in the skills necessary for Restorative Justice
- ❑ Counselors specializing in IPV can serve as facilitators at mediation conferences
- ❑ Counselors can be involved in forming training centers for RJ practices specializing in IPV

Research

- ❑ Counselors can be active in outcome research of RJ interventions and engage in research that examines the impact of RJ on victims of IPV focusing on safety of the victims
- ❑ Counselors can focus on research that establishes RJ as viable alternative to the current practice of IPV by specifying more specific guidelines for RJ practices applied to IPV

Advocacy

- ❑ Counseling professional organizations can advocate for RJ as an alternative paradigm for addressing intimate partner violence
- ❑ Counselors can advocate for RJ by establishing practices in local communities as a method for addressing IPV
- ❑ Counselors can advocate for RJ practices to the state and federal legislatures

References

See Handout