# NARRATIVE EXPERIENCES OF SCHOOL COUNSELLORS USING *CONVERSATION PEACE,* A PEER MEDIATION PROGRAM BASED IN RESTORATIVE JUSTICE.

by

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Abstract

This study narratively explores the experiences of five public school counsellors and one high school teacher using *Conversation Peace,* a restorative action peer mediation program published jointly in 2001 by Fraser Region Community Justice Initiatives Association (CJI), Langley, British Columbia, Canada, and School District #35, Langley, British Columbia, Canada. This categorical-content analysis (Lieblich, Tuval-Mashiach, & Zilber, 1998) resulted in data describing 20 common themes, 12 with similar responses, and 8 with varying responses amongst participants. Two of the similar findings were the crucial importance of (a) confidentiality within the mediation process, and (b) the school counsellor's role within the overall and day-to-day implementation of this peer mediation program. Two of the varying findings were (a) the time involvement of the school counsellor within the peer mediation program, and (b) the differences in the number of trained peer mediators and peer mediations within schools.

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◦ the six individuals who volunteered to participate in this research study. While confidentiality prevents me from naming you individually, your narratives are the heart of this work. It has been my privilege to record and document your experiences with *Conversation Peace*, and it is my hope that those who read this thesis will be as inspired by your experiences with restorative justice in schools as I have been. The birth of my own small group of elementary peer mediators, grounded in restorative justice, is the living outcome of this research.

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CHAPTER ONE

Introduction

I remember one kid said, afterward, "Man, that was a long process" (peer mediation), but I know he got something out of it... because he was not doing anything to the child that was the issue before. And I'm pretty sure if he just spent a couple of days in the (school) office, he would do it again.

Susan - School Counsellor

This thesis was inspired by a workshop based on *Conversation Peace,* a restorative action peer mediation program, at the British Columbia School Counsellors' Association Conference which I attended in October 2004 in Vancouver, B.C. As *Conversation Peace* was jointly published in 2001 by Fraser Region Community Justice Initiatives Association (CJI), Langley, British Columbia, and School District #35, Langley, British Columbia, Canada, I was particularly impressed that a public school district had shared the authorship of this program. Given my previous teaching and administrative experience helping students restoratively resolve interpersonal conflicts within a small Independent school, I was curious as to how public schools with larger and more diverse student populations offered this instruction and modelled these values. Moving professionally from school administration to school counselling, during the writing of this thesis, I became intrigued as to the involvement of school counsellors with conflict resolution programs within their schools. Since the B.C. Ministry of Education defines the school counsellor's role as "enhancing students' development with the development of an enabling school culture, and empowering students' positive change" while providing "a continuum of preventative, developmental, remedial intervention services and programs" (2006, p.26), it seemed logical that school counsellors would be participating in these interventions. Thus, the purpose of this thesis was to qualitatively document the experiences of school counsellors using *Conversation Peace*, a restorative model of conflict resolution, within their respective schools. During the nine month period in which the research for this thesis was conducted, April-December 2007, locating six school counsellors actively using *Conversation*

*Peace* with the criteria I had initially identified proved quite difficult. As a result five school counsellors and one secondary school teacher, an individual who created and was teaching a credit course in peer mediation using *Conversation Peace* as its founding curriculum document, were interviewed.

*Conversation Peace* is one of many conflict resolution education (CRE), conflict management education, peace education and youth-oriented conflict resolution (YOCR) programs which have been developed and implemented with school-aged children and adolescents since the mid-1970s in the US (Cohen, 2003; Jones, 2003; Shulman, 1996; Thompson, 1996; Tschannen-Moran, 2001) and internationally (Barnes, 2007; Cremin, 2002; Dawson & McHugh, 2006; Hopkins, 2002; Moffat, 2004; Shaw, 2007; Singh, 1995; Wearmouth, McKinney & Glynn, 2007). These programs, rooted in various theories of constructivism, developmental and psycho-educational theory, and social psychology (Amstutz & Mullet, 2005; Schellenberg, Parks-Savage & Rehfuss, 2007), all involve experiential learning (Moffat, 2004) and are generally considered as having three positive and related outcomes. First, formal CRE training is skill-based. The programs offer students instruction in non-violent interpersonal dispute resolution techniques, and provide opportunities for practice of these skills within any one of four CRE curriculum models: (a) (peer) mediation, (b) process curriculum/curriculum infusion, (c) peaceable classroom, or (d) peaceable school programs (Jones, 2003, 2004; Schellenberg et al., 2007; Tschannen-Moran, 2001). Researchers note an added bonus to in-school CRE training is the application and use of these skills during students' out-of-school time with peers, and at home with family members (Angaran & Beckwith, 1999; Moriarty & McDonald, 1991; Singh, 1995; Smith, Daunic, Miller, & Robinson, 2002). Second, CRE training programs are viewed as preventative in nature (Guanci, 2002; Jones, 2004; Smith et al., 2002). Johnson, Johnson and Dudley (1992, p.89) state "when we tell children not to fight, without giving them an alternative to settle their disputes, they continue to fight." Therefore the

learned skills of peaceful verbal resolution of conflict help children/adolescents avoid the all-too-frequent escalation of behaviour into violence and physical harm. Third, as students with CRE training and accompanying skills mature into adulthood, society at-large benefits from an educated adult citizenry able to live out their lives with more skill, ability and desire to create global and lasting peace (Greenberg et al., 2003; Johnson & Johnson, 1995; Van Slyck & Stern, 1999). While these three common sense outcomes of CRE, peace education and YOCR programs seem logical, there were until recently very few empirical studies to measure their actualization. The lack of empirical research in this area has been a common lament within the literature (Bell, Coleman, Anderson, Whelan & Wilder, 2000; Johnson & Johnson, 2001b; Johnson, Johnson, Dudley & Magnuson, 1995; Jones, 2004). Carruthers and Sweeney (1996) report that empirical research describing school-based peer mediation/conflict resolution programs has historically been difficult due to a multitude of factors (age/ethnicity/gender of students, size/population/socio-economic/geographic diversity of schools, methods of program implementation, and measurement of program outcomes). A meta-analysis of PM/CR (Peer Mediation/Conflict Resolution) programs delivered to K-12 students in use in US public schools between 1960 and 2006 (Garrard & Lipsey, 2007, p. 13) found only "thirty-six (studies)…(with) adequate information for coding an effect size for student ASB (anti-social behaviour)." Burrell, Zirbel, and Allen (2003, pp. 17-21) whose analysis of 43 research studies on the effects of peer mediation programs in US schools from 1985 to 2003 note that after the implementation of a peer mediation program, "school climates improve …both teachers and administration perceive a reduction in (student) conflict…(and) there is a drop in administrative suspensions, expulsions and disciplinary action." Therefore some solid empirical evidence due to the implementation of peer mediation/conflict resolution programs in schools does exist, albeit on a small scale. As incidents of school violence, student suspensions, expulsions, absenteeism, high dropout rates and funding pressures continue (Jones, 2003), more and more curriculum decision-makers are

demanding empirical "proof" for all programs, both core subjects and preventative initiatives (Greenberg, et al., 2003; Jones, 2004; MacDonald, 2005) prior to program implementation. Johnson and Johnson (2001b, p.18) persuasively state that, "linking conflict resolution training with academic learning is important, as the history of innovations in schools indicates that new programs are not widely adopted and maintained over a number of years unless they increase students' academic achievement." Long expressed anecdotal experiences of teachers and administrators as to the hypothesized link between students' social/emotional well-being, competencies with constructive conflict resolution skills, increased school safety and academic achievement are at last being empirically reported (Johnson & Johnson, 2001b; Moffat, 2004; Stevahn, 2004). While this empirical epiphany is to be celebrated, the descriptions of personally transformative experiences from those individuals participating in restorative justice processes remain extremely powerful. To the best of my knowledge, this thesis will be the first qualitative study of school staff responsible for implementing the restorative action peer mediation program *Conversation Peace* in their respective schools.

*Conversation Peace* is a unique program within the collection of CRE, peace education and YOCR curricula, as it unites the CRE peer mediation model with principles and practices of restorative justice found in historic and contemporary practices of both aboriginal and criminal justice. Peer mediation, the most common form of delivery for CRE programs in U.S. public schools (Garrard & Lipsey, 2007), is generally offered in one of two forms: the *cadre* approach where a selected group of students is trained to become mediators and the *total student body* or *whole school* approach in which instruction is offered to an entire school population (Bickmore, 2002, Bell et al., 2000; Johnson & Johnson, 2001a; Johnson & Johnson, 1995; Johnson et al., 1995; Jones, 2004). Controversy exists surrounding the choice of *cadre* vs. *total student body/ whole school* approach to program design and implementation, and more recent studies offer insight into a third alternative. What follows is a brief overview of research comparing the

*cadre, total student body/whole school,* and *curriculum-integrated/embedded curriculum* models

of conflict resolution/peer mediation training.

Bickmore (2002, p.156) recognizes benefits to the *cadre* approach of peer mediation

programs as its low cost, minimal needs for organizational change, and the mediators' direct

experience of "making a difference". Once a *cadre* peer mediation program has been well

established within a school, Guanci (2002) describes an enthusiastic student response of between

150-200 applicants for 17-20 vacant peer mediator positions, and a response rate of 64% from

the student population (in one school) indicating the peer mediation program alone was to be

credited with improving the overall school climate. Research results from *cadre* implemented

peer mediation programs (Bickmore, 2002; Carruthers & Sweeney, 1996; Harris, 2005) report a

90-100% success rate in student acceptance of the resolutions created through peer mediation.

The ages of student mediators in *cadre* programs generally range from age 8 to 18 years

(Bickmore, 2001; Cremin, 2002; Guanci, 2002; Van Gurp, 2002), as selected students must have

sufficient social and cognitive ability to consistently demonstrate skills such as active listening,

empathy, critical thinking, negotiation, oral and written skills and problem-solving skills

(Shulman, 1996).

Carruthers and Sweeney (1996) indicate that students from Kindergarten through Grade

12 are able to successfully learn and implement negotiation and peer mediation procedures using

the *total student body/whole school* approach. Similarly, Duanic, Smith, Robinson, Miller and

Landry (2000) describe the successful school-wide implementation of a similar program in three

middle schools (Grade 6-8) in the US southeast. Angaran and Beckwith (1999) and Nelson, Van

Slyck and Cardella (1999) also support the *whole school/student body* approach for peer

mediation programs emphasizing that all students, not just those selected as mediators, should

have instruction in and opportunities to practice active listening, perspective taking, reflection

and empathy, in addition to negotiation, mediation and techniques for nonviolent social influence.

Stevahn (2004), a strong advocate for CR training in schools, argues against the isolated implementation of both *cadre* and *total student body/whole school* conflict resolution programs. Stating that these program models "squeeze" yet another requirement into "already overcrowded" academic timetables (p. 50), this author criticizes *cadre* approaches for two reasons: (a) not all students receive formal CR training and (b) "(there is) little if any evidence …on the willingness or ability of the disputants to successfully resolve conflicts on their own (i.e. without the help of peer mediators) in the future" (p. 57). Stevahn's caution with regard to *total student body/whole school* conflict resolution programs used in isolation suggests that not all students receive sufficient practice to properly integrate the CR training into their personal repertoire of skills. Describing a third model of CR program implementation, *curriculum-integrated conflict training*, where students are taught to apply conflict resolution procedures within their daily academic studies specifically using *TSPP (Teaching Students to be Peacemakers Program)*, Stevahn states: "We now have empirical evidence that substantively links curriculum-integrated conflict resolution training to increased academic achievement" (p.58). Garrard and Lipsey (2007, p. 12) who describe this model of delivery as an *embedded curriculum* state that "conflicts encountered in history or literature textbooks are used as case studies to discuss and rehearse the concepts and strategies of constructive conflict resolution."

Regardless of the method of program implementation, academic research into peer mediation in schools exposes a variety of philosophical decisions for those organizing the program. For example, Harris (2005) encourages the matching of disputants and mediators of the same gender, ethnicity and similar age as highlighting the "peer" aspect of student mediation, while Cassinerio and Lane-Garon (2006) suggest the multicultural mix of a mediation team as an asset, providing exposure to cultural differences in thinking, expression and values. To further

personal empowerment and opportunities for student leadership, Shulman (1996) recommends 10 to 13-year-old students, rather than adults, be given the responsibility to co-teach conflict resolution skills to younger students. Cleveland, Ohio's schools followed this lead when in 1997-98 high school graduates acted as peer mediation trainers for the district's 76,000 registered students when CR programs were first implemented (Bickmore, 2002). Two researchers, Bickmore (2001) and Guanci (2002), suggest that the selection criteria for peer mediators must include a cross section of school community including at-risk students as well as those of differing academic abilities. While *Conversation Peace* was developed for implementation at the secondary school level (Grades 8-12) its authors modified the content accordingly when training school staff working with elementary-aged children until *Talking Peace*, the elementary counterpart to *Conversation Peace*, was published in October 2006. Teacher/student training using this program is now available.

Partnering peer mediation skills with principles and practices of restorative justice has meant introducing students (and school staff) to a "new" paradigm for conflict resolution; a unique lens through which one views conflict and then acts to transform hurt into healing (Zehr, 2005). Regardless of the setting in which conflict occurs, the first questions typically asked in a retributive environment are "Who did it?", and "What should be done to (punish) the offender?" (Bazemore, 1998, p.768). By contrast the questions asked in a restorative context are "Who has been harmed?", "How have they been harmed?", and "What are their needs?" (Zehr, p. 191). The restorative paradigm shifts the focus and process of resolution from blame and punishment of the offender towards empathy and voice for the victim, and a sense of collective responsibility for all involved to help set matters right.

To distinguish the use of restorative justice principles in different settings such as public schools vs. criminal justice environments, one must be attentive to vocabulary. In the criminal justice setting, Zehr (2002) consistently refers to participants in a restorative justice process as

victim and offender; terms common to this environment. Pranis, Stuart and Wedge (2003) and

Kaaresmaker (2002), however, highlight the intentional use of distinct and different terminology

when describing participants of restorative justice processes in the contexts of First Nations

Healing/Sentencing Circles, or public schools. Pranis et al. (2003, p. xv, xvi), use the term

"dialogue" between "applicants" in sentencing or healing circles, and Kaaresmaker (2002, p. 1),

as well as the authors of *Conversation Peace*, deliberately specify restorative "action" rather

than restorative justice in the subtitle of their peer mediation program. These shifts in semantics

helpfully emphasize the contemporary use of restorative principles and practices in settings

separate and apart from the criminal justice system. Regardless of the context in which they are

applied, restorative justice/action practices create a cooperative framework seeking to better

relationships between individuals (Fields, 2003; Theberge & Karan, 2004).

As the reader consciously (and semantically) makes a distinction between different

environments in which restorative practices are used, public school educators thinking of

initiating such programs in their schools must acknowledge the work of their colleagues in the

field of criminal justice. A debt for the knowledge and experience gleaned through the

international application of restorative processes in criminal justice with both adults and young

offenders during the last forty years is certainly due (Lo, Maxwell & Wong, 2006; Umbreit, Vos,

Coates & Lightfoot, 2005). This knowledge and experience has foreshadowed the application of

restorative practices in public schools. Feedback from participants in crime-related restorative

justice processes, at a time when increasingly harsh school disciplinary practices were being

implemented to combat school violence, have propelled educators to explore ways in which

students might be more empowered to build community and constructively participate in conflict

resolution within their schools. Strang, Lawrence, Barnes and Braithwaite (1999), for example,

compare the experiences of numerous Australian young offenders and victims who, having

participated in restorative conferencing versus court proceedings, acknowledge their experiences

of higher levels of fairness, or "procedural justice" within the restorative process. Similar

findings emerge with American young offenders participating in restorative justice based

programs sponsored by the U.S. Department of Justice, Office of Juvenile Justice and

Delinquency (McGarrell, 2001). These outcomes emphasize the last of four components of CR

education described by Sweeney and Carruthers (1996): a realization that (a) conflict is natural

and inevitable, (b) conflict resolution processes can take different forms, (c) healthy positive

outcomes can result from conflict, and (d) the nature of the CR process itself is an important

determinant of whether outcomes are constructive or destructive. Acknowledging that young

offenders have, by their own admission, meaningful experiences of "procedural justice" within

restorative settings could assist public school personnel when they evaluate, adopt or develop

policies/programs facilitating conflict resolution in schools. Amstutz and Mullet (2005, p.35)

write:

> Schools that view conflict as a teachable moment and an opportunity for growth
>
> intentionally design environments and processes that value relationship-building and
>
> community-building…if children do not see these processes practiced among adults and
>
> within the procedures they experience, they will not believe in the value of transforming
>
> conflict.

Sadly, philosophical congruence between CR programs in schools and the actual discipline

policies within the schools in which these programs exist is often lacking. Johnson, Johnson,

Dudley and Burnett (1992) describe a continuum of existing school disciplinary practices

ranging from a competitive model, where staff control and manage student behaviour using

external rewards and punishment to a more cooperative model where students are provided with

skills to internally self-regulate behaviour based on self-discipline. Amstutz and Mullet (2005,

pp. 21-3) offer their interpretation of the continuum of school discipline: (a) the *punishment*

*approach* in which there is no meaningful connection between misbehaviour and punishment, (b)

the *consequences approach* where some attempt is made to match either natural or artificial consequence to the misbehaviour, (c) the *solutions approach* where the purpose behind the misbehaviour is probed in an attempt to have the student reach the desired goal in a more positive and appropriate manner, and (d) the *restorative approach* in which all persons, adults and children, involved in the conflict come together to right the wrong. These differing foundations of disciplinary practice affect the tone and culture of a school and either inherently support or undermine the implementation of CR programs. Bickmore (2001, p. 138) applauds the strengths of the cooperative disciplinary model which she describes as enabling students to apply critical thinking skills as "part of the system of justice in the school, rather than teaching them only to obey rules made and enforced by others." Varnham (2005a) and Lindsay (1998) poignantly describe their experiences of the all-too-present competitive disciplinary model. Varnham (2005a) describes relationships between students and staff as existing in a "hierarchical authoritarian structure" whose "main feature is control", while Lindsay (p.87) suggests a major obstacle to embracing school-based conflict resolution programs is that "they are based on a set of assumptions incongruent with the culture of many schools." Margaret Thorsborne, Director of Transformative Justice Australia, alluded to this incongruence as the main reason her research into restorative justice in Australia's public schools ended prematurely in 2001 (Fields, 2003).

Since the early 1990s *zero tolerance*, a phrase which in North America originally identified legislative policies intended to deter crime, has now become associated with disciplinary policies of many public schools (Anderson, 2004). Defined as a policy "that mandates predetermined consequences or punishments for specific offenses" (DeVoe, Ruddy and Miller, 2002, p. 152), *zero tolerance* in its purest form eliminates any consideration of many extenuating circumstances which could conceivably influence a child's behaviour: (a) age, (b) developmental level, (c) stresses resulting from various peer or family-related relationships or (d) health-related concerns. The result is that all children regardless of age theoretically receive identical disciplinary

consequences for a breach of school rules--suspension and expulsion from US schools have become commonplace. The focus of schools as educational centres which could and arguably should teach students proactive skills for conflict resolution falters substantially when *zero tolerance* disciplinary practices are instituted because they are neither supportive in redirection nor instructive to the child who behaves poorly. Jones (2003) notes rather surprisingly that some twenty years after CRE resources became available to American public schools, only 17 to 20 percent of 85,000 public schools in the United States actually made use of these educational programs. If we acknowledge that a significant number of children arrive at school from homes "characterized as less than optimal for developing socially appropriate problem-solving skills" (Brinson, Kottler, & Fisher, 2004, p. 295), and we view public schools as "the only institution providing ongoing, long-term relationships with all of our young" (Brendtro, Brokenleg & Van Bockern, 1990, p. 12), it seems imperative that students receive instruction in peaceful methods of conflict resolution as part of their education. Present practices of public school discipline manifest themselves in a variety of punitive ways: (a) public humiliation and shaming, (b) detention, (c) in-school and out-of-school suspension, and (d) expulsion (Brinson et al.; Kajs, 2006). Casella (2003, p.884), argues convincingly that: "(the) zero tolerance policy (within public schools) institutionalizes criminal justice approaches to school discipline," and Anderson (2004) concurs. Referring to the short-sightedness of educators who believe they have resolved conflict by suspending or expelling students, Varnham (2005b, p.95) quotes F.W.M. McElrea, a strong proponent of restorative justice for use in public schools and a Judge of the Youth Court and District Court of New Zealand:

> By taking the culprit out of the neighbourhood or school community (by imprisonment, or expulsion/suspension) we think we have removed the problem. In fact it has usually been simply relocated in time and place – and in the process, it is often exacerbated.

In my experience as a school counsellor, students suspended or expelled from school frequently have little to no adult supervision, receive little if any educational support during their absence and tend to seek out the companionship of other out-of-school friends who have also made poor choices. Little alarm is raised when the circumstance of a singular student is described; however, the adoption of *zero tolerance* policies by 94% of US public schools has created shocking statistics when one views the collective impact. "Double jeopardy" comes into play, as more school expulsions bring more reports to police of "criminal" activities (Braithwaite & Drahos, 2002, p. 269). Cohen (2003, pp.113-114), Director of School Mediation Associates, one of the oldest organizations in the world devoted to school-based mediation, writes

> It is important to note that schools traditionally have not had a systematic approach to managing student conflict. Instead they have had *disciplinary* systems…this is not an effective approach to helping students reconcile interpersonal differences. The first reason is that disciplinary systems do not distinguish between disciplinary offenses and interpersonal conflict. Most interpersonal conflicts between students are just that – *between students.* They do not involve a violation of a school rule…In effect, students must wait for their conflict to escalate, leading one or both of them to break a school rule, before the system pays attention….In addition, school disciplinary systems rely almost exclusively on sanctions and negative reinforcement. Theoretically, such "negative feedback" steers young people away from destructive behaviors and toward proper conduct….Sanctions (however) are often experienced by students as unrelated to the content of their interpersonal conflicts….Applying sanctions alone does little to help students truly resolve interpersonal conflicts.

Since the advent of zero tolerance disciplinary policies, many school children/adolescents have been suspended or expelled from public school. Authors and researchers who voice their criticism of *zero tolerance* approaches to school discipline include Brown (2005), Cameron and

Sheppard (2006), Morrison (2005) and perhaps most comprehensively, the Advancement Project (2000) by Harvard University. Statistics from the U.S. Department of Education, Office of Civil Rights (2003), indicate that approximately 97,000 children were expelled from U.S. public schools, while more than 3.1 million children were suspended in 2000. These statistics are and should be alarming, and while reflective of data from the United States, Roher and Weir (2004) write extensively and critically about the introduction of *zero tolerance-like* approaches to student discipline in Canada, specifically the Ontario *Safe Schools Act of 2000*. It is noteworthy however, that nowhere in the Ontario *Safe Schools Act of 2000* does the term *zero tolerance* actually appear (Brown, 2005).

Shifting an existing retributive model or paradigm which blames and punishes, to one seeking restoration for and repair of broken relationships takes time and receptivity on the part of participants. Researchers studying restorative justice programs in public schools in Australia, England and the United States (Fields, 2003; Hopkins, 2002; Morrison, 2005; Morrison, Blood, & Thorsborne, 2005; Riestenberg, 2001) view these principles as having a potent ability over time to help create a paradigm shift from arbitration to mediation as the dominant method of conflict resolution. Kaarsemaker (2002), who documented the first year of implementation of *Conversation Peace* in School District #35, Langley, British Columbia, emphasized the commitment of school personnel to the long haul, thus indicating the author's optimism for a gradual adoption of restorative justice practices and principles throughout the school district within five to ten years. Kalpatoo and Associates (2006), authors of a report evaluating Langley's Educating for Peacebuilding School Project some five years later, states:

> After five years of implementation activities, the Educating for Peacebuilding Project (also referred to as Restorative Action) now demonstrates strength, viability and a fit within the district at large…the current commitment by the district in 2006/2007 includes the partial dedicated time of two district counsellors, a defined Restorative Action role for

the district counselling coordinator, and the provision of ancillary services and infrastructure costs for teacher training. The key commitment to the program is evidenced by the Board-approved support for Restorative Action approaches, now mandated in all schools in the Langley District. (p. 3)

While there is a general agreement in the research that a commitment of between 3 and 10 years is required in order for the culture of an entire school and school district to firmly embrace the tenets and practices of restorative justice, satisfaction of participants and data on recidivism indicate positive change beginning to occur within the first several years of program implementation (Chmelynski, 2005; Drewery & Winslade, 2003; Riestenburg, 2001). It is unknown to me whether or not the Langley School District has documented their own findings in this area.

In terms of formal training for student (peer) mediators, *Conversation Peace* offers a 2-4 day interactive training program which can involve school administrators, teachers, parents, and student mediators learning simultaneously about restorative justice and peer mediation. Moffat (2004, p. 19), who identifies "experiential learning" as a central component of social education, describes the peer mediation training within his Northern Ireland school as deliberately emphasizing "the inclusive and affirmative processes of jointly created dialogue" between students, as well as helping "to legitimize the idea of learning by 'experience'" in terms of pedagogic discourse between staff members. The interactive learning opportunities within *Conversation Peace* peer mediator training allow both adults and students to familiarize themselves with the values and principles of restorative justice and to experience, through repeated opportunities to role-play, the skills of mediation. It is thus through experiential learning that both staff and students begin their journey with restorative action.

## *1.1    Rationale for the Study*

Several elements compose the rationale for this study. From the researcher's own experience as a former Independent school principal and now an elementary counsellor within the public school system, I am aware that creating the time needed to facilitate new programs within any school is a complex and delicate balance. In my experience, new programs are implemented in response to a specific need or needs. Given appropriate research and investigation, one program is selected from a broad selection of commercially produced materials to meet the identified need. As a professional, a school counsellor, classroom teacher, or administrator must choose a program which is methodologically sound and must have sufficient confidence in its outcome to initiate, prepare, launch and sustain the program with professional integrity and continuity, in addition to maintaining his/her ongoing duties and responsibilities.

In the case of school counsellors in British Columbia, depending upon the school's actual enrollment (anywhere between 100 – 2,500 students), the full-time secondary (Grade 8-12) counsellor will already have responsibilities for individual student counselling, timetabling, and classroom instruction for a portion, if not all of the students enrolled within the school. Elementary counsellors working full-time are typically responsible for the emotional support of children from Kindergarten through Grade 6 or 7 within two or more elementary schools, each with a student enrollment from 100-800. Tschannen-Moran (2001), who documented the three year implementation of school-wide conflict management curriculum in 50 Ohio high schools, noted that the school staff recommended a full-time program coordinator in each school to oversee and support the continuing program. Similarly, in their research, Carruthers and Sweeney (1996) note the conflict resolution program demanded a minimum of 30-50% of the coordinator's total work time in the first year of implementation. Locally, Kalpatoo and Associates (2006) described newly designated staffing allocations for *Conversation Peace*

within the Langley School District while MacDonald (2005) also describes a .5 FTE (Full-Time Equivalent) position at New Westminster Secondary, New Westminster, B.C., where, between 1995-2002, a conflict resolution program was housed. (In the case of the .5 FTE staff allocation for the conflict resolution program in New Westminster, .25 of the position was allocated to the organization of various peer mediation sessions through a given week, and the remaining .25 was allocated to the instruction of four credit courses related to conflict resolution and peer mediation.) British Columbia's provincial government cutbacks to education later reduced this position by half and, at the time of publication of MacDonald's thesis (2005), only one course in conflict resolution/peer mediation remained available to students. To the best of my knowledge, none of the participants in this study received officially designated time allocated to their participation with *Conversation Peace*; all incorporated this work into their ongoing professional responsibilities. This is an admirable feat considering the many levels of involvement which, until I analyzed the interview data for this thesis, I did not realize fell to school counsellors as part of their role/responsibility within the program (see page 116-18). These specific duties are not outlined anywhere in the *Conversation Peace* training manual.

Research focusing on CR programs in schools is almost solely quantitative in nature, however this study will offer qualitative data as to how *Conversation Peace* is being facilitated and experienced by school staff. This research study will be helpful: (a) to the authors of *Conversation Peace* as a snapshot of the experience of school counsellors using the program some 6-7 years after its publication, (b) to those schools/school counsellors who may be considering the use of a peer mediation program in their schools and who wish to explore the lived implementation of *Conversation Peace* at six schools within the Lower Mainland of British Columbia, (c) to school staff already using *Conversation Peace*, as an opportunity to share their insights and to reflect upon these experiences within the context of a contemporary literature review of restorative justice/peer mediation in schools and lastly (d) as one of the few, if not the

only, research paper on the subject of peer mediation in schools which articulates the implementation of the program from the point of view of school counsellors.

Within the literature describing CR program implementation in schools, most studies are based in the US or Australia. Very few, if any, of the over 65 studies used for reference within this thesis, document the implementation of a CR program within a Canadian school. The reality that *Conversation Peace* is Canadian in origin and locally authored in Langley, B.C., was a surprise and delight to me.

Lastly, the integration of restorative justice and peer mediation, as the core of *Conversation Peace*, was of great interest to me, given my previous experience working within an elementary Montessori school setting. In this educational environment social responsibility in terms of "grace and courtesy" towards others is one of the five streams of instructional practice for which teachers are trained, and in which formal intentional lessons are implemented beginning with preschool-aged children (age 2 years 9 months in British Columbia) and continuing throughout the elementary and secondary years. Having the opportunity to expand my own working knowledge of the paradigm of restorative justice and its implementation in schools, along with a structure for peer mediation, melded my previous educational teaching and administrative experience with the new world of public school counselling.

## 1.2    Purpose of the Study

The purpose of this study was to explore the experiences of five local public school counsellors and one secondary teacher who have facilitated restorative justice responses to student conflict through the peer mediation program *Conversation Peace*, published in 2001 by staff from Community Justice Initiatives (CJI) and Langley School District, Langley, British Columbia, Canada (LSD). Researchers studying the implementation of restorative justice practices in public schools in Australia, England and the United States (Fields, 2003; Hopkins, 2002; Morrison, 2005; Morrison et al., 2005; Riestenberg, 2001) view these principles and

practices as having a potent ability, over time, to transform school culture through increased respectfulness in relationships between all members of the school community. A CJI publication which documented the first year's implementation of *Conversation Peace* in the Langley School District emphasized the staff's commitment to the long haul, suggesting that gradual adoption of restorative justice practices and principles throughout the school district would require a minimum of five to ten years (Kaarsemaker, 2002). *Conversation Peace* and other conflict resolution programs based in restorative justice principles and practices are known as "preventative programs" helping to foster more emotionally and physically safe learning/working environments for both staff and students. While the authors of *Conversation Peace* anticipate the Langley school district will gradually undergo a transition of school culture from retributive to restorative forms of problem-solving, *Conversation Peace* is being used by staff from other school districts, and other agencies working with children and youth, both locally and internationally. With the focus on implementing this program (and others like it throughout the world) there is as yet very little research to document the experiences of school counsellors or other support staff responsible for the organization, implementation and ongoing support of peer mediation programs like *Conversation Peace* within schools. This is the gap in the literature which this thesis hopes to at least partially fill.

*1.3    Research Question*

How does *Conversation Peace*, a peer mediation restorative action program, address conflict resolution in public schools?

*1.4    Methodology Used for This Study*

A narrative form of inquiry was employed in this study, namely a categorical-content analysis (Lieblich, et al., 1998). An in-depth description of this method is provided in Chapter Three.

CHAPTER TWO

Literature Review

September 2001 through October 2002 marked the pilot year for the implementation of

***Conversation Peace*** - Education for Peacebuilding: Restorative Action in Langley Schools, a

peer mediation-based conflict resolution program authored by Fraser Region Community Justice

Initiatives Association (CJI) in partnership with Langley School District #35, Langley, British

Columbia, Canada. The ambitious goals of this program were to "create a climate through the

entire Langley school system which will encourage and promote the application of restorative

justice principles and values to conflict and discipline situations involving students, teachers,

parents and administrators" (Kaaresmaker, 2002, p.1). These specific principles and values

(examined at length later in this thesis) as well as skill development with peer mediation were

offered during several 2-4 day training workshops to secondary school administrators, teachers,

counsellor, parents and students during the pilot year and in years that followed. In addition,

planning and preparation and program development for the elementary level was begun.

(***Talking Peace***, the elementary counterpart to ***Conversation Peace*** was later published in

October, 2006.) Creators of the program, staff from CJI and the Langley School District,

recognized a five-to-ten year commitment would be required to bring "restorative action

principles into the culture of the Langley School District, which (then) included 46 schools, 2000

staff and over 21,000 students"(Kaaresmaker, 2002, p.2). Some five years later it was noted by

Kalpatoo and Associates (2006) that this initiative had been highly successful within School

District #35, as the Langley School Board had by then introduced Restorative Action to all

schools in the district.

This literature review will touch on six separate yet related themes: (a) the definition and

underlying principles of restorative justice, (b) international historic and cultural foundations of

restorative justice, (c) an exploration of various models of restorative justice found within the

legal system, (d) an overview of educational theory supporting the adoption of conflict resolution and restorative justice practices within schools, (e) the many forms of and factors influencing student aggression, and (f) the types of conflict resolved through peer mediation/restorative justice programs in schools.

*2.1 The Definition and Underlying Principles of Restorative Justice*

To begin, the legal term "restorative justice", first used by Eglash (1977, p. 91), seems a provoking semantic combination. This set of conflict resolution principles blends a belief in the ability to repair or restore something to "its original or former state" (Avis et al., 1978, p. 735) with a philosophy of justice, "the rendering of what is due or merited' (p.1147). When one thinks of a broken item, following its repair the item is generally believed to be functional once again; for example, the vase may once again hold a floral bouquet and the automobile is again able to transport passengers. However, in the context of broken or damaged human relationships, there is no such general belief regarding repair. When observing either singular or collective human relationships that have been damaged, one is faced with a broad plethora of different circumstances, each unique to their own time and place. Restoration of human relationships is neither quick nor easy and in some circumstances neither desired nor possible. However, given certain situations and careful preparation, individuals who have caused harm as well as those who have directly and indirectly experienced the impact of that harm may agree to enter a restorative process which respectfully attempts to repair the hurt which connects them. In 2002, the eleventh session of the United Nations Economic and Social Council Commission on Crime Prevention and Criminal Justice, representing 40 nations including Canada, formally described a restorative process as:

Any process in which the *victim* and the *offender,* and where appropriate, any other individuals or *community* members affected by a crime participate together actively in the

resolution of matters arising from the crime, generally with the help of a facilitator. (UN

Economic & Social Council Resolutions, 2002, p. 40-41)

Since 1960 different restorative justice processes have been used within or parallel to the

criminal justice systems in various countries - New Zealand, Singapore, Wales, Ireland,

Australia, Canada, and the US - with legislation and pilot programs currently being developed in

Belgium, Argentina, South Africa, Sweden, the Netherlands, Hong Kong and Brazil (Lo et al.,

2006). Umbreit et al. (2005) list 15 European countries as having embraced either local or

national victim-offender mediation programs, with Austria being the first nation to establish

national policies for victim-offender mediation in 1988. In addition, by 2005, over 750 articles

on some aspect of restorative justice have been published in law and other related journals

(Umbreit et al., 2005). The April 2002 meeting of the United Nations Economic and Social

Council Commission on Crime Prevention and Criminal Justice was the result of this world-wide

resurgence of interest in restorative justice principles and practices. While historic documents

indicate the use of these practices in many cultures in generations past, Bazemore (1998), Curtis-

Fawley and Daly (2000), and Delgado (2000) suggest the recent revival and application of

restorative justice in a variety of settings is based in an accumulation of worldwide political,

social and cultural factors. These factors include a renewed interest in indigenous dispute

resolution, the Civil, Women's, Victim's, and Prisoner's Rights Movements, and increasing

criticism of the 'Just Desserts' retributive model which punishes an offender externally, making

little to no attempt to explore or shift that individual's internal belief system (Bazemore, 1998;

Daly, 2000). The versatile nature of restorative justice principles and processes has enabled

models of restorative justice to be applied successfully in various settings: conflict resolution in

schools (Coates, Umbreit, & Vos, 2003; Fields, 2003; Hopkins, 2002; Karp & Breslin, 2001;

Morrison et al., 2005), the formalized criminal justice system and justice alternatives for youth

and adults in numerous countries (Bazemore, 1998; Chatterjee & Elliott, 2003; Lo et al., 2006), and as an intentional process, amongst others, to help prevent civil war (Tutu, 1999).

One of the founding tenets of restorative justice within the criminal justice system is the voluntary participation of the victim, offender and members of their respective communities/families (this latter group is not always as visible within the school setting). Those who wish to participate in this experience are educated as to its purpose and prepared for their role within the structure of the process. Those who choose not to participate are directed to the existing, and generally non-participatory, form of conflict resolution--the court system. When a crime has been committed, to impose or coerce participation in a restorative justice process risks re-traumatizing the victim (Curtis-Fawley & Daly, 2005; Herman, 2005), and undermines the genuine opportunity for the offender to accept responsibility for having caused harm (Zehr, 2002). Lest restorative justice advocates view restorative justice practices as Pollyanna-like solutions to all instances of crime, Drewery (2004), Hudson (1998), and Pranis et al. (2003) identify certain offenders, those who continually deny involvement or responsibility for their actions, and certain victims, those who insistently wish to see the offender suffer state-dictated punishment, as unsuitable candidates for a restorative justice process. For these individuals, the traditional criminal justice system must and does remain the only alternative to mandate accountability. Curtis-Fawley and Daly (2005) also indicate restorative justice conferencing is not available in some jurisdictions for cases involving sexual assault and/or domestic or family violence given the already existing power imbalance between victim and offender.

Zehr (2002, p. 33) identified two core principles of restorative justice; the first emphasizes attention to the "needs of the victims, as well as the communities' and the offenders", and the second recognizes "the obligations that result from (creating) harm." These principles deserve thoughtful examination. Zehr (2005) views harm created by crime through the lens of the interconnectedness of human relationships. He persuasively argues that crime

impacts the personal relationships of everyone involved; those whom McCold and Wachtel

(2002, p. 114) describe as the "direct stakeholders," the victim, victim's immediate and extended

family, witnesses to the crime, offender and offender's immediate and extended family, and any

other directly affected people. Zehr's (2002) argument and passion push the reader beyond

earlier thoughts that crime creates only a singular victim. He writes: "The goal of restorative

justice is to provide an experience of healing for all concerned" (p.23). Depending on the nature

and severity of the crime, McCold and Wachtel also initially identified "indirect stakeholders"

(2002), later renamed "secondary stakeholders" (2005, Powerpoint Presentation, Slide 5), as

neighbours and local community members, the faith community, local government agencies,

local and national NGOs, Aboriginal Nations and Bands, the general public, society as a whole,

local, state (provincial) and national (federal) government and/or agencies. Representatives of

these groups or agencies could also be in attendance, given appropriate circumstances, in a larger

restorative process.

Returning to Zehr's premise (2002, p. 33) that harm creates an "obligation" (for repair)

on the part of the offender and community, one must recall Zehr's lens or perspective on the

interconnectedness of relationships between human beings. This concept of debt to be repaid or

obligation to bring restoration requires contextualization. As will be discussed, many indigenous

cultural and religious practices embrace a belief in a spiritual interconnectedness between

people. The actions and beliefs of all community members within these groups are both inspired

and governed by this tenet. For other cultures and societies this belief is held to a much lesser

degree, if at all. Differing cultural perspectives are an ever-present element in the restorative

justice conversation. Allan and Allan (2000), while discerning the therapeutic impact of the

South African Truth and Reconciliation Commission, suggest that the success of a restorative

justice process may indeed be closely related to the cultural history and experiences of those

involved. (Remaining attentive to concepts of and expectations surrounding the manifestation of

justice within one's personal culture in fact may affect the ease or struggle with which the reader of this thesis ponders and reacts to the principles and models of restorative justice herein presented.) Thus, a process of restorative justice in contemporary times is far from simple or haphazard, particularly in present day multicultural societies (Brinson et al., 2004). Attentive preparation is required to ensure that all participants are ready and willing to participate and that processes used are culturally appropriate. While detailed discussion of the four most current models of restorative justice will be summarized in sub-section 2.3 of this literature review, no one model has yet been identified as superior to another. From the field of criminal justice, Bazemore (1998, p. 772) describes the development of restorative justice alternatives as "a work in progress" suggesting that "programs and practices focused on repairing harm to the victim, holding offenders accountable, and enhancing public safety and peacemaking" all be viewed as "restorative in nature". From the field of strategic peacemaking, Schirch (2004, p. 26) writes "for peace to replace violence, relationships must be re-created by using an array of processes that address trauma, transform conflict, and do justice."

In the literature, advocates for restorative justice seem to over-enthusiastically describe restorative practices and values. Daly (2002) dramatically pinpoints several myths which repeatedly surface in these highly supportive articles. One myth is the implication that restorative and retributive models of justice are and must be mutually exclusive. This myth suggests and encourages a judgment on the part of the reader that practices associated with restorative justice be viewed as inherently good, and those associated with retributive justice be viewed as inherently bad. Daly regrets this almost reverent canonization of restorative justice and the argument that justice must manifest itself in a singular philosophical paradigm in order to be of value. Her personal observations of over 150 youth justice conferences in Australia and interviews of over 170 conference participants during 1998 and 1999 suggest that conference participants used a combination of retributive (censure for past offences), rehabilitative ("What

shall we do to encourage future law-abiding behaviour?") and restorative ("How can the offender make up for what s/he did to the victim?") elements within their shared conversation. Daly's argument that readers exploring retributive vs. restorative justice can be easily swayed into polarized points of view reinforces the power of vocabulary and semantics, themes identified earlier in the linguistic distinction between "victims and offenders" versus "applicants" (Pranis et al., 2003, p. xvi), and "restorative justice" versus "restorative action" (Kaaresmaker, 2002, p. 3). One must read this material discerningly, both identifying the point of view of the author, the context in which the restorative justice/action process is occurring, and the age of individuals involved in the "offense" before determining one's own opinion. A second myth, in Daly's view, is the claim that the "first form of human justice was restorative" (2002, p. 62). Daly views the historic origins of indigenous restorative justice practices with respectful skepticism. She suggests that the advocates' singular good vs. bad comparison between retributive and restorative justice, combined with the claim suggesting a solely indigenous origin of this form of conflict resolution, are simply avenues through which researchers simplify academic discourse rather than accurately provide an authoritative history of justice. While reading many articles on restorative justice while preparing this literature review, like Daly, I experienced a good/bad polarity in different researchers' opinions and descriptions of indigenous (restorative) forms of justice versus the traditional (retributive) justice system. The tone of many of these articles is highly enthusiastic and in many ways the concepts presented challenged my own thoughts and beliefs as an adult living in present day North America. As a school counsellor, I find myself eagerly drawn into this literature as I wrestle professionally with how and what children learn about conflict and discipline in school, and how they are frequently punished for not yet having sufficient wisdom or experience to access more socially appropriate choices. I have found the clarification of terminology, already noted by Daly (2002), Kaaresmaker (2002) and Pranis et al. (2003) extremely helpful, and the perceptions of wrongdoing and its treatment between

European and North American aboriginal cultures articulated by Baskin (2002) and Ross (1996) very powerful in terms of stretching and clarifying my own understanding and opinions.

*2.2 International, Historic, and Cultural Foundations of Restorative Justice*

Prior to modernization, generations of indigenous people shared daily life experiences with their extended families. Children, adolescents, adults and the elderly held culturally specific traditional roles and responsibilities. In time, community life evolved. Multiple families living near one another gradually exceeded the number of families living in isolation. Shared experience with decision-making led to culturally appropriate forums for self-governance in the quest for resolution of conflict. As an example, in ancient times (and in present day) community members in rural Thai villages gather with community elders, the headman and members of both victims' and offenders' families following the occurrence of a crime (Roujanavong, 2005; Ua-amnoey & Kittayarak, 2004). All parties discuss the offense and together a meaningful, restorative resolution is developed. Using McCold's (2005) terminology the involvement of all stakeholders creates a sense of inclusion, ensured community accountability and support for the outcome. Similar restorative justice practices existed within pre-European Maori and earlier societies. Bazemore (1998) identifies ancient documents, the Babylonian Code of Hammurabi (c. 1700 B.C.), the Summerian Code of UrNammu (c. 2060 B.C.), the Roman Law of the Twelve Tables (449 B.C.), the British law of Ethelbert (c. A.D. 600), as evidence of community responses to events which now, as then, would be acknowledged as serious crimes: property offenses, theft, assault, and homicide. These documents all record some form of traditional process through which families of victims and offenders gathered to determine a collective response to crime.

At first glance the reader might consider restorative justice practices as being soft on the offender, and indeed, this criticism is present in the criminal justice literature. Barton (2000) and Daly (2002), both proponents for restorative justice, counter this point of view with a reminder

that historic restorative practices did not exclude retribution. Rather, in generations past, the two

forms of jurisprudence were woven together by community members to determine justice for the

offender. In a graphic example, Barton (2000) describes how a pre-European Maori community

gathered to contemplate the penalty for a rapist murderer. This gathering had the option, by

precedence in village law, to result in the offender being executed by his own family as "utu"

(repayment) for the earlier crime. In present times, offenders participating in contemporary

Canadian Sentencing Circles often describe their experience as significantly more demanding

and meaningful on a personal level, than facing a judge in the usual court sentencing procedure

(Wilson, Huculak, & McWhinnie, 2002). In the Sentencing Circle, offenders must physically

face their victim, their own (and the victim's) family and community members, publicly accept

responsibility for their crime, and agree to terms of restitution which will be monitored by

community members. Offenders claim that it requires far more courage and determination at a

personal level, than sitting in a courtroom and remaining silent while strangers talk and a

sentence is imposed. Baskin (2002, p. 133) describes the fundamental difference between

dominant society and the Aboriginal view of justice by stating:

> In dominant society, the emphasis is on punishment of the deviant as a means of making
>
> that person conform, as a way of protecting other members of society and as a way of
>
> deterring others from committing the same offense. The purpose of a justice system in
>
> Aboriginal culture is to restore the peace and balance within the community and to
>
> reconcile the accused with his or her own conscience and with the individual and family
>
> that has been wronged.

Whether in the past or in present times, restorative justice practices value dialogue between and

resolution created by representative community members. These traditions provide opportunities

for inclusion, community involvement, personal accountability and the restoration of relational

harmony within the group. While many of the early practices of conflict resolution were lost as

nations and their respective legal systems "modernized", some, such as the *Lok Adlalat* or People's Court of present-day India, remain (Clark, 2005). Others, such as the Navajo people of North America, have just recently returned to their traditional restorative practices to settle disputes (Coker, 2002).

The presence and power of indigenous religious beliefs and practices within early pre-European communities must be mentioned as the historic nature of restorative justice is presented. Hadley (2001, pp. 8-9) writes "Restorative justice is neither a program nor a method...with its principles of repentance, forgiveness and reconciliation (it) is instead a deeply spiritual process...having spiritual roots in major world religions." These religious beliefs emphasized a deep and unique understanding of interconnectedness between the actions of an individual and his/her spiritual life, inspiring a goal for harmony in relationship between human beings and all forms of life. Schirch (2004) and Zehr (2002) specifically examine the Hebrew concept of 'shalom' as an example of one such spiritual foundation. Zehr describes shalom as a "vision of living in a sense of 'all-rightness' with each other, with the creator, and with the environment" (p.19). Crime, viewed from this perspective, violates both the victim and offender physically, emotionally and spiritually. This importance of harmony between all beings is evidenced in pre-modern cultures by the presence of specific vocabulary which names this concept. "For the Maori, it is communicated by whakapapa; for the Navajo, hozho; for many Africans, the Bantu word ubuntu, or the Afghani practice of jirga" (Zehr, 2002, pp. 19-20, 62). The centrality of re-establishing relationship even when two people, families, communities, or national groups find themselves attempting to resolve conflict is eloquently articulated by Bishop Desmond Tutu (1999), co-chair of South Africa's Truth and Reconciliation Commission. He describes traditional African jurisprudence (ubuntu) as:

> A healing of breaches, the redressing of imbalances, the restoration of broken
>
> relationships, a seeking to rehabilitate both the victim and the perpetrator, who should be

given the opportunity to be reintegrated into the community he has injured by his offense (pp. 54-55).

These ideas cause the non-indigenous North American to stop, pause, and reflect. Contemporary traditional North American justice punishes the offender, generally removes him/her from the community for a period of time, and for the most part leaves the victim to integrate his/her personal experience of the crime alone, save limited support from victim services agencies attached to most police departments (Delgado, 2000). The elements of this judicial paradigm seem at the opposite end of the relational continuum to the goals and practices of restorative justice.

To review, collective cultural practices, written codes of societal conduct, religious insight, and specific vocabulary have combined to create traditional opportunities for restoration of broken relationships between community members in a variety of indigenous cultures. It is suggested that these early restorative forums for dispute resolution began to change during the "late Middle Ages as feudal lords and kings consolidated the response to crime and social control through the power of the state" (Bazemore, 1998, p. 773). At the time of William the Conqueror in 1066 (Bazemore; Goren, 2001), the British monarchy deemed criminal acts as offenses which violated the king's peace rather than events which violated specific individuals. The mechanism for reparation which had previously been made directly to the victim was replaced either by a fine directly paid to the state or incarceration. In time, the state itself became the victim of crime. Over the next nine hundred years, any democratic legal system modeled on British law found a defense attorney representing the alleged offender, a prosecuting attorney representing the state, a judge and/or jury dispensing verdict and punishment from a courtroom, and the victim without formal voice or representation (except when offering victim impact statements prior to sentencing).

From another standpoint, Clark (2005, pp. 164-5) suggests that every society, past and present, has its own "tacit 'theory of human nature'...ranging from benign, compassionate and loving to selfish, deceitful and dangerous...(which) may vary considerably over time, changing as the result of historical events". Acknowledging the existence of what, in some cases, is an extreme spectrum of societal customs and behavioural guidelines related to anti-social behaviour, Clark (2005) describes how these theories affect patterns of child-rearing and social justice. If a child is raised in a culture which values retributive justice it is assumed that "only threat of punishment will deter social transgressions...and deceit is constantly expected", whereas children raised in a culture which values restorative justice assumes "all people are fundamentally well-meaning...*bad* behaviour is seen as a slip, which disrupts social harmony, and the central goal is to heal the rift and restore good feelings" (p.164). Basing her work in Lakoff's reference (2002, p. 65) to the conservative right of Western society as having a "Strict Father Morality," Clark (2005, pp. 165, 167) asserts that the formal justice system found in Western and some non-Western fundamentalist/religious societies assumes "that all breaches of the social code...are the sole responsibility of the transgressor...the first goal of 'justice' in such a society is to make the offender 'pay'". Clark compares this belief in human nature to the opposing point of view commonly found in major religious traditions. Now using Lakoff's (2005, p. 108) reference to a "Nurturing Parent Morality", Clark (p. 171) describes this model of society as embracing, "the ancient prophets' words ...of nurturing, caring for, loving, ...forgiveness and compassion" emphasizing that "justice must be 'fair', not punitive or demeaning." One wonders, by extrapolation about the perspective of human nature from which educational centres and school boards, for example, view students; whether the "Strict Father" or "Nurturing Parent" is at play, and how this perspective affects the manifestation of justice being exercised within school settings. It would be interesting to further research this philosophical dialogue with school boards and administrators.

*2.3 Models of Restorative Justice Within/Adjunct to the Criminal Justice System*

Within the various countries to which Lo et al. (2006) allude as having restorative justice programs operating within or parallel to their respective criminal justice systems, four models or formats of restorative practice emerge. The first, begun in North America, is known by three acronyms: (a) (VOC) Victim Offender Conferences, (b) (VORP) Victim Offender Reconciliation Program, and, more recently, (c) (VOM) Victim Offender Mediation. (For simplicity, the abbreviation VOM will be used in all further references.) The second is New Zealand/Australia's Family Group Conferences (FGC), the third, North America's Healing, Sentencing or Peacemaking Circles and the fourth, Community Reparative Boards. Each of these forums will be described in moderate detail.

Zehr (2005, p. 156) emphasizes the Christian (Mennonite) belief in the biblical vision of justice as "what God is about, to who God is, and to what we are to be" as he describes the historic Canadian origins of VOM. The first VOM experience occurred in Ontario, in May 1974 (Ammar, 2001; Kurki, 2000) as a result of consultation between a judge, a Mennonite probation officer and a member of the local Mennonite Central Committee for Volunteer Services. Following vandalism to 22 properties, the two young men who confessed to their crimes were directed by the judge to meet individually with the property owners to decide on a plan for restitution, rather than be sentenced to jail. Twenty of the possible 22 meetings occurred, and reparations were made through repayment of funds directly to the respective property owners. In the US, Victim Offender Conferences began some four years later in 1978, in Elkhart, Indiana (Kurki, 2000; Zehr). By 1997, Umbreit and Greenwood (1999) estimated the existence of at least 700 similar programs in Europe, 300 in the U.S., and 26 in Canada. Some of these VOM programs operate independently from, yet in harmony with the national system of criminal justice; however the restorative process in each country begins only after the offender admits responsibility for his/her crime. A VOM may occur in any of three circumstances - before

criminal charges are laid, as a 'diversion' before final sentencing in a court case, or post

adjudication (Kurki, 2000). Once it is agreed that a VOM will take place, the following

procedure is initiated. A facilitator or mediator (a trained volunteer from the community or in

some countries a social worker) then meets with both the victim and offender individually to

ascertain mutual consent for a shared meeting. If consent is given, both victim and offender are

prepared for the meeting's agenda. During the meeting the facilitator provides opportunities for

both victim and offender to openly share facts and their feelings about the offense and, together,

to develop an agreement for restitution. (If it is impossible for an agreement to be reached, the

case is returned to court.) A written contract documenting the agreement is signed by both

parties and the facilitator ensures that its content is honored. On occasion a follow-up meeting

between offender and victim is held once restitution has been completed. Referrals to VORP can

be made through the courts, by police, and, as well, by individual victims and offenders

themselves. Zehr indicates that originally the majority of VORP/VOC cases were property or

burglary offenses involving juveniles, however, over time, some programs have expanded to

include adult offenders and to apply the process to situations involving violent crime. Chatterjee

and Elliot (2003) and Zehr (2005) note one such program is CJI, Community Justice Initiatives

of Langley, British Columbia, whose staff co-authored *Conversation Peace*, the school-based

restorative action program which forms the core of this thesis. (CJI's years of experience and

familiarity with VOM protocols is perhaps the reason *Conversation Peace* is based in the model

of peer mediation.) Both Austria and Germany have officially incorporated VOM into their

criminal justice systems (Kurki), with Germany annually referring 13,600 cases to more than 468

programs across the country (Umbreit et al., 2005).

There are two main differences between VOM (Victim Offender Mediation) and FGC

(Family Group Conferencing) according to Kurki (2000). First, Family Group Conferencing

involves a group of family and community members who support both victim and offender, and

who demonstrate collective participation in and witness for the offender's restorative agreement with the victim. (Community involvement is also a predominate feature of Sentencing and Healing Circles.) Pranis (1997) describes the many benefits of the 24/7 availability of community members who proactively support and provide protection for victims, in addition to monitoring and encouraging behavioural and cognitive change on the part of the offender. Second, conferencing relies more often on official agencies, rather than volunteers to organize and facilitate conferences. Originating in New Zealand, and modified for use in Australia, restorative justice advocates suggest that FGCs are based in pre-European cultural traditions of the Maori people. However Daly (2002), Morris and Maxwell (1993), and Drewery (2004) are quick to declare that FGCs were designed as a concerned societal response to the disproportionate rates of incarceration of Maori people, youth in particular. The New Zealand Children, Young Persons and their Families Act of 1989, formally incorporated FGCs within the national criminal justice system. This legislation enables all youth, aged 14 to 17 years, who admit responsibility for their offense(s) to benefit from participation in a restorative justice process. These individuals are diverted from the court system to a specifically convened gathering of stakeholders which includes the victim, family members of both victim and offender, community members, specific caregivers, youth advocates, attorneys as needed, and police representatives. Facilitated by a youth justice coordinator, an employee of the department of social service rather than the justice system (Zehr, 2005), this gathering is generally allotted a two-hour timeframe in which to agree to the nature and terms of restitution to the victim. This agreement is required to be reached through consensus (Zehr) and in some cases provides sentencing recommendations for the youth court. The involvement of family and friends of the offender adds particular insight to the gathering as they have opportunity to share both their dismay at the offender's improper behaviour/actions, and their knowledge of the strengths and talents of this individual in other circumstances. Emotional dynamics between participants in

FGCs are affected by a multitude of factors: (a) style of facilitation, (b) personalities, (c) social positions and relationships between participants, as well as (d) the nature and circumstance of the offense (Harris, Walgrave & Braithwaite, 2004). These unpredictable qualities make a rigid sequence for facilitation impossible. Key elements of FGCs generally include each person's description of the offense; (the most important expression being that of the direct victim), the offender admitting his/her guilt usually through an apology to the victim, the offender witnessing the acceptance of this guilt by his/her supporters, and the empathy and compassion his/her supporters express towards the victim. Authors and researchers cited in this thesis differ as to whether or not forgiveness and/or reconciliation are required elements for a restorative conference to be considered successful. Daly (2002, p. 60), for example, suggests: "One cannot assume that subsequent actions, such as the victim's forgiving the offender or a reconciliation of a victim and offender (or others) should occur. This may take a long time or never occur." Zehr (2005, p. 199) writes: "Crime creates a debt to make right, and that debt remains regardless of whether forgiveness happens." There is, however, general agreement that respect, the presence and participation of a community of support for both victim and offender, as well as voluntary participation are vital to the work of the restorative process (Harris et al., 2004; Landman, 2001; Morrison, 2006). The offender's experience of shame, remorse, guilt and (anticipated) empathy for the victim within the conference continues to be a significant area of study for proponents of restorative justice within schools and the criminal justice system (Ahmed & Braithwaite, 2006; Harris, et al.; Morrison). Morrison and Ahmed (2006, p. 213) note that compared to offenders participating in court cases, offenders participating in restorative conferences "were more likely to perceive others as more disapproving of what they had done, more socially reintegrative (compared to stigmatizing), and more likely to acknowledge feeling bad about their actions without feeling angry and unjustly treated." This comment is reminiscent of the young offenders' experiences of "procedural justice" expressed in Strang et al.'s research (1999). In

Canada, as of April 2003, the Canadian Youth Criminal Justice Act (YCJA) formally recognized FGCs as an alternative to the juvenile court within the criminal justice system (Chatterjee et al., 2003). Based on the FGC model, the RCMP (Royal Canadian Mounted Police) officially adopted "community justice forums" (CJF) as its preferred discretionary restorative justice approach for non-violent offenses (Chatterjee et al., p. 352). While reminiscent of the New Zealand Children Young Persons and their Families Act of 1989, the Canadian YCJA is not a decision-making body; the judge is not required to accept the advice or recommendation of a conference.

The third model of restorative justice, Healing or Sentencing Circles, also emerged from North America. While according to Pranis (2005), there are nine types of Circle processes each with a different focus, "Sentencing" or "Peacemaking Circles" were developed as a response to the disproportionate numbers of incarcerated aboriginal Canadians and Americans [the 1996 (Canadian) Royal Commission on Aboriginal Peoples, cited in Kaye (2001, p. 232), reported that "in the Prairie region (of Canada), natives make up about 5 per cent of the total population but 32 percent of the penitentiary population."] As with the origins of Family Group Conferencing in New Zealand, this model draws from certain North American aboriginal healing and peacemaking traditions (Pranis, 2005); however it is not endorsed by all Canadian First Nations people (Wilson et al., 2002). As with VOM and FGC, participation in either Sentencing or Peacemaking Circles is voluntary. Given a cultural emphasis on collective responsibility and problem-solving, when a Sentencing Circle is held in a rural setting all members of the community are invited to attend. In an urban setting, the Circle could be 30 to 60 people in number (Kurki, 2000; Wilson et al.). When the circle comes together the people who choose to speak sit in an inner circle while those gathered to support and witness the dialogue sit in an outer circle. An object, generally holding specific sacred meaning for the community, becomes a "talking piece" (Pranis et al., 2003, p. 93). One, possibly two, talking pieces are used to bring a

sense of the sacred into the circle, and to maintain order. Following an opening ritual or prayer, introductions, and the stated purpose for the Circle, one talking piece is passed between each person in the inner circle. The individual who holds the talking piece is recognized as the current and sole speaker. No one may interrupt. Pranis et al. (p. 94) describe the use of a talking piece as creating a "transformative power of listening", noting "for many, the quiet, respectful listening brings deep healing." The elder or keeper of the circle may raise the second talking piece judiciously if a speaker has exceeded a reasonable speaking time.

The process of Healing and Sentencing Circles requires a much longer time commitment than a VOM and a FGC. Pranis (1997) describes the offender's initial application to the process, followed by the creation of two support systems, one for the offender as well as one for the victim (these individuals are selected by either the victim or offender). Wilson et al. (2002) indicate that in urban settings the concept of 'community' becomes relational not geographic, emphasizing that initial dialogue must build bonds between strangers in order for a sense of "community" to develop within the group. Once established, both groups would meet individually in respective Healing Circles; one for the victim, one for the offender. These Healing Circles identify components for the sentencing plan. Only when organizers are certain the victim and offender are ready and able to be in each other's presence with emotional safety would a Sentencing Circle be convened. Participants from both earlier Circles would also be in attendance. Follow-up Circles may be required when appropriate to review progress on the sentencing agreement. Coates et al. (2003) describe 28 cases referred to the South Saint Paul (Minnesota) Restorative Justice Circle (SSPRJC) process between January 1997 and June 2000 as having a duration of between one-and-a-half to two hours, and requiring, on average, four Circles per case. Sentencing Circles associated with the criminal justice system are organized in two ways. In one approach the judge refers the case to the gathered stakeholders; the agreements reached then act as sentencing recommendations. In the second approach the judge, prosecutor

and defense attorney participate in the sentencing circle; the agreement reached becomes the actual sentence (Kurki, 2000). Regardless of approach, all decisions in a Sentencing Circle must be reached through consensus (Pranis et al., 2003, p. 82) as "consensus both honors the principles and values of Circles and helps participants stay grounded in them."

Pranis (1997, p. 74) notes that Healing Circles may also be used to "provide support and share the pain of victims whose offenders are never caught" and for "adult offenders returning to the community after a prison sentence." In Canada and the US, Sentencing Circles have been in use since the 1980s (Kurki, 2000) for both juvenile and adult offenders. Differing jurisdictions hold varying views on the extent of criminal offense to which this form of restorative justice may be applied. In Canada, sentencing circles have been used to address a range of crimes from underage drinking, to sexual assault, to manslaughter. In some U.S. states, sentencing circles have also been adopted for use within social service agencies, and beginning in 1997, as a proactive method to reduce conflict in schools (Coates et al., 2003; Riestenberg, 2001).

The fourth model or format of restorative justice program is also found in the US and Canada. Community Reparative Boards are composed of five to seven volunteer but intensively trained community members who, with the court's approval, attempt to divert minor offenders from having to engage the lengthy court process of the criminal justice system. Instead, the Community Reparative Boards hold a public meeting, invite the victim and members of the community to meet with the offender, and attempt to agree upon a plan of restitution for the victim. If an agreement is reached, the committee then monitors the offender's compliance (Anderson, 2004). Offenders who fail to complete their agreements are referred back to the court system for sentencing. In the state of Vermont during 1998, 44 reparative boards handled 1,200 criminal cases (Kurki, 2000). In Manitoba, Canada, the Restorative Resolutions Project operates an equivalent program to that of Vermont's Community Reparative Boards. The agreements created within both Vermont's Community Reparative Boards and Manitoba's

Restorative Resolutions Project contain the following restorative goals: (a) restoration and healing of both victim and community, (b) understanding on the part of the offender as to effects of his/her crime, (c) learning ways on the part of the offender to avoid reoffending, and (d) the offer of reintegration from the community to the offender. Kurki (2000) and Van Patten and Siegrist (2000) reported an 80% success rate with the 4,000 offenders who have participated in the state of Vermont's Community Reparative Board process, though the specifics of success are not detailed.

*2.4 Overview of educational theory supporting CR/restorative justice programs in schools.*

Historically, education and educational programs have been based in specific learning theory and pedagogy, and developed in response to a specific need or requirement. Contemporary legislation in the US (i.e., the No Child Left Behind Act of 2001), mandates that "all instruction in academic and nonacademic areas (including prevention interventions) must be theoretically based and rigorously evaluated" (Jones, 2004, p. 233). This statement caused me to review the 60+ articles in this literature review describing CR (conflict resolution), PM (peer mediation) and restorative justice in schools. Only 11 articles mention any connection with a specific theoretical basis, and only two of these articles contain substantive comments: Shulman (1996) and Sweeney and Carruthers (1996). (Eleven of the remaining 52 articles address models of democratic educational practice such as the development of student citizenship within schools, the relationship between forgiveness, reconciliation, shame and respect as these emotions affect either victims' and/or offenders' experience of school bullying or restorative justice processes in schools.) The few articles which do provide a link between educational learning theory and CR/PM programs suggest a mixture of theoretical foundations.

Most peer mediation programs incorporate experiential learning into their training modules. These lessons typically involve instruction, preparatory role play and the practice of learned skills within a student's life at school (Moffat, 2004; Schellenberg et al., 2007). Moffat

(p. 14) stresses that ongoing support for experiential education is "crucially depend(ent) on the pedagogic discourses used to justify or legitimate it", and compares differing theoretical constructs of the term *experience* (as found in experiential learning) within educational thought. According to Moffatt, in Behaviourist and Piagetian perspectives, experience learning is viewed as a "process of filling up minds with various types of experience", while the Interactionist traditions of Dewey and Vygotsky, experience is described as "meaningless unless interpreted in a social situation by means of reflective thought – and action" (p. 14). Moffatt argues that both interpretations are true to their respective theoretical traditions; however the unique definitions of the constructs themselves affects the general understanding of how children learn, and by extension, the design and implementation of skill-based training programs. This one illustration demonstrates the challenge of the all-too-brief pedagogic dialogue regarding peer mediation training found in the literature. It appears evident that this educational process overlays several theoretical foundations. The following researchers refer highlight these examples: (a) Dawson and McHugh (2006), Harris (2005) and Singh (1995) reflect on Bandura's Social Cognitive Theory as they examine the construct of 'modelling' within the four main elements of CR - attention, retention, reproduction and motivation; (b) Sweeney and Carruthers (1996) and Singh (1995) refer to a correlation between a student's ability to navigate instances of interpersonal conflict with Erikson's (1950) theory of Ego Development; (c) Shulman (1996) refers to Kohlberg's development stages and his concept of role-taking as imperative in the promotion of cognitive and moral growth. Several of these theoretical bases and their relationship to CR/PM education will now be explored in more detail.

Behaviourism emerged from scientific disciplines in the latter part of the 19th century. Evolving from the work of John Locke, Ivan Pavlov , Edward Thorndike, John B. Watson, and B. F. Skinner, Psychological Behaviourism purported to "explain human and animal behaviour in terms of certain physical stimuli responses and learning histories and (for certain types of

behaviour) reinforcements" (Graham, 2005, Three Types of Behaviorism section, para. 2). Highly controlled experiments and experimental environments were constructed to study overt responses to stimuli; "learning" was considered a conditioned response given the subject's repeated exposure to specific, though not necessarily, pleasurable stimuli. As mental processes were unobservable, they were of less importance than those overt responses which were measurable, and hence more "scientific". Also known as the Stimulus-Response Theory of Learning (Coker & White, 1993), Skinner (1971) suggested the stronger the connection between the stimulus and the response, the more effective the learning. However, in terms of punishment, which Skinner (p.61) described as necessary to "induce people not to behave in given ways... to suppress unwanted behavior," consistently punishing students for poor choices (as public school "zero tolerance" policies presently do) should result in the extinction of a negative behaviour. Yet in most schools there are at least a few students who continue to misbehave even following repeated disciplinary action (punishment). Clearly there is more to learning than a simple, mechanistic stimulus-response situation, and as Skinner himself said, "when we punish a person for behaving badly, we leave it up to him to learn how to behave well"(p. 69). In Behaviourist terms the role-playing modules of CR and PM training programs allow students to witness the presentation of a conflict between two or more parties (a stimulus), the complex process of mediation (a response), and its peaceful resolution, as positive reinforcement.

The extensive collection of research and writing by Jean Piaget evolved from the work of Jean Jacques Rousseau and held similarities to Piaget's contemporary, Maria Montessori. All three encouraged educators to view children as having qualitatively different learning experiences from adults. Observation of children's intrinsic curiosity and active exploration of objects/activities in their environment became the focus of Montessori's educational pedagogy and Piaget's experimental research. Both Montessori and Piaget believed that children progressed at their own pace through culturally universal stages of development. Opposing the

belief of Maturationalists, who believed children's stages of development were genetically determined, Piaget (and later Kohlberg) believed that through *assimilation to* and *accommodation of* the environment children are constantly constructing and modifying their own increasingly complex cognitive structures or *schemata* (Piaget, 1954). Sweeney and Carruthers (1996) suggest a parallel between Piaget's principles of assimilation and accommodation and CR practices of compromise and collaboration. In terms of CR/PM in schools, Piaget's work would suggest that children in the latter three developmental stages, Preoperational Thought (2-7 years), Concrete Operations (7-11 years), and Formal Operations (11 years-adulthood) would have differing levels of ability to comprehend conflict and participate within these programs. Generally speaking, Preoperational children who are viewed as egocentric by nature would likely consider all situations from their own point of view. Children within the developmental stage of Concrete Operations, while beginning to explore moral judgment, would be constrained by moral *heteronomy*, a "blind obedience to rules imposed by adults…a form of egocentric thought" whereas children within Formal Operations are believed to have acquired *autonomy* where rules are considered as "human devices produced by equals for the sake of cooperation" (Crain, 2005, p. 129). Piaget, and other theorists who recognize developmental stages of learning, would suggest that CR and PM programs must ensure their content is appropriately modified to meet intrinsic interest and learning needs of children within their developmental levels. Articles authored by Cassinerio and Lane-Garon (2006) and Johnson and Johnson (1995, 2001a) emphasize this point.

Lev Vygotsky's Social-History Theory of Cognitive Development (Crain, 2005) or Developmental-Interactionist Approach to Learning (as cited in Wink & Putney, 2002) recognized a combination of two forces – *internal* and *cultural* - as having significant roles in a child's cognitive development. Like Piaget, Vygotsky (1978) recognized *spontaneous or everyday concepts* which children between birth and approximately two years of age intrinsically

acquire through their exploration of and interaction with their environment. (As an example, the acquisition of oral speech seems a universal and spontaneous experience of learning for all young children.) Vygotsky emphasized that, from age two onwards, the child's mind was influenced by *sign systems* found within his/her cultural heritage; formal instruction in both written and numeric communication was viewed as an essential component to the child's later awareness and articulation of abstract thought or theoretical reasoning. Human speech in Vygotsky's terms was considered a *psychological tool,* a personal *sign system,* which helped each individual refine his/her personal ideas or beliefs, respond to his/her environment and develop independent thought (Crain).

While Piaget believed that development preceded learning, Vygotsky believed that learning preceded development (Wink & Putney, 2002). His construct, the *zone of proximal development (ZPD),* emerged as a dynamic and reciprocal avenue through which physical and social/emotional practice increased individual competence; "the zone of proximal development today will be the actual developmental level tomorrow" (Vygotsky, 1978, p. 87) More than a theoretical construct, the *ZPD* becomes a transformative classroom process when "through dialogic and collaborative practices, learners personally reformulate a problem and then formulate a possible solution in their own words" (Wink & Putney, 2002, p. 102). This is an apt description of CR/PM training where role-play permits children and adolescents to cooperatively refine and improve their skills at peaceful resolution to conflict.

Albert Bandura (1969), author of Social Learning Theory, emphasized that learning occurs through observation and imitation of others, and thus is cognitive by nature. Bandura divides this experience into four sub-processes: (a) *attention,* (b) *retention,* (c) *motor reproduction* and (d) *reinforcement/motivation. Attention* requires that the student direct his/her focus onto critical aspects of the model's behaviour. *Retention* requires that the student, having observed the model, now transfers that information to his/her own memory in order to access its content at a

later time. *Reproduction* signifies the student is physically able to reproduce the model's behaviours independently at a later time. *Motivation* represents the student's impressions or expectations regarding receipt of positive reinforcement from others when he/she reproduces the model's behaviour. Reinforcement of behaviour, whether positive or negative, acts as the motivator for either the repetition or cessation of a particular behaviour. Three factors are believed to determine the observer's interest and motivation to learn: (a) person modeling the new behaviour is similar in some fashion to the observers, (b) the competency of the person modeling the new behaviour sets a high standard for imitation, and (c) the level of perceived status of model has a great impact on those who wish to imitate his/her behaviour (Harris, 2005).

Harris (2005) describes in detail the comparison between Bandura's four processes of learning and the peer mediation model. As disputants are welcomed to each session with the mediator, they experience acceptance. Their *attention* is drawn to the role and demeanor of the mediator. Storytelling describing the conflictual incident and description of the stages of mediation allows *retention* and *reproduction* of the mediator's cooperative and collaborative manner. The mediator's demonstration of effective communication in combination with non-judgmental and peaceful problem-solving skills provides *motivation* for disputants to achieve resolution successfully. This overall experience provides information and insight, ultimately indicating through the multi-layered subtlety of modeling how skills and experience can lead to changes in behaviour. Bandura (2003) argued that Piaget's stages of development in addition to his two-stage theory of moral reasoning were false and artificial. Instead, by providing children with modeling of alternate behaviours, children in Bandura's experiments demonstrated behaviours contrary to those which Piaget had earlier stated were possible. Thus within Social Learning Theory, the role of modeling and the environment is central to the acquisition of learning. In the context of peer mediation, all children, regardless of age, given exposure to modeling of peaceful conflict resolution through peer mediation/restorative justice training

would be able to experience what Moffat (2004, pp.14-15) described as the unique "pedagogy of peer mediation... communication, cooperative problem-solving, ...positive self-feelings and attitudes such as empathy, acceptance and future-oriented rather than blame-oriented approaches to problem-solving."

*2.5 The Many Forms of and Factors Influencing Student Aggression*

Present day public schools provide education to a student population with diverse needs. In ideal circumstances, all children and adolescents regardless of age, class, religion, gender, racial background, sexual orientation, family constellation, socio-economic status, learning ability or disability, would eagerly participate in the learning process and lead healthy, socially and academically successful lives. Realistically, the day-to-day climate for learning within public schools is far from optimum. Statistics on the current climate of US public schools indicate increases in student absenteeism, suspension, expulsion, drug use, verbal and/or physical bullying and other forms of school violence including sexual assault and murder (Johnson & Johnson, 2001b; Johnson et al., 1995; Shulman, 1996; Van Patten & Siegrist, 2000). Of parallel concern is the increase in mental health concerns of public school students, exacerbated by these conditions (Greenberg, Domitrovich, & Bumbarger, 2001; Tschannen-Moran, 2001; Wood, 2006). Students fearful for their emotional and/or physical safety will be distracted from learning; therefore school districts and departments of education are increasingly challenged to deliver effective, evidence-based preventative and core curricula which promote the combined goals of academic success, enhanced health and prevention of problem behaviours (Greenberg et al., 2001, 2003). Educational research into the various forms of peer-to-peer aggression which occur at school, and the school's possible preventative response to such behaviour, is the focus of a lively and evolving area of academic dialogue.

Historically, aggressive behaviour in children has been challenging to define, to explain and to accurately measure (Tremblay, 2000). After many years, researchers still fail to agree on

a singular definition of aggression. I provide two of the many existing definitions of aggression as examples of this controversy. Loeber and Stouthamer-Loeber (1998, p.242) define aggression as "those acts that inflict bodily or mental harm on others," while Underwood, Galen and Paquette (2001, p. 249) define aggression as "behaviour (that) is intended to harm and. . . is perceived as hurtful by the victim." The latter definition emphasizes aggression as an intentional behaviour, the former does not. Either of these definitions could be accurate, depending on one's philosophical belief of human nature. As illustrations of these differing perspectives, Lorenz (1966) described humans as naturally aggressive and having to learn ways to control their aggressive tendencies, while Bandura (1973) declared that aggressive behaviour is learned over time. Consider an observer witnessing an infant or a 12-year-old child hitting another child. The same behaviour has occurred, yet the observer's opinion of the degree of intent regarding the child's action will likely affected by the age of the offending child, and the context and circumstance preceding the aggressive act (Tremblay). As aggression is often measured through an isolated or combined form of self, peer, parent and/or teacher evaluation, the process by which a researcher determines the onset of intentionally aggressive behaviour for a young child or measures the degree of intention in the actions of older children/adolescents remains complicated. For purposes of simplicity, the following cursory look at aggression in children and adolescents is presented from the perspective that this behaviour is learned.

Prior to the mid-1980s two common myths about aggression in children and adolescents existed: (a) aggression was believed to be solely *physical* in nature (i.e. hitting, kicking, shoving, punching, etc.), and (b) only boys participated in such behaviour. Today, several other forms of aggression (*verbal, indirect, overt, covert, social* and *relational*) have been documented, and the myth that boys alone engage in aggressive behaviour was contradicted some 20 years ago when researchers like Lagerspetz, Bjorkqvist, and Peltonen (1988, p.412) reported: "The social life of (11- to 12-year-old) girls is more ruthless and aggressive than has been suggested." Since then

researchers continue their investigations into the nature of human aggression; explore its possible predictors; isolate, when possible, the role of gender and other factors in the projected trajectory of aggression over time; and identify systemic elements within schools which either escalate or diffuse aggression within the student population.

Researchers propose that in most situations children's aggression changes with developmental maturation from overt aggression (physical and verbal) to covert aggression (indirect) (Bjorkvist, 1994, Bjorkvist, Lagerspetz & Kaukianinen, 1992; Cairns, Cairns, Neckerman, Ferguson & Gariepy, 1989; Lagerspetz et al., 1988). These studies suggest that *physically aggressive* behaviour is observed in preschoolers as early as 17 months of age. This behaviour continues until the child is between 30-42 months of age, and generally subsides as the majority of children begin to learn alternative ways to communicate and self-regulate (Broidy et. al., 2003; Tremblay, 2000; Tremblay et al., 2004). For a percentage of the preschool population however (14% in Tremblay et al.'s (2004) study of 572 preschoolers), high levels of physically aggressive behaviour do not decline but continue into their public school years. The behaviour of these children invariably negatively affects the physical and mental well-being of their peers, and they, themselves, are most at risk of alcohol and drug abuse, accidents, violent crimes, depression, suicide attempts, spousal abuse and neglectful, abusive parenting in later life (Tremblay et al., 2004). Tremblay et al. (2004) suggest that two key predictors for preschoolers maintaining high levels of physically aggressive behaviour throughout their childhood are (a) mother's coercive parenting behavior, and (b) family dysfunction. Continuing high levels of physical aggression in 8-16 year-old children/adolescents has been linked to marital conflict, poor family functioning, coercive and punitive parenting styles, and low social support (Cummings, Goeke-Morey & Papp, 2004). Black and Krishnakumar (1998), Kerr (2004), and Samaan (2000) document the high percentage of American and Canadian children who attend school with increased levels of anxiety, depression, and difficulties with concentration,

associated with the stress of poverty, while First Call: B.C. Child and Youth Advocacy Coalition

(2007) reports that British Columbia has the highest child poverty rate in Canada - 20.9% versus

the national child poverty rate of 16.8%. Given this research (and that which follows) and the

accompanying statistic from British Columbia, there is no mystery as to why children

demonstrate aggressive behaviours while at school.

As the majority of children mature and gain proficiency with spoken language, *physical*

*aggression* gradually decreases. Mastery and refinement of spoken language provide new

opportunities to be heard and seen. *Direct verbal aggression,* delivered in the form of shouting,

threats, put-downs, and name-calling begins. At school, children encounter between 30-800

people each day in both highly supervised instructional settings such as classrooms, and less

supervised settings such as the school playground. *Physical* and *verbal aggression* are

experienced in both settings, unfortunately, while increased opportunities to practice social skills,

can lead to often painful interpersonal experiences with *indirect aggression.* Defined as "a type

of behaviour in which the perpetrator attempts to inflict pain in such a manner that he or she

makes it seems as though there has been no intention to hurt at all" *indirect aggression* is

"dependent upon maturation: (as) a certain level of both verbal and social skill is needed"

(Bjorkqvist et al., 1992, p. 118). In 1988, a study by Lagerspetz et al. found that while boys and

girls (of ages 11-12 years) displayed equal amounts of verbal aggression, girls demonstrated

more *indirect aggression* (takes revenge in play, starts being somebody else's friend in revenge,

tells an untruth behind someone's back, etc.), whereas boys used more *direct aggression*

(tripping, swearing, kicking, hitting or shoving) with their peers. Ten years later a study by

Osterman et al. (1998) found international support for gender differences with *indirect*

*aggression* in their study of 8-, 11-, and 15-year-old children in five countries. Vaillancourt,

Miller, Fagbemi, Cote and Tremblay (2007) who studied the trajectories and predictors of

indirect aggression for approximately 23,000 Canadian children between two and ten years of

age, offer these results from their ten year study: (a) indirect aggression increased in children aged 4 - 6 years, but remained stable for children between 6 - 10 years; (b) mothers reported greater use of indirect aggression by their daughters than their sons; (c) over time girls follow a developmental trajectory of declining physical aggression and increasing indirect aggression from early to middle childhood; (d) at age 4 there was little difference between the amount of indirect aggression used by either girls or boys; (e) indirect aggression at ages 4-10 was associated with lower SES (socio-economic status) and hostile/ineffective parenting, and inconsistent parenting at age 2, and these findings were stronger for girls than for boys; (f) being female strongly predicted indirect aggression use at age 10 and lastly; (g) 35% of children increased their use of indirect aggression as they aged. As evidenced by this research (Vaillancourt et al., 2007), if left unchallenged, *indirect aggression* becomes a habitual form of behaviour increasing as the child ages, for a portion of the population.

Turning now to the definitions of *relational* and *social aggression,* Bowie (2007, pp. 107-08) defines *relational aggression* as "the purposeful intent to inflict harm on another through a social relationship" and provides the following examples of such behaviour: (a) withholding friendship, (b) exclusion from social activities, and (c) telling tales or gossiping about a peer. *Relational aggression* is considered a

> distinct form of *social aggression* which may involve indirect, verbal, and covert acts
> designed to injure a person by damaging his or her reputation and social status, excluding
> him or her from peer networks, and humiliating him or her within a peer group (Merrell,
> Buchanan & Tran, 2006, p. 356).

It may be manifested through either *direct* or *indirect* aggression (Underwood, et al., 2001a).

The term *relational aggression* was formally introduced into the research literature by Crick and Grotpeter (1995), who, at the time, found this behaviour to be significantly higher in

(Grade 3-6, aged 8 – 11) girls versus boys. Similar to suggested predictors of *physical aggression*, Hart, Nelson, Robinson, Olsen, and McNeilly-Choque (1998) suggest that a preschool child's increased use of *relational aggression* in later childhood can be predicted by the observations and experiences of his/her parents' style of behaviouir at home during the child's preschool years. This study, undertaken in Russia, indicates (p. 695): "Lack of paternal responsiveness and more maternal coercion remain significant contributors to overt and relational aggression (in children)" and provides some evidence as to the cross-cultural nature of these predictors of *relational aggression* in children.

The term, *social aggression,* which also contains aspects of *indirect aggression* was defined in 1997 by Galen and Underwood (p. 589) as:

> Aggression among girls consist(ing) of more subtle behaviours…like physical aggression, social aggression is also directed toward inflicting harm on another, but it achieves this goal in a different way. Social aggression is directed towards. . . damaging another's self-esteem, social status, or both and may take direct forms such as verbal rejection, negative facial expressions or body movements, or more indirect forms such as slanderous rumours or social exclusion…(this) class of behaviours belong together because they serve the same function: to hurt another person by doing harm to her self-concept or social standing.

It should be noted that *social aggression* is the only category amongst the many forms of aggression which specifically includes nonverbal behaviours such as facial expressions, and in the case of the definition above, is gender specific. Recent reviews of research literature exploring *indirect/relational/social aggression* such as the study by Underwood et al. (2001a, p. 258) now suggest that previously reported gender differences in aggressive behaviour, cited earlier by Crick and Grotpeter (1995) and Galen and Underwood (1997) should be viewed with

caution as they "depend very much on the method (of measurement) used (during the research)."

Merrell, Buchanan and Tran (2006, p. 356.) similarly declare:

> Although some early conceptualizations of relational aggression considered it a
>
> characteristically female form of antisocial behavior, the research to date on this issue has
>
> proven to be complex, defying simple explanation...there are many exceptions and
>
> opposing findings to these trends. . . many boys who engage in high rates of antisocial
>
> behaviour tend to be 'versatile' ...they may incorporate both relational and physical
>
> forms of aggression into their antisocial repertoire.

To conclude this segment of the literature review without mentioning (elementary)

*bullying* behaviour or (secondary) *peer harassment* (Beran, 2008) within the context of student

aggression would be folly. *Bullying/peer harassment* is considered a subset of aggressive

behaviour, and consists of three criteria (Olweus, 1994): (a) negative actions – the intentional

infliction of harm on another person, (b) a power differential – whether perceived or actual, the

targeted child is unable to defend him/herself or stop the bullying, and (c) repetition – the

behavior is repeated and occurs over time. *Bullying/peer harassment* is demonstrated by both

males and females, singularly or in a group, and can be expressed through all forms of

aggression, *physical, verbal, indirect, relational or social* (Smith, 2004), generally depending on

the age of the children/adolescents involved. Horne, Stoddard and Bell (2007, p. 263) write:

> Bullying and aggression tend to increase from elementary to middle school, generally
>
> peaking in sixth grade. In high school, fighting, incidences of carrying weapons, and
>
> injuries due to fights decline from ninth grade to twelfth grade, perhaps due to an increase
>
> in social competence and overall maturation, or, more pessimistically, because of
>
> increase in the high dropout rate or even incarceration of aggressive students. The lower
>
> victimization rate may also be a result of victimized children leaving school as soon as
>
> they are legally allowed.

Given this brief developmental overview of student aggression and bullying/peer harassment, the day-to-day environment of a child's school has tremendous potential to affect each student's positive growth, healthy emotional well-being, and academic achievement (Merrell et al., 2006). Reis, Trockel and Mulhall (2007, p. 325) in a study of 198 US middle schools (grades six, seven and eight) suggest that school climate could either "echo themes of coercive and disciplinary parenting or provide the child with an environment supportive of individual achievement and prosocial behaviour." Hamilton (2008) describes completely reconceptualizing school disciplinary theory and practice and thus positively affecting school climate, through the adoption of restorative justice. With so many educational initiatives of value, and so many commercial programs available for implementation, it is no surprise that schools and school districts may have difficulty selecting appropriate evidence-based programs to meet their specific needs. According to Greenberg et al. (2003, p.467), "Educational initiatives to address specific areas of concern such as HIV/AIDS, alcohol, careers, character, civics, conflict resolution, delinquency, dropout, family life, health, morals, multiculturalism, pregnancy, service learning, truancy and violence" most often fail because they are introduced "as a series of short-term, fragmented initiatives,... (and) without strong leadership and support from school administrators, there is rarely adequate staff development and support for program implementation." The current state of prevention and intervention research focusing on social and emotional concerns in schools is identifying systemic approaches to reducing antisocial behaviour by blending a broad umbrella of social emotional learning and positive behaviour support interventions (Merrell et al., 2006; Sugai & Horner, 2002).

In 1994, out of concern for how best to assist educators in the selection of effective prevention programs for their schools, an international group of school-based prevention researchers, educators and child advocates formed the Collaborative for Academic, Social and Emotional Learning (CASEL) (Greenberg et al., 2003; Payton et al., 2000). The mandate of this

organization is to "ensure planned, ongoing, systemic and coordinated SEL (Social and Emotional Learning) instruction . . . began in preschool and continued through high school (Greenberg et al., 2003, p. 468)." The CASEL framework for evaluating SEL programs (Payton et al., 2000, p.2) indicates successful programs

> provide systematic classroom instruction that enhances children's capacities to recognize and manage their emotions, appreciate the perspectives of others, establish prosocial goals and solve problems, and use a variety of interpersonal skills to effectively and ethically handle developmentally relevant tasks.

Recent and extensive evidence-based studies of many elementary and secondary prevention programs (Greenberg et al., 2003; Greenberg et al., 2001; Payton et al., 2000; Poynton, 2006; Stevahn, 2004) have noted an impressive link between the development of social/emotional competences, prosocial behaviour and academic achievement. Poynton and Zins, Bloodworth, Weissberg and Walberg (2004) support the implementation of *curriculum-integrated* models of prevention programs, and Stevahn more specifically, CR/PM programs as they are linked to problem-solving strategies within core curriculum areas.

*2.6 Types of Conflict Resolved Through Peer Mediation/Restorative Justice Programs in Public Schools*

The types of conflict referred to peer mediators in schools, according to Johnson et al. (2001a), who documented 206 student conflicts in K-Grade 4, noted 91% of conflicts were (not surprisingly) based in relationship problems; 41% involving physical aggression and 50% involving verbal aggression. Daunic et al. (2000) in their study of three middle schools (Grades 7-9 or 8-10) noted that situations of verbal harassment, name-calling, threats, and spreading rumor/gossip were referred to peer mediation more frequently than incidences of physical aggression. Guanci (2002) noted that 95% of mediations within his middle school study included rumors as a trigger to the conflict. Rumors, name-calling, teasing, pushing/shoving,

harassment, threats, intimidation, bullying, property issues, cliques, verbal and physical fighting, boyfriend/girlfriend conflict, and issues of prejudice, all forms of physical, verbal and indirect aggression, were also referred to mediation. When reviewing the above list of conflicts addressed successfully through peer mediation, the reader is reminded that such programs augment already existing school disciplinary policies; they do not replace them. School personnel carefully scrutinize the nature of the conflict, personalities and readiness of the disputants involved before steering the resolution process either to peer mediation, the traditional adult-oriented disciplinary model or to some combination of both. Ierley and Classen-Wilson (2003, p. 205) raise an important caution: that "In situations of severe power imbalances (i.e. bullying/peer harassment) bringing offenders and victims together may do more harm than good." As will be evidenced later, the discernment of the types of conflict/disputants referred to mediation is a pivotal point in the potential for a successful outcome to the mediation.

In terms of quantitative results of peer mediation, Bickmore's (2002) study documented the implementation of peer mediation programs in specific schools within Cleveland Ohio's public school system between 1997 and 1999. Her results were twofold. Schools which implemented the peer mediation programs noted: (a) the results of proficiency tests in reading achievement for Grade Four students were higher than average scores across the district, and (b) suspension rates in these schools dropped by 25%. By comparison, Cleveland schools which did not implement CR programs experienced a 2% increase in student suspensions. Bell et al. (2000), who studied the implementation of a peer mediation program in a rural American public school enrolling 798 Grade 1-8 students, noted the percentage of suspensions based on total enrollment decreased from 74% to 54% during the first year of implementation. No significant differences for grade, sex, or race were identified in this study. Guanci (2002) notes that within three years of the implementation of a peer mediation program within a Massachusetts middle school (Grade 6-8), the out-of-school suspension rate dropped from 18 to 4%.

In some studies (Bell et al., 2000; Johnson & Johnson, 2001a; Smith et al., 2002), small sample sizes limit conclusions for program efficacy, social validity, and generalizability. In other studies, such as Johnson and Johnson (2001b), poor reporting also seems to interfere with quality results. In 2001(b), Johnson and Johnson reported the successful results of 17 studies on the effectiveness of *whole school* conflict resolution training in eight different schools: (a) one year after the training an average of 75% of students were able to recall all steps in the mediation process, (b) interviews with participating teachers indicated an 80% reduction in the number of school-related conflicts in which they were required to be involved, and (c) interviews with school principals indicated a 100% drop in student conflict requiring their attention. Unfortunately detailed documentation within this specific meta-analysis is thin. In some instances information regarding the duration of the specific study or existence/size of the corresponding control group are not provided. While Johnson and Johnson report (2001b, p. 19) that "a number of participating teachers and principals were interviewed," they give no specifics as to exactly how many school staff were involved in the 17 studies and, of that number, the actual percentage interviewed for the meta-analysis. A comment such as "teachers report frequency of student-student conflicts dropped by 80%" (Johnson et al., 2001b, p. 19) is dramatic yet impotent if the reader desires specific data as to prior levels of student-student conflict, number of students within the study, and whether the implementation of one particular CR/PM program replicated similar results within other school settings.

Relatively recent findings in educational peer mediation and conflict resolution research indicate the most successful preventative programs are: (a) being applied within core subject areas in addition to receiving their own instructional time, (b) are installed within the school year for the long term - becoming fully recognized as a "core" component within the overall school program, and (c) involve parental education and support (Johnson & Johnson, 2001b; Stevahn, 2004). Jones (2004) reports that optimal results of CRE education within elementary schools are

best obtained through a two-tiered implementation process. She suggests this begins with specific program delivery in the Primary years (Grades 1-3) followed by the integration of CRE practices within Intermediate (Grades 4-7) curriculum subjects: Language Arts, Social Studies, Math, and Science. Other factors affecting the successful implementation of CR/PM programs in schools are: (a) an already cooperative school culture (Sellman, 2002), (b) having access to a confidential physical meeting space for the mediation, (c) publishing a scheduled timetable formalizing times for initial mediation and the follow-up meetings with disputants (approximately one week after initial mediation) within students' timetables (Angaran et al., 1999; Bickmore, 2002), (d) committed administrative leadership (Bell et al., 2000), (e) consistency of program leadership/coordination, (f) ongoing publicity for program, and (g) funding for mediator training (Daunic et al., 2000; Guanci, 2002). Additionally, Guanci stresses the importance of timeliness when activating a peer mediation process, recommending no more than 24 hours pass between the referral and actual mediation. Ierley and Claassen-Wilson (2003) recommend the use of restorative justice practices in regularly scheduled class meetings within elementary schools, so that each class in itself becomes a venue for daily or weekly opportunities for mini peer mediations.

Restorative justice and peer mediation programs have been piloted in a variety of forms within a number of public schools and school districts in Canada, the United Kingdom, the United States, New Zealand, and Australia during the last 12 years (Brinson et al., 2004; Cassinerio & Lane-Garon, 2006; Dawson & McHugh, 2006; Drewery, 2004; Drewery & Winslade, 2003; Fields, 2003; Harris, 2005, Hopkins, 2002; Karp & Breslin, 2001; Lindsay, 1998; Matloff & Smith, 1999; Morrison et al., 2005.) Though in its infancy in terms of published research, the implementation of restorative practices within schools is being described as a versatile and preventative process which provides many benefits to school communities (Chmelynski 2005; Coates et al., 2003; Hopkins, 2002; Morrison, 2006; Riestenberg, 2001;

Varnham, 2005b). These benefits include: (a) a reduction of school violence, (b) the instruction of positive problem-solving skills to both students and staff, (c) an increase in academic achievement, and (d) conflict resolution processes which are culturally appropriate/sensitive to the student body they serve. While there is general agreement that a commitment of between 3 and 10 years is required in order for the culture of an entire school and school district to embrace the tenets and practices of restorative justice, satisfaction of participants and data on recidivism indicate positive change beginning to occur within the first several years of implementation (Bell 2000; Guanci 2002; Johnson & Johnson, 2001b). Schellenberg et al. (2007) describe meaningful data being achieved within 2-5 years from the implementation of *Peace Pals*, a peer mediation program in a K-5 school in the mid-Atlantic region of the United States. Chmelynski (2005) describes the implementation of *SaferSanerSchools*, a restorative justice program developed in the US, which has been implemented in 30-40 schools in the US, Canada, Hungary, the Netherlands, South Africa, and the United Kingdom. Piloted in Palisades High School (Pennsylvania) in 1998, within five years "disciplinary referrals to the school office fell from 1,752 to 815, incidents of disruptive behaviour fell from 273 to 142, and out-of-school suspensions fell from 105 to 53" (Chmelynski, 2005, p.20). Drewery and Winslade (2003) indicate that in 29 New Zealand schools the suspension rate for secondary students participating in the Suspension Reduction Initiative (SRI) using restorative practices dropped from 76 to 48 students in one year. Within the first year of implementation at her middle school in Georgia, Thompson (1996, p. 154) notes "Suspensions decreased by 50% during the first year and second years (of the program, and) 90% of the mediation cases were resolved." Similarly Riestenberg (2001), in her three-year summary of restorative justice programs at public schools in four Minnesota school districts, describes a consistent reduction in out-of-school suspensions and behaviour referrals to the school office. Describing statistics from Lincoln Centre School, she writes:

In two years of (healing) circle application, behavioral referrals for physical aggression

reported to the office went from seven per day to less than two per day...in spite of the

introduction of a district-wide policy requirement that teachers must report any and all

physical violence to the office. (p. 10)

Again, controversy presents itself in situations of severe conflict where school personnel must

determine whether or not a restorative process is appropriate. Roher et al. (2004, p. 209) indicate

that "restorative justice will not work in situations where offences have involved sexual assault

or other grave criminal acts" while Stinchcomb, Bazemore, and Riestenberg (2006, p. 135)

indicate that the inter-agency South Saint Paul Restorative Justice Council addressed severe in-

school offenses including "vandalism, serious sexual and racial harassment, assault, theft and

arson." It is the responsibility of those in charge of an in-school restorative justice program to

determine whether the nature of the conflict and disputants involved would be appropriate for

this form of resolution. In a school setting (and in other settings) the manner in which the

offender's shame and/or guilt is managed often determine whether the conflict resolution is

successfully resolved or whether it escalates into more aggression. Zehr (2005, p. 50) writes:

"I'm convinced that guilt is behind much of the anger which offenders express. Guilt which is

accepted becomes anger at oneself. Guilt which is denied can become anger at others. Ahmed

and Braithwaite (2006, p. 348), who conducted extensive research on the appropriate release of

shame within restorative forms of conflict resolution in schools, note the resulting de-escalation

of anger and violence in schools:

Because relational difficulties loom large in the vast majority of accounts of bullying

behaviour, restorative justice is an intuitively appealing kind of intervention to

recommend for such cases. The effectiveness of restorative justice... largely depends on

the degree to which some key relational parameters can be altered, specifically

acknowledging wrongdoing, awareness of harm done, willingness to make amends, and offering apology.

This literature review concludes with two thoughtful insights into restorative justice in schools. One focuses on the integrity (or lack of) between the theoretical principles/values of restorative justice and actual program implementation, the other exemplifies the authentic voice of a school principal who experienced a transformation in terms of his own paradigm for behavioural discipline as a result of his experience with the restorative justice program in his school. In terms of the fundamental core of restorative justice as a non-violent form of conflict resolution, Watt (2005) emphasizes the importance of congruence between theory and practice at every level of program implementation. Watt argues that the imposition of a restorative justice program onto school administrators or school staff uninterested in the adoption of this philosophical approach is in itself contrary to the philosophy of non-violence. To force this program upon those uninterested or unwilling to participate violates the basic tenet of voluntary participation, respect and personal choice. Thus, to remain congruent, school board decision-makers wanting to initiate this program within their schools must endeavour to work patiently and respectfully with all teachers/administrators, assessing their level of readiness for program implementation. And, to illustrate the type of transformation which is possible for school staff who may initially resist a restorative justice based conflict resolution program within their school, one middle school principal from Kintnersville, Pennsylvania writes:

I had an epiphany...a metamorphosis. . .I used to be one of these black-and-white, law-and-order guys. Kids had to be held accountable, and the only way to do that was to kick them out of school – to show the other kids that you're the boss...but that doesn't work. I didn't solve problems. I just postponed them until they got to high school, and then somebody else had to deal with them. Restorative practices work. We now fix and solve problems. (Chmelynski, 2005, p. 20)

The power of this narrative account, in addition to the research cited in this literature review, propels me to explore the experiences of local school counsellors who have actually implemented *Conversation Peace*, a locally developed "restorative action" program for use in public schools. These are the individuals who, in my opinion, monitor the day-to-day support and structure of the program, provide ongoing support/training to student mediators and bear witness to the outcomes of peer mediation, in addition to their many other duties. This thesis will provide an opportunity for the voices and experiences of these school counsellors to be heard.

CHAPTER THREE

Methodology

Narratives obtained through semi-standardized interviews (see Appendix A) with school

counsellors and a teacher working with *Conversation Peace* form the core of this study. In my

opinion, these narratives offer clear insight to those who may wish to (a) undertake training and

implementation of *Conversation Peace* in their own schools in the future and/or (b) desire to

familiarize themselves with themes which emerged from those individuals already using this

peer mediation program. My rationale for selecting categorical-content analysis (Lieblich et al.,

1998), which I used to synthesize the narrative material, was its emphasis on narrative content

rather than form. In contrast to the holistic model of narrative research, where an entire narrative

is viewed as a whole experience and specific segments are reviewed or compared with other

segments within that same specific story, categorical-content analysis compares experiences,

opinions, perceptions of the same concept or theme through the voices of different individuals.

During my reading and rereading of the interview transcripts, this method of analysis enabled me

to group the narrative material into themes or categories in order to better reflect upon a

particular concept or experience shared by the research participants. As each of the interviews

was read and reread, 20 themes or experiences which carried particular potency emerged.

Research participants had similar responses to 12 of these themes. The 8 other themes were

grouped separately as while the theme itself was common to the participants, the responses to the

theme varied, and in some cases were quite dissimilar. Also, in some cases, these latter themes

were articulated by only one or two research participants, yet I believed the content so

meaningful that its exclusion from this analysis would deny the reader extremely valuable

insight. I believe that exploring the experiences of school staff already facilitating this program

is essential to both acknowledging the benefits of this program and to avoiding potential pitfalls

with future implementation.

*3.1 Participant Selection and Recruitment Process*

As primary researcher I acknowledge a surprising struggle to find participants who met the interview criteria which I had originally established as elementary or secondary school counsellors trained in *Conversation Peace*, who had used this restorative action program within their schools for at least two years, and were employed in schools within the Lower Mainland of British Columbia, Canada. I suspect my own experience as a former teacher and Principal of an Independent Montessori Elementary school where restorative processes were engaged in on a daily basis likely played a part in my expectation that research participants would be easy to recruit. Steeped in Montessori pedagogy which emphasizes and encourages childrens' independence, grace and courtesy, and respect for self, others and the environment, I had, as a school administrator, worked in a restorative manner with children, staff and a Parent Board for many years. When interpersonal conflict presented itself between students, staff or parents I felt pedagogically compelled to find and facilitate avenues of respectful resolution to conflict. Sitting with a multi-age class of Intermediate (Grades 4-7) students in a circle every morning, and at class meeting, once a week, led to a powerful recognition (for me, and I believe, for the students) that all members of this classroom community were accountable for identifying and monitoring behavioural goals within the class. When interpersonal conflicts arose within this classroom, students were coached to respectfully discuss their feelings, to listen to one another, and to meaningfully resolve their disputes. Disciplinary referrals to me, as administrator, often involved individual meetings with both parties and then a meeting with the students together to have them share what was needed (from their perspectives) to make amends and repair their relationship. In many instances I served as the mediator, rather than the disciplinarian. I was repeatedly amazed by the wisdom and simplicity with which students resolved their conflict, and their ability, when the conflict was resolved to their satisfaction, to move on. Although I did not have the formal vocabulary at the time, I know now that I and my teaching colleagues were

actively involved in a lived experience of restorative justice. As a school administrator I was both facilitator and witness to a form of conflict resolution which did not shame or punish; rather individuals within the conflict were supported by their community to respect one another and to independently problem-solve solutions which met their unique needs. When I became an elementary school counselor within the public school system in January 2005, I expected similar restorative conflict resolution strategies to be alive and well within these schools. I was so delighted to discover a locally developed school-based restorative action program that I naively assumed neighbouring schools and school districts would have eagerly embraced and implemented it. It never occurred to me that finding participants for my research would be difficult.

Following approval from the UBC Ethics Board in April 2007 (see Appendix B), research for this thesis involved written requests to conduct research and informed consent of the research departments of four public school districts within the Lower Mainland area of British Columbia, Canada. The list of these districts had been generated by the School Project Coordinator from Community Justice Initiatives (CJI), during the Fall of 2006, as these were districts which had trained school staff and students in *Conversation Peace*. Using participant selection processes described by Berg (1995, p. 44) as "purposive sampling" and "snowballing," an initial request for participants was e-mailed to all members of the British Columbia School Counsellors' Association (an organization with a potential membership of 915 full-time equivalent school counsellors working within public schools in the province) in February 2007. To my disappointment I received only two responses to this e-mail request, one from a colleague working in another school district who did not know of the program, but was willing to talk to other counsellors in her school district on my behalf, and the other from a counsellor who was unaware of the program, but very interested in learning more. I then re-contacted the School Project Coordinator at CJI and received the names of specific individuals to contact within these

districts. To my knowledge, CJI had no follow-up history as to whether the program had been

actually been implemented by the individuals who had attended the teacher training sessions.

My direct email and/or telephone calls to individuals referred by the School Project Coordinator

resulted in a variety of responses:

1) Some counsellors had taken the training but not implemented the program.

2) Some counsellors had taken the training but were presently on leave, had changed

   schools, or left the school district.

3) Some counsellors did not respond to my direct enquiries.

4) Some counsellors had taken the training but referred me to other individuals in their

   school or district as they themselves had moved on to other interests or obligations.

5) At least one respondent indicated that finding school counsellors with two years of

   experience working with this program seemed too difficult.

Following the numerous emails and telephone calls, by the end of May 2007, I was able

to establish interviews with only two school counsellors, "Sophie" and "Martha" who had been

using *Conversation Peace* with student mediators in their schools for at least two years. A third

interview was held with "Monica," a high school teacher, who during 2006-07 had taken the

*Conversation Peace* training and then developed and implemented a high school credit course

for Peer Mediation using *Conversation Peace* as its curricula. My thesis supervisor approved

the inclusion of this latter participant within my study given my difficulty locating research

participants who were school counsellors. (It should be noted, that for the sake of

confidentiality, all participants and associated names have been changed, as well as any other

possibly identifiable details.) All three of these interviews occurred in May and June 2007.

When school began again in September 2007, I telephoned the Head of the Counselling

Department in all High Schools within my identified school districts seeking communication

with school counsellors trained in and using *Conversation Peace*; approximately 60 schools. As

a result of these telephone calls or resulting word-of-mouth conversations, three additional counsellors with *Conversation Peace* training and experience became known to me. These three counsellors were interviewed between October and December 2007 at their respective schools. All participants received an electronic copy of the Consent Form (see Appendix C) at least 48 hours prior to their interview; the content of this form was verbally discussed prior to the beginning of the interview and two paper copies of this form were presented to the participant prior to the actual start of the interview. One paper copy remained with the research participant, the other copy became the property of the researcher. All taped interviews (see Appendix A) were transcribed by a paid transcriptionist within two to three weeks of each interview; the transcriptionist then destroyed all copies of this information following the submission of typed transcripts to the researcher. As per my agreement with the research participants, I mailed a copy of the appropriate transcript to each participant by Canada Post, offering him/her the opportunity to read the document and to provide feedback as to the accuracy of the interview. All six participants edited their own transcripts by hand, and returned the respective documents to me by Canada Post. I then edited the original transcripts to reflect these alterations, and coded the interviews.

*3.2 Description of Participants*

Prior to introducing my research participants, it is important to again state that pseudonyms are being used to protect the identity of the individuals in this study.

**_Sophie_**

*Sophie*, a school counsellor, works within a school with a student population of approximately 1,100 students. She was trained in *Conversation Peace* approximately six years ago (2001), used the program for several years, set it aside, and then returned to it as she could "see that it is valuable." In the 2006-07 school year, there were between 11-12 student mediators trained through *Conversation Peace* at Sophie's school. The majority of these student mediators

were enrolled in Grades 10-12. They offered mediation services during school time on an as-needed basis to the student body during the year. Mediations were scheduled to accommodate the mediators' availability - their own academic timetable determining when absence from class would have the least impairment on their own course work. (All Grade 12 student mediators were unavailable during December when provincial exams are scheduled.) According to Sophie there was a maximum of 3 to 4 student mediations a month with "the mediation (taking) one 77 minute period. Very seldom does it take longer because students aren't willing to stay after school or through lunch."

## *Martha*

*Martha*, another school counselor, works within a school having a student population of approximately 800 students. She was trained in *Conversation Peace* in the Fall of 2005. During the 2006-07 school year, there were 12 student mediators trained through *Conversation Peace* at Martha's school. These student mediators, enrolled in Grades 10-12, were paired and assigned to mediate disputes at specific grade levels as needed throughout the year. Student mediators and disputants were also given release time from class to engage in the mediation process. Martha was unable to comment on the exact number of mediations which had occurred during the 2006-2007 school year stating "there aren't just loads and loads of them. The value of it is that there is this structure, this mechanism; it really gives something to build on. If the program can be developed further there is a solid kind of start for it."

## *Monica*

*Monica* is a high school teacher who trained in *Conversation Peace* in June 2006. She then developed and implemented a credit course which enrolled twenty Grade 11 students during September 2006-June 2007. *Conversation Peace* provided the foundation text and experiential training tool for this course. Monica's high school has a student population of approximately 2,000 students. There were 6 mediations held during the year. Acknowledging that this is the

first year this course has been offered Monica stated: "I was hoping for a lot more (mediations), but I think in retrospect it's a start and it is a very important start." At the time of this interview Monica was beginning to plan for a new Grade 12 course in peer mediation for the 2007-2008 school year.

### Brenda

*Brenda* is a school counsellor in a school with a population of 440 students. She was trained in *Conversation Peace* during the Spring of 2005 and has taken part in a variety of workshops on the subject of restorative justice. During 2006-07, Brenda estimated there were a total of 25 mediations, facilitated by 8-9 trained student mediators. Following the custom at her school, Brenda witnessed all these mediations. As the 2007-08 school year had just begun at the time of her interview, Brenda estimated that there would be a total of 22 trained student mediators in the school. She enthusiastically described this increased number of student mediators as "phenomenal."

### Susan

*Susan,* at present, is a counsellor in a school having a student population of 630 students. She spoke from her experience using *Conversation Peace* in two school settings, her present school where *Conversation Peace* had been used "informally" to facilitate student mediation in four situations during the past year and in a previous school setting (student population 525 students) where a more formal organization of *Conversation Peace* existed and 12-15 mediations were occurring each month. Most of Susan's comments during the interview reflected her professional insights between these two experiences.

### Barbara

*Barbara* was the last school counsellor to be interviewed. She worked at a small school with a student population of 100 students. Barbara had been trained in *Conversation Peace* in 2001 and had been using this program along with other staff members in the school throughout

four of the intervening years. Similar to Monica, Barbara embedded the values and principles of restorative justice within the classroom lessons she offered. Thus, all of her students, whether they formally became peer mediators within the school or not, were exposed to the communication and mediation skills *Conversation Peace* offered. Barbara was eagerly anticipating the start of her student mediators providing mediation services to students at local elementary schools during 2008.

*3.3 Interview Process*

The interview process consisted of six semi-standardized interviews (see Appendix A) ranging in time from 50 minutes to 1.25 hours. Each participant was asked to comment on his/her experience of the mechanics of implementing this peer mediation program, his/her impressions of whether or not the restorative justice practices and principles helped or hindered the process of conflict resolution in the school setting, and what if any additional impact this program had on the school as a whole. Suggestions as to any improvements which could be made to support program implementation and maintenance were also welcomed. Interviews with all subjects took place at dates, times and locations of mutual agreement between May and December 2007, generally in the schools where the counsellors/teacher were/was employed. In one instance, the interview occurred in a participant's home. At all times, participant confidentiality was maintained as the interview occurred privately in an office, staff or living room with only the participant and interviewer in attendance. Two audio recording devices were used during all the interviews, one a microcassette and the other an IC digital voice recorder. The names and, in some cases, the gender of the participants interviewed have been altered to protect confidentiality.

While Kvale (1996, p. 102) states, "Interview as many subjects as necessary to find out what you need to know," recent narrative studies such as Hirakata and Arvay (2005) indicate that between four and six participants are sufficient to achieve saturation of interview content. I

found the interview content to be remarkably consistent within the first three interviews, even though the participants were employed within different school districts. The fourth and fifth interviews contained new and insightful information. The fourth interview illuminated the unexpected role of the school counsellor of supporting student mediators when, even with the various levels of discernment of school administration/teachers and the counsellor as to the appropriateness of the conflict and disputants to enter the mediation process, a disclosure (of abuse unrelated to the conflict being mediated) was voiced during the student-led mediation. The fifth interview identified experiences of almost overwhelming logistical challenges to program implementation and success. The sixth interview identified the euphoric experience of complete congruence between theory and practice given a counsellor's experience within a completely "restorative school". Thus, there is always the potential that new information may be gleaned in future interviews. For the purpose of this project, my research supervisor advised that six interviews were sufficient. Recruitment challenges also impinged on further requests for participation. Given these points, six participants formed the sample for this study.

Categorical-content analysis, a form of narrative inquiry, was used to synthesis the interview content - the research participants' experiences of implementing and supporting the peer mediation/restorative justice program, *Conversation Peace* within their schools. Described by Josselson and Lieblich (2003, p. 261) as "a voyage of discovery to an unknown place," and by Kvale (1996, p. 4) via the metaphor of a traveller "on a journey that leads to a tale to be told upon returning home," narrative research is a process that explores the unique experiences of individuals who share some commonality, as specific examples: (a) hospital patients who recount personal experiences of caring offered by their nurses (McCance, McKenna, & Boore, 2001), (b) the inclusion-related experiences of teachers and teaching assistants who have children with special needs in their classes (Lawson, Parker, & Sykes, 2006), and (c) the effects on children of witnessing war and abuse (Berman, 2000). The words people use to describe their

feelings, actions and experiences add not only to the texture and understanding of their own lives, but have the ability to offer insight to others. Lieblich et al. (1998, p. 8) allude to people as "meaning-generating organisms," while Arvay (2002, p.114) describes narrative as "the linguistic form that we (human beings) employ to make lived experience accessible and meaningful." Clandinin and Connelly (2000, p. 50) suggest that all human experience is affected by temporal, personal/social and physical (place) elements, thus identifying, in their terms, the "three-dimensional narrative inquiry space" where all that people say, feel or do occurs in the context of a specific geographic location, is influenced by the time the experience occurred, and is affected by the individual's "feelings, hopes, aesthetic reactions, and moral dispositions." I chose the categorical-content form (Lieblich et al., 1998) of narrative inquiry as the method of analysis for this thesis because of its ability to express in a powerful and vibrant way both the commonality and diversity of the participants' experiences with *Conversation Peace*. As stated by Stinchcomb et al. (2006, p. 138) who researched the 1995 implementation of restorative justice in Minnesota schools: "The experience of the Minnesota DCFL (Department of Children, Families and Learning) cannot be captured in quantitative data alone...many participating individuals had numerous examples of transformational experiences that occurred in the process of employing these (restorative justice) approaches." It is thus appropriate when researching school staff using *Conversation Peace* as the mechanism to implement peer mediation in public schools within the Lower Mainland of British Columbia, that a narrative design, specifically categorical-content analysis be employed.

*3.4 Validation Process*

McLeod (2001, p.182) describes validity within quantitative research as "the capacity of a measure accurately to capture or reflect some characteristic of objective reality." The challenge in qualitative research where interviews with research participants offer their thoughts, opinions and points of view on some concept or experience, is the construct of subjective reality.

Being quantitatively immeasurable, validity in qualitative research shifts from accuracy of measurement to accuracy of description, that is, "are the accounts produced in a qualitative interview...'accurate' or 'valid' representations of reality?" (Elliot, 2005, p. 22). The researcher is thus charged to ensure that his/her method for analysis of the data and its validation provides the reader with assurance that the content mirrors the participants' version of reality to a high degree of certainty.

To begin an examination of the interview process in this thesis I will review confidentiality. The identity of all participants as well as their corresponding school(s) is kept confidential. In some cases, the fictitious name assigned to the research participant reflects a change of gender. Also, any reference to the exact combination of grades of students enrolled in particular schools was deliberately removed from this study, as some school districts have Middle schools (Grades 7-9), while others have Elementary (K-Grade 7) and Secondary (Grades 8-12) schools. To have specified the exact type of school in which a research participant was employed could potentially have identified this individual.

All interviews were recorded using two recorders to prevent the loss of data due to mechanical failure. The original recordings were kept in a secured location within the researcher's possession, labelled with coded identification known only me. A duplicate copy of the original recordings was provided to a paid transcriber; however the identity of each research participant remained completely confidential. The transcriptionist destroyed all copies of the interviews once I had been given a CD copy of each transcript. Following transcription, each research participant had the opportunity to read the transcript of his/her interview and to clarify any inaccuracies. In this way, credibility of "member checks" was maintained (McLeod, 2001, p. 187). I, alone, coded the transcribed interviews for analysis, organizing the material into "similar paraphrases which are bundled and summarized" (Flick, 1998, p. 193). Three peer reviewers read the first completed draft of the entire thesis and provided feedback which was

then incorporated into the second draft of the thesis, prior to its distribution to committee members. To address concerns regarding researcher reflexivity, "how one's (the researcher's) presence or manner might have an impact on people being interviewed" and acknowledging that "any researcher inevitably brings to a project his or her pre-understandings and assumptions, which in turn will shape the way that the research is conceived and carried out" (McLeod, 2001, p. 197, 199), I kept a personal journal for self-reflections while gathering and analyzing the interview data. I admit to a professional interest in restorative justice, for as a former school administrator I frequently used this style of conflict resolution within my past school community. Registering for a workshop entitled Restorative Action, co-facilitated by the District Administrator – Counselling and Aboriginal Program (LSD), and the School Project Coordinator (CJI) at the BC School Counsellor's Association Annual Conference held in Vancouver, British Columbia, October, 2004, I participated in the formal 3 day training in *Conversation Peace* along with 40 other educators in May 2005.

*3.5 Criteria Used To Evaluate The Worth Of This Study*

In narrative research the criteria used to evaluate the worth of a study differ from quantitative research (Arvay, 2002; Elliot, 2005; Lieblich et al., 1998; McLeod, 2001; Reissman, 1993). In this study the following criteria were used: (a) member-checks of the interview content with the participants, (b) resonance with peer readers and participants, (c) coherence, comprehensiveness and pragmatic usefulness and (d) three peer reviews of the entire thesis, prior to its defense. It is understood that "it is impossible to produce a transcription...which completely captures all of the meaning that was communicated in the encounter itself" (Elliot, 2005, p. 51); however member-checks were used to ascertain the participants' feedback as to the accuracy of their (printed) transcript. Each participant received a printed copy of their interview shortly after its transcription. The participant was then invited to read, edit, and return the printed transcript to me prior to data analysis so that there would be as much agreement as

possible as to the accuracy of the interview content. I will now describe four of the characteristics of narrative analysis - resonance, coherence, comprehensiveness, and pragmatic usefulness, in more detail.

McLeod (2001, p. 187) describes resonance with readers as "the material (being) presented in such a way that readers/reviewers - taking all other guidelines into account, judge it to have accurately represented the subject matter or to have clarified or expanded their appreciation and understanding of (the subject matter)." In other words, the reader will find the content of the narrative to be as true as reasonably possible to his/her understanding of what the implementation of *Conversation Peace* within his/her school could look like and/or have his/her understanding of the theoretical and practical dimensions of this program broadened as a result of reading this document.

In terms of narrative coherence, Elliot (2005, p. 48) writes "A narrative is more than just a succession of chronological events"; its configuration or structure "allows the narrative to be comprehended as a unified whole." Baerger and McAdams (1999, pp.74-5), psychologists who compared the narrative coherence of analyzed life stories of their research subjects with the mental health of these individuals, state:

> A life story is coherent to the extent that it locates the narrative in a specific temporal, social and personal context...conveys a...reportable point or series of points about the speaker in such a way as to give the story emotional significance and imparts information in an integrated manner.

The comprehensiveness of any study is defined by Lieblich et al. (1998, p.173) as "the quality of the interview ... as well as the proposed interpretation or analysis. Numerous quotations in reporting narrative studies, as well as... alternative explanations, should be provided for the reader's judgment of the evidence and its interpretation." Comprehensiveness in this study has been achieved by thorough and in-depth interviews with each of the research

participants, the clustering of thematic quotations from the interviews, and the verbatim inclusion of these quotations for all 20 themes within the results chapter.

Lastly, Kvale (1996, p. 249) identifies two types of pragmatic usefulness in the validation of narrative research: "whether a knowledge statement is accompanied by action or whether it instigates changes of action." Reissman (1993, p. 68) describes 'pragmatic use' as "the extent to which a particular study becomes the basis for others' work. In contrast to other validation criteria, this one is future oriented, collective, and assumes the socially constructed nature of science." I view this thesis as a call to action. Its topic originated through my experience of the lack of opportunity for students in local public schools to gain formal understanding of the process of conflict resolution or its skills. The marriage between the principles of restorative justice and peer mediation, as presented in *Conversation Peace,* offers a time-tested theoretical framework for peaceful resolution of conflict as well as a program designed to empower youth with life skills towards personal independence, self-efficacy and responsible citizenship. I admit that this thesis has offered me sufficient confidence to begin an elementary peer mediation program within one of my elementary schools as evidence of its pragmatic usefulness within my own counselling practice.

CHAPTER FOUR

Results

The toughest sell on any kind of restorative action is that it takes more time...but you educate the person (the student) so much that there are no more problems. I did a restorative action (process)... there was an infinite number of conflicts (name of student) was in because of racist comments and verbal harassment of people. Well yeah okay I spent six hours ..., but you know what, since then (the student) has never done it. Like never - because (the student) got to listen to the person's dad, because (the student) got to see the real effects, because (the student) learned something...Teach them (the students) the lesson, the behavior changes; punish them, the behavior goes underground or becomes bigger. It takes a lot of time, but it saves a lot of time. But people won't look at the amount of time it saves....It's much easier to say, "Don't. If you do that again you are going to get a detention." It's much easier, much faster, less effective. It doesn't change anything for the kid....

Barbara, School Counsellor


*4.1 Introduction*

The findings from this narrative research offer what I believe is the first research study to

(a) narratively document the experiences of B.C. school counsellors (and one high school

teacher) as they implement a peer mediation program within their schools and (b) explore

*Conversation Peace*, a restorative action peer mediation program, jointly published in 2001 by

Fraser Region Community Justice Initiatives Association (CJI), Langley, British Columbia, and

School District #35, Langley, British Columbia, Canada. While specific to this peer mediation

program and the climates of the schools and school districts in which they find themselves, the

voices of these counsellors provide helpful insight to school personnel who presently and in the

future wish to embark upon the use of restorative justice principles and practices within their

schools. The purpose of this study was to explore the experiences of six public school

counsellors with a minimum of two years experience facilitating restorative justice responses to

student conflict using the peer mediation program *Conversation Peace*. As stated in the

Methodology section, this criterion was altered slightly to include one classroom teacher

teaching a peer mediation course for Grade 11 students, based in *Conversation Peace,* and to

reduce the minimum years of counsellors' experience with *Conversation Peace* from two to one.

(These decisions were made in response to difficulty locating participants with the original

criterion.) In answering the research question, 20 main themes emerged from the analysis of the six participants in the study: 12 common themes with similar responses from three or more research participants (see Table 1), and 8 common themes with varying responses from one to three research participants (see Table 2). The themes in both tables are list alphabetically.

Table 1

*Common themes with similar responses*

Establishing Structures to Ensure Confidentiality within the Peer Mediation Program

Formal Staff and Student Training in *Conversation Peace*: Format/Time Commitment

Importance of Administrative Support for the Program

Importance of School Counsellors' Involvement within the Peer Mediation Program

Parent Education regarding Peer Mediation Program within the Schools

Process for Selection of Student Mediators

Resistance (to Peer Mediation) from Staff Members/Parents

Sources of Mediation Referrals

The Positive Experiences of Mediation for Both Mediators and Disputants

The Outcome of Peer Mediation

Types of Student Conflict Addressed by Restorative Action

Value of the Peer Mediation Program within the School

Table 2

*Common Themes with Varying Responses*

Academic 'Catch-up' for Student Mediators.

Comments on Mediators/Disputants in terms of Possible Gender/Ethnicity Match.

Differences in Number of Trained Peer Mediators and Peer Mediations within Schools.

Effect of *Conversation Peace's* on Disciplinary Referrals to School Administration.

Most/Least Beneficial *Conversation Peace* Training Module/Exercises.

Students for Whom Peer Mediation may be Particularly Difficult.

Time between Conflict and Onset of Peer Mediation Process.

Time Involvement of School Counsellor within Peer Mediation Program.

*4.2  Common Themes With Similar Responses*

The following 12 themes were located within the interviews of three or more of the six

research participants.  Responses to these themes proved very similar.

*Establishing Structures to Ensure Confidentiality within Peer Mediation Program*

Confidentiality and trust are crucial within relationships, particularly those which are in

need of repair.  Four of the six research participants, Sophie, Martha, Monica, and Barbara,

emphasized how the structure of their peer mediation programs required student mediators to mediate disputes involving younger students rather than their same-age peers. The intentionality of this design helped to reinforce the critical importance of confidentiality and neutrality between mediators and the disputants they serve. Martha and Sophie worked in schools of similar sizes: 800 – 1,100 students. Their experiences are best captured by Sophie's words. As school counsellor, prior to any mediation, she asked each mediator: 'Do you know so and so? [the disputants]' 'No, I don't know them.' 'So … then you can do the mediation'. Sophie further explained:

> It's partly [the mediator] being older and it's partly not being in any of the same classes. Confidentiality -- it's more believable for a Grade 9 student [disputant] to believe that a Grade 11 or 12 [mediator] won't say anything about what happened than for them to believe that another Grade 9 student wouldn't say anything because they are in the same classes... The Grade 10, 11 and 12 kids will be mediators for the Grade 8s and 9s but it just doesn't work well for mediations for Grades 11 and 12. And Grades 11 and 12 can't be mediators for Grades 11 and 12. A Grade 12 [student] doesn't really know any of the friends of a Grade 9 student...you can't have neutrality if somebody is a friend.

Monica, who taught the Grade 11 Peer Mediation course, also referred to senior students mediating the disputes of junior students:

> It's difficult for a student with limited counselling experience to deal with issues...that happen with students their own age...we try to make it more of a mentorship role where Grade 11 students will be helping out with a conflict between two Grade 8 or Grade 9 or Grade 10 kids...I don't want to put them [student mediators] in a situation where they're not going to feel confident or feel competent. And I think that their confidence especially, if they haven't done many mediation sessions before, it is a lot easier to deal with the 'he said, she said' stuff between a couple of Grade 8 students.

Monica also recognized the importance of confidentiality when she screened applicants

for her peer mediation class:

> I am really careful. I get them to sign a contract at the beginning of the year saying that
>
> all the information or anything that is disclosed in a mediation session must remain
>
> confidential and if anything leaks out, whether it's the colour of the socks that the boy
>
> was wearing, then it's something that I have to deal with because that is our [the adult's]
>
> responsibility. I can't think of a better way to sabotage a mediation program than have
>
> the stuff that's disclosed in a meeting, the description of the conflict that's arisen in a
>
> meeting, if that gets out and the rumour mill already takes things out of context and it's
>
> pretty deadly....we do recognize that the [peer mediation] program involves some
>
> leadership, it involves confidentiality and towards that end there is a lot of trust, not only
>
> myself [as classroom teacher], but the admin and other teachers. If they [the student
>
> mediators] are doing any conflict resolution it is really imperative that they be students
>
> that we feel can handle that responsibility.

Like Sophie, Martha and Monica, Barbara also referred to senior peer mediators (her

Grade 11 and Grade 12 students) as "coming alongside [the Grade 8] kids and helping figure

out...what's going on."

While Brenda and Susan also indicated confidentiality was a non-negotiable value within

their respective peer mediation programs, due to smaller school populations (100-400 students,

respectively), student mediators did mediate disputes with their same-aged peers. Brenda

discussed the reality in her school that Grade 8 mediators are mediating disputes between other

Grade 8 students. She, like Monica, emphasized the importance of confidentiality for each

student applying to become a peer mediator by meeting with each individual and asking "Do you

know about confidentiality? You can't be talking to your friends about what is going on." Susan

credits the thoroughness of student training offered by CJI as setting a high standard for students' understanding of the need for confidentiality:

> The kids took huge pride in that [confidentiality]. They thought it was neat that they
> have this responsibility to keep it [the content of the mediation] confidential... the
> training is what did that. . . the training was very thorough, the kids loved it, and the kids
> understood it.

Susan also commented on the challenge that confidentiality presents to untrained staff members who are overly curious about the "pull-out" of students from their classes due to mediation. She describes the frustration of these teachers, and the remarkable discipline of student mediators when pressed by the teachers to divulge sensitive information:

> The teachers who aren't trained in it...they're like 'What on earth is happening?' And
> then the kids are not supposed to talk about any parts of it, and the teacher is saying
> 'What's happening?' And then [the student mediator responds] 'I'm sorry, I can't', but
> the teachers really felt they had a right to know.

Confidentiality within the peer mediation process is thus viewed as a key ingredient for success by all participants in this research study. Each stated and established a high level of expectation for both student mediators and disputants within their respective programs.

*Formal Staff/Student Training in* **Conversation Peace**: *Format/Time Commitment*

The training program for **Conversation Peace** is outlined in a commercially produced 140 page Trainer's Manual (for adults), while a corresponding 77 page Workbook is available for (high school) students. The training is both experiential and modular and is provided by staff from Community Justice Initiatives (CJI). Over the course of 2 – 5 days, trainees are invited to engage in a variety of cooperative activities which explore conflict styles, punitive vs. restorative responses, communication skills, empathic listening, principles of restorative action, and stages of mediation. The first half of the training familiarizes participants with principles of restorative

action through story and participatory, cooperative learning activities. The second half of the training focuses on the application of restorative action principles to peer mediation. Participants observe role-plays between trained mediators and disputants, and undertake similar role-plays to develop their own mediation skills. The modular nature of the program allows program leaders some flexibility with pace and sequence; however, all six research participants in this study identify what they see as both benefits and challenges to the extensive time required for the training program. Three of the research participants emphasized that having the training "off-site" (i.e., away from the school environment) provided an added and positive dimension to the training experience. Sophie described her peer mediators as having "enjoyed the training"; however, "they (the students) had to miss three days or four days of school....there were two or three (students) that said they can't miss three or four days." Martha stated; "The first year there were four separate training days, full days. The second year it was done in a weekend, retreat format, which was actually a lot of fun because it was completely away from school." Monica indicated that students registered in her peer mediation course attended their 5 day *Conversation Peace* training during the last week of August. She explained:

> The students will be coming back a week early (from summer holidays). . . It's helpful because in a normal classroom setting I would have the students for an hour or an hour-and-a half and I find a lot of the times the techniques that you are trying to train them with and the kind of attitude that you are attempting to develop is really difficult to do that in little snippets of time. You really need to have a longer period of time for that to happen.

In 5 of the 6 peer mediation programs, the training was done over consecutive days including either Professional Days or weekends. In Susan's school, where significant logistical challenges were reported, the training was spread over two days in separate weeks. In all interviews, participants spoke of the enjoyment of student mediators with the formal training

program. In addition to this formalized training, both Monica and Brenda paired less

experienced (and in some cases, chronologically younger) student mediators with more

experienced (and in some cases, chronologically older) mediators so that younger students are

mentored by the more skilled senior student during their initial peer mediation experiences.

Brenda stated: "When we pair them [the student mediators] up we try to pair a [younger student]

with [an older student] who has been doing it for a couple of years, so they have somebody that

sort of helps them with the process." In conclusion, *Conversation Peace* training for the student

mediators and the school counsellors who support these programs is, for the most part, an

additional commitment of time in terms of regular day-to-day school-related obligations.

Combining this training program within a "retreat" format where students are off-site together

for several days has met with substantial success. Partnering less-experienced (and younger)

peer mediators with those having more experience has provided an additional training

opportunity for students new to the peer mediation process.

### *Importance of Administrative Support for the Program*

Unfortunately (the year after implementation) what happened is the administrator at one of the elementary schools got changed, ... and the counselors at the secondary also got changed. And the person that was spearheading it (at the Board level) retired that year... so what I did was I took it upon myself.

Susan, High School Counsellor

Creating a peaceful school ... has to be something that is long term, it has to have somebody behind it who sees the merit to that.

Monica, High School Teacher

All six participants described the impact of support from their School Administration as

critical to the vibrancy and actual existence of their respective restorative action/peer mediation

programs. Five of the six participants noted the attendance and participation of their

administrators for the entire 2 - 4 day *Conversation Peace* training. This support in terms of

administrators both granting release time for staff and students to attend the training, and

personally attending the training is a significant professional and personal time commitment.

When describing her newly appointed principal's and vice principal's commitment to *Conversation Peace*, Sophie stated: "[they] did the training with the students… that is how the admin. got involved with it, in terms of knowing about it and what the process is and who the student mediators are." Martha, who also described her administrative team as supportive, indicated:

> The principal was involved in the training, both times, the first time and the second time…. The principal has been a big support for the program and you know it's because of his support that it's [the peer mediation program] gone, in making the trainings happen and that it was possible to get the kids released from classes.

Martha's administrator also invited any and all interested teachers to attend and participate with students in the training. These teachers, who were not formally involved in the peer mediation program within the school in any way, attended out of personal curiosity. According to Martha, their voluntary participation in this professional development opportunity helped to create a more informed school staff in terms of the principles of restorative action, and an increased awareness and acceptance of the peer mediation program within the school. Martha stated:

> The retreat training was a very open invitation to staff. So a number of people [teachers] went along who really had no specific role, or even necessarily any intention of following up in a team way….some teachers, who in the past, had been somewhat dubious and at that point they were really excited about it…I think that is another way how the administration supported it [peer mediation program] by inviting all those teachers along and making kind of a fun day out of it. As I think about it that really had a lot to do with the acceptance of it [peer mediation program] this year [at this school].

Administrative support for peer mediation within Monica's school was evident through consent and approval for the creation, development and ongoing instruction of the Peer Mediation credit course which she taught. "They've [the administration] got the green light to go ahead with Peer

Mediation 11 course for credit and next year we are expanding that into a Peer Mediation 12

course as well...I was really fortunate to have an Admin that was behind us." At Susan's school

"all the administration was trained as well as the counsellor and the youth worker." At Barbara's

school, while the principal is not formally trained in *Conversation Peace*, Barbara considers her

entire school a "restorative school" as she stated:

> That [restorative action] is all we do. All our staff, everyday, use these skills...if you did
>
> not utilize everything that that program [*Conversation Peace*] teaches here every day,
>
> you would be sunk...we are a therapeutic school...interested in training students how to
>
> restore situations in their own lives.

Outlining her school's weekly ongoing in-school support for restorative principles

Brenda described: "Everyday, except for Wednesdays, .... the whole focus of [a specific] 25

minute period a day for four days a week [for the entire school] is restorative action in one way

or another." Such devoted timetabling within a school would simply not be possible without

complete support from the administration. Overall, support from school administrators in terms

of: (a) the embrace of restorative practices and values within the school; (b) release time for staff

professional development, as well as student release time from class to participate in mediation;

and (c) approval to develop and implement classroom curricula using *Conversation Peace* was

viewed and experienced by all participants as essential in the existence and success of their

respective peer mediation programs.

*Importance of School Counsellor's Involvement within the Peer Mediation Program*

Without being formally asked, three of the research participants commented on the

important role the school counsellor plays within the peer mediation program. For Brenda,

having a counsellor who knows the socio/emotional history of both peer mediation applicants

and mediation disputants helped to determine whether or not an applicant was selected to

become a peer mediator. For Monica, the counsellor's pre-existing knowledge of a disputant's

history helped to discern whether or not a referral actually moves forward into a mediation or if

the conflict needed to be resolved using some other mechanism. When choosing student

applicants for the peer mediation program, Brenda stated:

> We go through a teacher nomination first, and then the youth worker and myself and the
>
> admin will sit down [to review the applications] ... because I [as school counsellor]
>
> might have information about the child's past history ... that the teachers might not
>
> have....[it's possible that peer mediation] is way too much for this kid [an applicant] to
>
> handle.

Monica, who was a classroom teacher, consulted with her school counsellors when a

referral for peer mediation was received: "I have to show it [the referral] to the counselors

because...[they] have a unique relationship ... and ... a history with them as well." Both

Monica and Barbara expressed concern over the sensitivity of unexpected topics such as

disclosures of abuse which could (and did) occur during a peer mediation. Monica stated:

> In a mediation session there can be times when something can come up that's way above
>
> their [the peer mediators'] heads. And it's something that even as a teacher I would feel
>
> uncomfortable dealing with. That's something that counsellors are trained to deal
>
> with.... those kind of things ... could . . . be really volatile if they got out [if
>
> confidentiality was broken].

Brenda commented on two appropriate referrals which became inappropriate experiences

for student mediations:

> We've had a couple of instances, twice, where you know I looked at the paper [referral]
>
> and thought this was something appropriate for my peer mediators, the peer mediators got
>
> involved and it turned into something where there was abuse going on at home that was
>
> totally unrelated to the mediation. That had a phenomenal impact on my mediators. In
>
> the training they knew to stop and to come and get an adult, which was great, but they

had a lot of emotional baggage just from carrying around that level of information. That

kind of scared me, the potential of that. So I've become even more aware of front

loading my kids, on making sure that they are able to handle this, and to know that if they

come out with some information that is painful for them then I am more than willing to

do counseling sessions with them. My [peer mediators] that went through this, they...

still talk about it, they still carry that.... I'm not sure how to address that other than to try

to do what you can to make sure that they don't get those kind of cases and get them to

stop it as soon as you possibly can and then provide them some follow up support.

These narratives provide clear evidence as to the important and unique role of the school

counsellor within a school's peer mediation program.

*Parent Education regarding Peer Mediation Program within the Schools*

According to five of six research participants, general parent information regarding

restorative action and peer mediation was distributed in print through school newsletters and

presented verbally during parent information evenings. In all school settings, parents were

informed that peer mediation would be activated as a result of one of two circumstances - an

initial problem-solving intervention for students where the preceding conflict was not

sufficiently serious to require the involvement of school administration or  as a mandated

dialogue resulting from a far more serious infraction of the school's code of conduct. (This latter

situation negates the voluntary nature of participants outlined earlier within the restorative justice

literature; however the reader is reminded that this is an educational application of restorative

justice, rather than a criminal justice context.) In all schools, written parental consent was

required for student mediators to apply to become and to participate in the 2-5 day *Conversation*

*Peace* training (especially as the training and later mediations involved either pull-out from

school during class time, time away from home either during a weekend or on a Professional

Day, and, depending on the school, an overnight stay at the training location.) Each school

publicized that any student would and could participate in mediation at any time throughout the school year without school staff notifying parents. (Only in serious disciplinary situations resulting in possible suspension or expulsion from school would parents be notified if mediation was mandated.) This said, five of six research participants felt that, on the whole, general parental knowledge of the principles of restorative action within the school was minimal. Sophie discussed her school's peer mediation program when she met with parents of Grade 7 students the term prior to their child's entry to Grade 8. Sophie describes her response to a specific parent enquiry stating:

> I do the same thing that I've done with the kids [I say to the parent]. We can tell the teacher [about the conflict], your child can ignore it, or we can do a mediation, or you can go to the vice principal. These are the choices: what do you want to do?

At Martha's school, peer mediation is also viewed as a choice, a "first step" for students to attempt to responsibly and peacefully resolve their own conflicts. There is some suggestion in Martha's narrative that having a peer mediation program in place at this school helped the administration "encourage" parents to step back from direct involvement in their child's conflict. Martha stated:

> The Administration …used a newsletter to explain to parents, 'this is what we are doing with some of these conflicts between kids'…Very often parents get involved in those conflicts, in terms of really feeling that they need to support their child. So, I think that the administration felt that having this way of directing some of these conflicts at the first stage was a good way to say to parents, you know this isn't time for you to be involved, this is time to let us try to work this out….mediation sort of gives a place to start and really see what the possibilities are.

In Monica's situation, as Peer Mediation 11 was a credit course, parents had the right and opportunity to view the course outline, and to enquire as to course content and assessment criteria. Monica described these parent enquiries:

Some parents, especially those whose kids show an academic bent, they have a difficult time looking at the course saying, 'Where's the tests, where's the homework?' They need to feel that there is a lot of work involved. With mediation more than any other course I think I'm looking at developing an attitude and I'm looking at developing a set of morals in students. That's really difficult. I don't take that responsibility lightly. There's one situation during a parent teacher interview, the parent came and said, 'What exactly are you teaching? How is my daughter being assessed?' and that was fine. I gave them a course outline and said this is basically the structure of the program, this is what we teach. Your daughter is being assessed for participation for her performance during the training session, for her videotaped mediation assignment and a bunch of other assignments they got.

Brenda reported that *Conversation Peace* is well-known by parents in her community, so much so that the presence of this program could be the reason given for school selection. At least one parent has spoken to Brenda saying "I [the parent] specifically chose your school because I have heard that you have restorative action here and I think that it is a great thing." It is interesting that with the exception of Brenda, all other research participants suggest that parents at their respective schools have introductory to minimal knowledge of the principles and values of restorative justice on which the peer mediation programs are founded.

*Process for Selection of Student Mediators*

While individuals interviewed for this research described differing methods for the pre-training selection of prospective student mediators, at least four relied on consultation with other staff members before making a formal decision as to which student applicants actually received

formal training in *Conversation Peace*. These methods included the receipt of applications from interested students with no involvement from the administration or teaching staff, students who applied having had a "prior" conversation with a teacher and students recommended through teacher nomination alone. Both Brenda and Susan described the teacher nomination process at their schools. Brenda stated:

> We go through a teacher nomination first, …then the youth worker and myself and the admin will sit down and will take the teacher's notes and will take what information we have because I [as a school counsellor] might have information about the child's past history or whatever that the teachers might not have…the students at this point don't know that they've been nominated. So it's just sort of let's discuss these kids; let's see where they are. Once that process has gone through and we have a list of names we call the kids in one at a time and I talk to them and try to figure out 'Is this something you want to do? Do you realize the level of commitment that is involved? You can't just sort of take it on and walk away from it. Do you know about confidentiality? You can't be talking to your friends about what is going on.' If they are on board then we go to the parents as the next step and say, 'There is a level of commitment. Are you okay with your child doing this?' They have to go for training and that's basically the process that we go through.

Susan described a similar process:

The teachers kind of put names forward and then it went to the team leaders, and the admin…we picked the students that were the best for this program, basically the kids who had a good head on their shoulders, solid personalities, mature, and willing…in many cases they were the average students, but they were just really nice….someone who has some empathy for others.

Monica, who developed the credit course in Peer Mediation, described the discernment process which she developed to screen student applicants for the 20 placements within the class. She described an intake process which:

[Made] sure that the kids there are a good mix and there were no bullying issues or any sort of outstanding behaviour issues [between the prospective student mediators themselves] which would potentially undermine their own enrollment in the course. We [the school staff] do recognize that the program involves some leadership, it involves confidentiality and towards that end there is a lot of trust, not only myself, but the admin and other teachers. If they [the student mediators] are doing conflict resolution it is really imperative that they be students that we feel can handle that responsibility. It is quite an exhaustive process to go through all the students.... there's an intake questionnaire, there's interviews, and there are also referrals [from staff members]. So I consult with the Planning 10 teachers and then with all that information and sort of the gut feel we have about the students, then we make the decision about the enrollment.

Martha described a student application process where, in some cases, the teaching staff "encouraged" specific students to register their interest. She stated:

They [the student mediators] were pretty much self-chosen really. There may have been some adults who talked to kids and invited them, sort of patted them on the back. For the most part those who were trained were the ones who were interested...they were self selected.

Sophie described her open invitation to the student population:

I advertised through the school bulletin and I talked a little bit about it in assemblies... then I had them [prospective student mediators] fill out an application form [containing self-reflective questions] 'When have you ever helped a friend?' 'What's the thing in your life that you are most proud of?' 'Who is the teacher who knows you best?' So we

got a teacher recommendation. 'Why would you like to become involved in this program? How do you see yourself making the school a better place for other students?' I don't think actually I really evaluated them. I sort of took anybody who applied.

In conclusion, the selection process for students to become peer mediators ranged from accepting all students who applied for the role, to careful discernment of each applicant by a representative group from the teaching staff. In all instances, the school counsellors had an active role in the discernment of applicants.

*Resistance (to Peer Mediation) from Staff Members/Parents*

This is the only category in the common theme with similar response section which was shared by just two research participants, Monica and Susan. Their common experience was resistance from teachers and parents during the early stages of implementation of *Conversation Peace* within their respective schools. (All other participants spoke from the perspective of having their peer mediation programs already established in the schools for three or more years.) Susan had to contend with many timetabling challenges in order to juggle available confidential meeting spaces within the school along with the timetables of student mediators and their respective disputants. Both teachers and some parents opposed mediations occurring during class time. Susan stated:

> Taking [the peer mediators] out of class time was very difficult, …they wanted to stay in after school or come in at lunch [but] we didn't want to take the lunch times away from the peer mediators as that's their time to be social…so [in our school's timetabling system] if a team of mediators were …in [name of specific class] and these go for 13 weeks, …in order for [the peer mediators] to be pulled out of [the specific class], the [class] teachers were not behind us doing that because the [student mediators] would miss too much time with that short 13 week period where a mark needs to be given. So we could only pull the kids out of the core classroom, Math, Science, Socials, English, CAPP

[Career And Personal Planning] and French. But if the mediation issue was happening with a kid on [an opposite timetable], then we couldn't get that kid out... the teachers quite liked having them [the students] pulled out of CAPP, that was a pro because this could be really parallel to a lot of the CAPP PLOs [Prescribed Learning Outcomes]... it was very difficult to make sure kids were available to be taken out of core classes because [other class] teachers were not behind the kids being pulled out of [their] classes. Also at Susan's school the absence of students from class caused some parents to refuse their child's formal participation in the peer mediator program. Susan stated:

The parents ... could have also been a hurdle as well, because you need parental permission, [for a student to be trained as a peer mediator] because [the mediator] is taken out of class....[to the parent] 'your child has great leadership skills, great communication skills, but might be a C+ student', so some of the parents did have some concerns...[As an example, a parent said:], 'I don't want my child missing any sports that they joined or any other clubs that they joined, or the band.'

Susan found that teachers not involved in the peer mediation program attempted to push the boundaries of confidentiality. These comments are recorded earlier in the section describing structures to ensure confidentiality within the peer mediation program. Monica, the one participant in this study who as a teacher implemented a course in peer mediation using *Conversation Peace*, described responses from some of the school counsellors at her school who she found to be resistant to the peer mediation course/program. Monica stated:

I got ...opposition from school counsellors. There were some comments ... saying that they didn't want to rely on peer mediators to solve problems . . . so complex that they, with all their years of training, have a difficult time dealing with . . . I think that in some cases they're absolutely right ... you can't replace a counselor with 20 years experience.

Change can be an uncomfortable process in many situations, and there is perhaps little surprise

that Susan and Monica who were both in the initial stages of implementing *Conversation Peace*

within their schools were the only two participants in this study to describe their experiences of

resistance from colleagues and parents. What is surprising in particular is Monica's experience

of resistance to a peer mediation program from school counsellors within her school. This will

be described further in the Discussion section of this thesis.

*Sources of Mediation Referrals*

In three of the six schools where research participants were employed, the school

administration provided the greatest source of referrals for student mediation. Some schools use

a written form to document the referral, the students involved and the nature of the conflict.

Other programs are content with a less formal verbal referral. In Sophie's words:

> At this stage we get a fair number of referrals from vice principals whether it's after a
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> fight and the kids have been suspended or whether it's just after a complaint... If the vice
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> principals have already done work with the students one of them will actually write up a
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> referral form that they give me. One vice principal now does it [sends me the referral]
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> electronically because I e-mailed them the forms...the other one [vice principal] is more
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> likely to just say, in the hallway that he has a mediation for me. . .Occasionally I get
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> referrals from teachers about the problem with kids in their class and I check them out
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> with the kids. Occasionally I get kids that come in to say they are having somebody
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> calling them names or somebody is threatening them or whatever.

Instances of a student self-referring his/her own conflict (or that of a friend) for mediation were

also shared by Brenda:

> I think the most rewarding thing about this whole program for me was the day that I had a
>
> student come up to me who had been through the mediation process, and who had been
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> through several mediation processes and came to me and wanted to refer another student.

And I said that's kind of interesting because we don't usually have students referring other students. And her response was that she had found it so effective for her in dealing not only with her friends…but with stuff that was going on at home… this made a difference in her life. She wanted to pass that on to other kids…That was the best feedback that I could have gotten was to have a kid referring another kid saying this really works.

In Martha's school two specific peer mediators were assigned to specific classrooms for the entire academic year. Teachers within these classes knew their respective student mediators, and rather than speak with the school administration or school counselor, could make referrals directly to these students. Martha stated: "I think the good thing about having mediators assigned to classes is that you [as a teacher] are not sort of wandering around wondering who to ask." Monica describes the written referral process at her school saying:

All of the administrators and the counsellors and the teachers have a referral form, which is basically a half page of information that involves the disputants' names, the basic description of the conflict and why they think that peer mediation will be able to solve the problem.

By comparison, Barbara, in a much smaller school, states that both the referral and the mediation process in her school are much more informal. Referrals come literally by: "word of mouth. Somebody comes and finds me…then I talk to the disputants or…to the youth worker…and find out what it was [the conflict], it's like okay [for students to mediate], fine, [and then I call the mediator]." For half the research participants in this study, in-school referrals for peer mediation were received from school administrators either verbally, in writing or by e-mail. Referrals also occurred by classroom teachers directly speaking with student mediators assigned to their classrooms, and in some situations, students independently made referrals for mediation directly to the school counsellor.

*The Positive Experiences of Peer Mediation for both Mediators and Disputants*

Without exception, all research participants reflected that both student mediators and disputants received a positive outcome from the experience of mediation. This success seems attributable to several factors: first, while obvious, the actual existence of the peer mediation program within the school itself provides students with a "choice" between participatory mediation or a singular administratively-imposed consequence to a conflict. Second, all referrals for student mediation were pre-screened by administration and/or school counsellors to ensure that neither the severity of the conflict, nor the prior (existing or historical) relationship between disputants and mediators, would undermine the mediation. Sophie, Brenda, and Monica describe their experiences of this level of discernment. Sophie stated:

> I usually talk to the kids that are involved in the conflict first and .... often I kind of know whether it is likely that they might be able to resolve it or not. There are some kids that I just know are going to have a lot of difficulty with it, you get somebody who is autistic you know it is going to be a tough one. Or somebody's got a reputation for escalating conflict. So I talk to them and if they both sort of agree maybe it would be okay to try it, then I try and set up a time and figure out which of my mediators I'm going to ask to do the mediation.

Brenda described the process used at her school as: "the youth worker or myself would read through it [the referral] and determine whether it was something appropriate for *Conversation Peace*, or whether it needed to be a specific counselling issue, or whether it needed to go straight to admin." Monica, the classroom teacher, described her need to consult the school counselor with regard to mediation referrals because "the counsellors have a unique relationship with a lot of those students, and they have a history with them as well." Third, the structure of *Conversation Peace* itself requires the student mediators (always two students co-leading each mediation) hold initial, separate meetings with each disputant prior to the mediation itself, then

the actual mediation with all parties present which in most instances generates a written memorandum of understanding of any/all resolutions, and finally a follow-up session at some mutually agreeable time 2-3 weeks after the mediation. Susan commented:

> So it would be those three steps: initial meeting, person A, person B, they [student mediators] would have to meet them [disputants] separately and explain the mediation and after the …mediation was complete, then they would do the memorandum of understanding and then they did a follow-up after mediation…Different groups would agree to different timelines for follow-up, but I didn't like it to go over a month personally. They [CJI] said a month would be a good time to see how things are going. Sometimes, we said two weeks, three weeks.

Both Brenda and Susan witnessed all the student mediations in their school. They were present simply to witness the process, and did not participate. These latter three factors, pre-screening mediation referrals prior to ensure the conflict is appropriate to a restorative process, having student mediators meet individually with each disputant separately prior to the shared mediation, and holding a follow-up interview following the mediation to assess the success of the memorandum of agreement highlight the thoroughness of and design safeguards within *Conversation Peace.*

### *The Outcome of Peer Mediation*

Evaluating or measuring the outcome of *Conversation Peace's* peer mediation program may be viewed from several perspectives. One perspective is to record the number of disputants able to sustain, over time, the shared agreement or memoranda of understanding generated during the mediation process. Brenda reports, "There were three [mediations, out of 25] that were not successful." In Susan's school "there were 12-15 mediations going [a month]" which calculates to approximately 120-150 student mediations during a year. Susan described the "success rate of these mediations as quite high" but she gave no numerical value to this success.

When asked about the success of peer mediations in her school, Barbara, who described her entire school as a restorative action school, responded:

> I'd probably say 95%, because we won't mediate something if it's not going to work. If you do the initial meetings and this person is not going to accept responsibility and they are going to sit in a room and argue about who did what there is no point. I think probably one of the best lessons from *Conversation Peace* that I have utilized over and over and over again is that it's just really quite basic.

Martha shared the story of a lengthy mediation involving four girls, where the resolution from "one of the girl's point of view" several months later was "not a good resolution." However Martha's narrative revealed another perspective from which to view outcomes of mediation, that of preventative interventions. While Martha admitted that this particular mediation did not or perhaps could not address the core of the students' conflict, Martha was quick to add, "That's not to say that it [the conflict] would not have been worse if this mediation hadn't happened…[she, the student] doesn't have a bad feeling about the mediation…it didn't produce any miracles but I don't think it [the mediation] was a failure." Martha's supposition that the conflict may have escalated further had the mediation not occurred is worthy of reflection. No one can speculate on future hypothetical situations, yet we cannot ignore that voluntary focused interventions can lead to further self-reflection, personal growth and skill development. Sophie captured the essence of this skill development when she stated: "Basically it [*Conversation Peace*] is assertiveness training…how do you [the student] solve the problem opposed to an adult solving it for you?" Sophie described her experience of unsuccessful mediations:

> Sometimes the mediations don't work in which case the vice principals have to deal with it…probably 50% of the conflicts that don't end up in mediation, because mediation is voluntary. If kids are not willing to do it then it doesn't happen…if kids are determined

to continue to fight then mediation kind of solves one little spot then conflict breaks out again.

Brenda stated:

We had one [mediation] that ended and ended up going to administration. These kids [the mediators] tried so hard to mediate it, different mediators; it wasn't going to work. So that went to administration. Then there were two that ultimately ended up, through the course of the mediation, another issue ended up coming up, so it broke off into a totally separate mediation. But other than that all of the other ones, to the best of our knowledge, from the follow-ups were all resolved. There weren't any further issues.

Monica, whose Grade 11 Peer Mediation students facilitated six mediations during the first year this course was offered, stated: "I can think of one where those agreements haven't been kept solid. I got the peer mediators to go follow up…that particular case got referred on to the Admin because the agreement wasn't being adhered to." Martha outlined two reasons why she believed peer mediations might not be successful: "possibly not all the agreements are kept because maybe the right issue isn't being addressed. Or maybe the right parties (disputants) aren't involved." The outcomes of peer mediation can, according to this research, be measured in a multitude of ways: (a) the longevity of student agreements resulting from mediation, (b) the thorough review of the referral and preliminary dialogue with disputants by the school counsellor (or other school staff) to discern the potential successful result of a mediation, and (c) the preventative nature of present interventions which may decrease the intensity of potential future disputes. Three of the participants alluded to various reasons why specific mediations did not or might not have achieved the desired outcome.

*Types of Student Conflict Addressed by Restorative Action*

All research participants were very clear that school conflicts involving physical/sexual assault, chronic verbal bullying, weapon/drug offences or any conflict which might potentially

place student mediators themselves in an unsafe situation, would require adult-led disciplinary

action or mediation. The types of conflict which research participants indicated as having been

successfully addressed by peer mediation were (a) social aggression, (b) verbal and internet or

MSN (The Microsoft Network) bullying/rumours, (c) physical bullying, (d) name-calling, and (e)

theft of personal property. Monica commented that in her opinion "[approximately] one third of

all different types of behaviour issues or conflict issues that happen at our school" could be

resolved through peer mediation. Mediation in all six schools was generally offered as a choice

for students in conflict; however in some situations the restorative action process was mandated

by administration (where the severity of conflict and consequence could or had led to student

suspension or expulsion). (This latter situation technically violates one of the founding

principles of restorative justice, that participation is voluntary; however within the educational

setting there would be a clear desire for administration to access every avenue of possible

conflict resolution, prior to an administrative decree of student expulsion from school.) Sophie

voiced the necessity of retributive and restorative opportunities co-existing within a school

setting when she stated:

> You can't get rid of the top down [retributive disciplinary process] because parents
>
> expect that something will be done...so you need a day or two days suspension for a cool
>
> down. You cannot do mediation the same day that there is a fight occurring, and you
>
> can't have those kids in the hallways with people knowing, 'You can have a fight and
>
> you don't get suspended?' So you have to have both.

She described a typical dialogue with disputants in mediation resulting from such heated

circumstances as:

> 'The purpose of this mediation is not for you to become friends with them again, but you
>
> are in the same classes. If not, you are going to be in the same classes next year. You
>
> have to walk down the halls together. You don't want to end up in (another) fight. What

are you going to do about it?'. . .It's not like the criminal justice system where you've got

a victim and a perpetrator, whatever, [at school] they are usually both to blame, in terms

of yes somebody started it, someone has escalated it, somebody bumps you in the hall

and you call them a 'whatever.' You are part of the problem kind of thing and it builds.

So I see it as really positive in that way for [the students] to learn the skills.

Unlike the criminal justice system where crime can and does occur between strangers who may

never encounter one another after the incident, in schools students may have their learning

environment in common for a period of years. It is clear from this research that schools had

established clear boundaries as to the types of conflict that would and would not be addressed

through peer mediation. In these data, peer mediation programs permitted students to find

meaningful verbal resolutions to (a) social aggression, (b) verbal and internet or MSN (The

Microsoft Network) bullying/rumours, (c) bullying, (d) name-calling, and (e) theft of personal

property, while physical/sexual assault, chronic verbal bullying, weapon/drug offences or any

conflict which might potentially place student mediators themselves in an unsafe situation,

would require adult-led disciplinary action or mediation.

*Value of the Peer Mediation Program within the School*

All research participants were enthusiastic and positive in terms of their opinions of the

value of the peer mediation program within their schools. Three of the six research participants

mentioned a "spill-over effect" where they received student feedback which evidenced that

mediation skills learned by both mediators and disputants had spilled over into their personal

lives. Sophie, counsellor in a school of 1100 students, was both adamant and pragmatic in her

assertion about the contribution of *Conversation Peace* to her school. She commented, "I

believe it (mediation) helps because otherwise I won't be doing it." Martha commented on her

impressions of value of the peer mediation program to both mediators and disputants in her

school of 800 students, noting the "spill-over effect" of these skills into their own personal lives. Martha stated:

> I think it is helpful to both the mediators and the children with the conflict. I mean the mediators probably learn more than the kids with the conflicts do…it just pushes the mediators into a responsible position, pushes them into seeing things differently than they did before…how could that not be a good experience? They are learning what restorative action is, they're learning a different way of looking at conflict, they are relating it to some of their own conflicts. They can use it in their lives…it's not just something that happens when you are mediating younger kids. For the children who are being mediated, it gives them a chance to talk about things, …it gives them a chance to be heard. . .it gives them a chance to see that sometimes what is really, really a problem one day, a couple of days later isn't really a problem….it helps to take some of the urgency out of the problem solving… it's giving responsibility to kids, to both those with the conflict and the mediators…I think when you put kids in that role they sense that it is really different for them --the mediators…have that experience of feeling more responsible….the children with the conflict also feel more responsible when they are invited to come up with solutions.

Monica also commented on the "spill-over effect" when discussing her high school course on peer mediation:

> I think the main thing about the course is that we are trying to make the students be peacemakers in their own personal lives…. those are some qualities that are intangible and difficult to measure and to assess, but nonetheless very important…On numerous occasions I can remember my kids [students] coming to me and saying, 'Monica, Monica, [all excited] the training that you gave it actually works!' And I'll say, 'Oh really, tell me what happened.'…invariably it's using their empathic listening skills,

...giving the kids the confidence to reflect on other people's feelings is a great tool to disarm any conflict they are having in their lives.

Barbara also remarked on this spill-over effect. She stated:

All students who have gone through it, [*Conversation Peace* peer mediation] appreciate it, say that it makes a difference, they actually learned something, that they thought it was going to be a big joke but then it wasn't. They think they are going to go pull the wool over people's eyes, [by saying] 'I'm sorry', [and] that's not really how it is. They all acknowledge that it's harder than accepting the punishment. There is a lot more emotional work that is involved, a lot more authenticity, or they would say it's more real, it's more relevant, it matters. They talk about the skills being important in their life, that it helps them in their relationships, it helps them in their jobs, and it makes their mom easier to deal with. The skills that they get are way more important than something that they will learn in Socials. They talk about life learning.

Susan commented on her experience on the overall impact *Conversation Peace* within her present school community: "I would say it definitely helps the overall school culture...with empathy, thinking of others." Thus the value of having a peer mediation program within a school not only supports the peaceful resolution of student conflict within the school in many situations the mediation skills support students with the peaceful resolution of conflict within their personal lives.

*4.3 Common Themes with Varying Responses*

The following eight common themes produced varying responses from the research participants in this study (see Table 2 page 76). While in some cases, only 1 or 2 participants made mention of these themes, the content is of such value (in the opinion of the researcher) that to withhold it would be a disservice to both the research participants and to the reader.

*Academic "Catch-up" for Student Mediators*

As has already been mentioned, the time required for peer mediation during school time removes both the mediators and disputants from their regularly scheduled classes. This circumstance, in most cases, requires the students to "catch-up" on the classroom projects or assignments which were missed as a result of their participation within the mediation process. Of all the research participants, Brenda alone found this "catch-up" requirement quite unreasonable and "punishing." She stated:

> I think a mistake that a lot of programs make because they pull the kids [from class for purposes of mediation] and instead of acknowledging their [students'] support and help, they're [the teachers] like, 'Okay, now do that for homework.' What is wrong with you [the school staff]? They [the students] are helping the school be a better place... how important is that math page? If it is important, then by all means, but let's give the kids some extra credit somewhere. So lots of times what happens here [at my school] is if you do extra work [mediation] you get extra credit.... You don't get punished for being good here.

I believe it important for schools using *Conversation Peace* to reflect with care on all aspects of student involvement within the peer mediation program. Barbara's point, that students serving as peer mediators are performing a valuable service to the school community is, in my opinion, worthy of consideration and credit. The systemic and usually automatic pressure to "catch-up" on missed academic lessons causes one to pause, and to discern the unspoken message being sent to the student mediator, if there is no other mechanism for acknowledgement of their service to the community. It would be worthwhile for schools implementing *Conversation Peace* to reflect on the time commitment of their trained student mediators and the "value" of their service to the school.

*Comments on Mediators/Disputants in terms of Possible Gender/Ethnicity Match*

Participants in this research had a range of comments regarding the possible influence of a gender and/or ethnicity match between disputants and peer mediators. Each participant spoke from her own contextual experience given the ethnic homogeneity or diversity of the student population within their schools. Both Martha and Susan, for example, trained both boys and girls as student mediators seeking, in Susan's words, "gender equity"; however they said very little about intentionally selecting students who were ethnically representative of the school population. Martha noted: "Our school doesn't have a lot of (ethnic) diversity." Only one of Martha's 12 trained student mediators was described as a "foreign" student. While all research participants were clearly seeking students with empathic ability or tendencies to become trained peer mediators, Barbara was the most outspoken in her opinion that empathy outweighed both ethnicity and gender within this selection process. She stated:

My personal opinion is that people are people and that if someone has the skills to help you then they've got to utilize it. I think that most of the [mediation] teams that I've set up are boy-girl teams because I think it's helpful...there is that connecting piece, especially when we go into the elementary schools [to offer peer mediation], there will be a boy and a girl [as co-mediators], ...I mean if you are really good at connecting with people it won't matter if you are a boy or a girl, black or white. If you don't have connection skills...if you cannot connect with the person who is in the conflict then you can't help them.

Monica described how, in her opinion, the gender of the disputants clearly influenced her selection of the peer mediators chosen to meet with the disputants. She stated:

If there are two boys who are in conflict what I would usually do is send in a female mediator who is really strong and a male mediator as well... If there are two Grade 8 boys in conflict I will send in two Grade 11 girls to mediate the dispute because I find

that it is disarming, it is tough to misbehave when there are two older girls in the same room.

Monica went on to reflect upon the ethnicity of the students involved. She indicated:

That (gender and ethnicity) is something I think about especially… during the intake process. Mediation is something that involves not only an attitude of empathy, but really, really, really strong communication skills. I find at the Grade 11 level … that girls tend to be a lot more communicative than boys and a lot more empathic than boys. There's a number of [male] candidates,… Grade 11 boys [who] wouldn't be as strong as mediators, but I would be overlooking it [gender equity] if I didn't include them [the boys] in the course because not only have they expressed an interest in mediation but it's really important for me, for my mediation class to reflect the diversity that we see in the school here. Especially when you think of a multicultural environment when there are linguistic differences. If I have a student who can speak Cantonese and Mandarin for example, wow, what an effective tool that is . . . those are things I am mindful of as well.

Sophie commented that the gender of the disputants affected both the duration of the mediation process, and her selection of peer mediators. She stated:

If [boys] had a fight, they've often already talked and kind of resolved it, but it [the mediation] kind of formalizes it. Girls are significantly different because they have their conflicts go on for a long time, like 'In Grade 5 she said this to me, in Grade 7 she said that to me.' So there's just kind of a lot more history. When it's girls it often takes three times as long as doing mediations with boys.... if it's a conflict between a girl and a guy, I'll have a girl and a guy as mediators.

Sophie went on to describe her experiences with student ethnicity and peer mediation. She stated:

Our school was varied in racial background, we have a fair number [of Indo-Canadians], and Chinese and Korean, Vietnamese...so if there is a racial difference [between disputants], I will sometimes find someone [peer mediators having the same ethnicity] if I have that available to me...that [ethnicity of applicants for peer mediators] is something that we are going to look at in terms of next time we train mediators to make sure that we have some Indo-Canadian kids that are involved...I would say if there was a racial difference [between disputants] it would be nice to have the same racial groups [represented in the peer mediation team].

In contrast to the other research participants, Brenda had "honestly never even considered that (ethnicity and gender)." She described her selection of peer mediators in the following way:

I just sort of go with personalities more than anything else. Some of my best peer mediators are the boys and they tend to be kind of softer boys... some of those boys don't work very well with some of the harder boys that are dealing with more boy type issues. I was really lucky to have a couple of girl mediators who were very much into motorcycle riding, it was just the perfect fit. To me it was more about the personality and who would work better with their style of speaking and their style of interacting and whether they were laid back and quiet or whether they were sort of authoritative and could keep these kids [the disputants] sort of focused. So I went more for personalities. But that being said I didn't give a lot of thought honestly to ethnicity when I did the mediation.

Sophie casually stated, "I sort of took anybody who applied. Anybody who applied got to go to the training because there wasn't a major limitation on the numbers." Within this sampling, two of the research participants identified the student mediator's ability to connect or to develop an empathic relationship with the disputants as a stronger element within the peer mediation team than the gender or ethnicity of the mediators.

*Differences in Number of Trained Peer Mediators and Peer Mediations within Schools*

As with any voluntary program, only those interested agree to participate. Even with a sampling of just six participants there was considerable disparity between the size of the schools in terms of student population, the number of trained student mediators versus the total student population, and the actual number of peer mediations occurring within a school year. (see Table 3). Note that Monica, the high school teacher, was employed at the school with the largest student population (of schools in this study). At the time of her interview she had just concluded instruction of the first year of her course in peer mediation. The reality that this program was in its infancy may account for only 6 peer mediations having occurred during the school year.

Table 3

*Comparison of Research Participants*

| Research Participant | Years of Professional Involvement with *Conversation Peace* at time of interview | School's Student Population | Number of Peer Mediators trained in *Conversation Peace* at time of interview | Percentage of Total Student Population who are trained mediators | Number of Peer Mediations in a Year |
|---|---|---|---|---|---|
| Sophie | Over 3 years | 1,100 | 12 | 1% | 30-40 |
| Martha | Over 3 years | 800 | 12 | 1.5% | Unable to accurately comment; "there aren't just loads and loads of them" |
| *Monica | First year of program | 2,200 | 20 | .9% | 6 |
| Brenda | Over 2 years | 440 | 9 | 2% | 25 |
| Susan | Over 2 years | 630 | 16 | 2.5% | 120-150 |
| Barbara | Over 3 years | 100 | 7 | 7% | "(formal peer mediation) it's not structured (here) as it would be in (other) schools.......a lot of the training that we do with the kids is to help them with their own conflict resolutions." |

\* Even though Monica's school had the largest student population, her data indicate the fewest mediations, and the lowest number of trained mediators in proportion to the school's population. It is assumed the reason for this lower number of mediations is due to the program being in its inaugural year.

Brenda estimated there were between 23-30 mediations within her school during 2006-07, while Susan estimated there were between 12-15 mediations occurring each month at her school. Both counsellors worked at similar schools in terms of student age, although the student population in Susan's school was approximately 200 students greater than Brenda's. Without more detailed data regarding the nature of conflicts addressed in each of the mediations, the school student population or culture in which the mediations occurred, it is impossible to determine why one school would have four to five times as many student mediations each month than another. What is clear is the unpredictability of the number of peer mediations which could occur in any school in any given month and the range of dedicated time required by the school counsellor (and/or other school personnel) to anchor this program successfully with a school. Susan described her frustration with the logistics of securing confidential meeting space at times when the various students were available to leave their classes, and when she herself was available to witness the mediations. Her exact comments can be found on page 118-19 of this thesis. Susan also noted that she had 12 trained peer mediators for a school population of 525 students. She also described the success of her school's peer mediation program as:

> A very steady stream [of referrals], to the point where we had a backlog of issues to be mediated, which was another logistical nightmare, because we didn't have enough [student] mediators to get to it [the referrals] ... they [the students] were best at dealing with one mediation at the time as opposed to dealing with three ....so once it [peer mediation program] became a positive, actual thing of school and very effective, it became almost a snowball effect positively but also negatively because we didn't have enough mediators to mediate. So then I was standing in and ....doing mediation, there was no peer mediation...but there was a...backlog [of referrals] that needed to be dealt with.

Comparing Susan's experience with that of Sophie who stated, "We did absolutely no mediations in December, very few in January because there were final exams (for Grade 12 student mediators)," it is possible to see how the divergent frequency of peer mediations within individual schools is affected by a multitude of factors. Clearly flexibility is essential as school counsellors working within *Conversation Peace* cannot predict the number of necessary student mediations which will be required in any given year, and thus must be prepared to accommodate the individual and unique needs of each student population.

*Effect of Conversation Peace on Disciplinary Referrals to School Administration*

Given the empirical studies which suggest a reduction in disciplinary referrals to school administration as a result of the implementation of peer mediation programs, it seemed appropriate to ask these research participants their opinions as to whether or not they believed *Conversation Peace* affected disciplinary referrals within their schools. As with other points of discussion in this segment of the thesis, the research participants, while personally and professionally supportive of the peer mediation program, were not consistent in their ability to respond to this question. Four of the six participants could not respond directly. The remaining two were enthusiastically affirmative. Monica, who was just concluding the first year of her peer mediation course, responded:

> I think it is a little too early to ask that. I know for the half dozen or so times that we [peer mediators] have helped out [mediated disputes] those are times where the Admin hasn't had to be involved. On the flip side... it is a little bit more work for Admin... there's procedures in place for referrals... I do think that it has reduced their workload, not substantially, but in a marginal way. I think if that continues and there's more emphasis put on referring to peer mediators then I think that it would really cut down on their time.

Martha and Susan's *Conversation Peace* based peer mediation programs had been functioning

for several years at the time of their respective interviews. Neither participant was able to

comment on the programs' effect in terms of disciplinary referrals to the school administration.

Martha stated:

> I would have to talk to the administrators about that. I think it would be interesting to
>
> know how they are feeling about it at this point because I am not really...up on how they
>
> perceive it. I just see that it's still working and the kids are being responsible. Teachers
>
> are still making referrals.

Susan commented:

> I couldn't answer it realistically, but it would only be my opinion which I don't think is
>
> based on any fact. I know the Admin liked it... They liked what it did with the kids that
>
> went through it, and the understanding they have. They felt it helped the overall culture
>
> at the school with empathy, thinking of others.

Sophie's opinion emphasized her belief that her school was experiencing more peer

mediation referrals as there were simply more disciplinary matters requiring attention. She

stated:

> There are more disciplinary concerns now than before just because I think there are more
>
> problems. For a number of reasons... the school board has a policy that harassment is
>
> not acceptable ... [thus] I think that both kids and parents are more likely to complain
>
> about harassment than previously... so that means [peer mediation] referrals... have gone
>
> up.... I think that our school is becoming more diverse.... there is more of a racial tension
>
> than what there was before.... kids have come in from [other districts]... it sort of feels as
>
> though that is part of the problem....Our school is getting bigger.... More conflict is
>
> being noticed, possibly more conflict is happening than previously....You know, guns in
>
> schools. The worry is kids are killing kids. (On her written review of this transcript,

Sophie penciled in the following sentence. *A former student was killed the week before this interview.)*... It's just, the tension just goes up and up and up..... The MSN and the computer stuff that is happening makes the conflict worse.... because we are a very small community.... community conflict comes into the school much more ...Parents get involved in the kids' conflicts.

Yet given this plethora of challenges Sophie offered her professional endorsement:

I [still] think mediation is effective, I think it's a good skill, I think that some kids that get involved in the process will learn to not get in as many conflicts perhaps in the future, or learn to sort of see that a situation is going to turn into a conflict and deal with it in a different way.

Only Brenda and Barbara were definite in their assertions that *Conversation Peace* reduced the number of disciplinary referrals to the school office. Brenda stated:

The vice principal and I talk about this all the time, and he would definitely say that it has reduced the amount of kids that are in his office. As soon as a kid comes to him to complain about another student, he'll listen to them and go, 'You know what? This is a perfect thing for mediation. I don't need to deal with this, I don't need to talk to parents. Go to mediation.'

Barbara was more abbreviated in her response. She stated: "Absolutely because I deal with it [the conflict], not them [administration]! And they say, 'Okay, thanks.' And I say 'You're welcome.' It was surprising to me that only two of the six research participants were able to describe, even in general terms, any knowledge of possible change to the number of disciplinary referrals to the school office as a result of the implementation of *Conversation Peace* within their schools.

*Most/Least Beneficial Conversation Peace Training Module/Exercise*

All six research participants held opinions about either the most and/or least valuable training module or exercise within the **Conversation Peace** student training program. While all participants viewed the totality of the entire 2-4 day training program as highly successful, as school counsellors several indicated that they had, prior to the **Conversation Peace** training, already offered some training to their students in open/closed questions, "I" statements, and empathy training. In terms of the most beneficial exercises/modules within the training, Sophie commented on the role plays, open and closed questions, "I" statements, personal conflict styles and "Anger Mountain". She stated:

> The role plays are probably the key parts to it. They [the peer mediators in-training] get a little bit crazy doing the role plays, some of them, like there is no way you could mediate these people [disputants in-role] because they are too obnoxious. When we started doing the training, I was teaching a peer counselling class, so I had already had done lots of work on open and closed questions. But that's a skill that is really, really important, that they learn how to ask open questions rather than closed questions... [and] I had already had done lots of stuff on 'I' statements ... I think it is good for them [peer mediators in-training] to have the conflict styles stuff, for background. I think they kind of evaluate themselves... Often the peer mediators are not kids that necessarily get into conflict. Usually there are a few of them... but I think for some of the kids that don't get in conflict, it is really easy for them to say the right thing, or to not escalate a conflict, so it's good for them to learn that some people do become aggressive and what that looks like... the Anger Mountain stuff is good for them to sort of talk about because one of the things that I expect them to focus on when they are doing mediation is, 'What would you do if this situation happens again' because it will. 'So, how can you walk away? If you've got a group of kids surrounding you and they are all saying, 'Fight him, fight him, you are a

chicken.' How do you get out of that situation? How do you deal with what your triggers are?'... a big piece of the mediation [process] in secondary [school] is 'What would you do next time?' because you can't afford to end up in the vice principal's office again because you are going to get kicked out [expelled from school]. So 'what are you going to do, when the trigger happens? How do you de-escalate rather than make the situation worse?' So that's where the anger management stuff is useful....saying sorry is really hard for some kids. Talking about how they are feeling, how they felt, is really hard for some kids....so that's a skill that they certainly need.

Barbara commented:

I like the stuff that it [*Conversation Peace* training] does on open-ended questions, summarizing, clarifying. I like the masks activity...a lot of the empathy training at the beginning is so basic for my kids...I think one of the best things for kids is the concentric circles; just what it's like to be listened to for two minutes. People don't get that experience, especially as adolescents, you get interrupted every ...third word.

Susan cited the importance of visual information (located in the student workbooks), and the deliberate mixing of students of different ages/genders within the training modules/exercises so that students became comfortable with one another and were able to participate fully. She stated:

The visuals were huge, without visuals it would have been awful; also them [the students] getting involved, the skits and so on.... when it was small group sharing, we had one [student] from each grade level, one from each gender ... the icebreakers were incredibly effective. Without those I think the kids would have a hard time.... it [the training program] was very well thought-out, very thorough and I think very effective... I was very impressed.

Unlike Sophie, Brenda found that her students did not gain value from the conflict styles component of the *Conversation Peace* training. Brenda stated:

> The [conflict] styles, kids didn't like that, they didn't get that, …we did it with all the classes [re-taught this information during school time on another occasion]…they [the students]didn't like that for whatever reason.…The Little Red Riding Hood story: they loved that, because it [the story from the point of view of the wolf rather than Little Red Riding Hood] was looking at it [the conflict] from a different perspective, which is what you want them to do.

Like Sophie, Monica believed that her students gained value from the Anger Mountain activity. She stated:

> The Anger Mountain activity that they have there [within the *Conversation Peace* training] is really good. The kids see it and say, 'Oh I get it. I do that.' Or 'I know somebody who does that.' It's not natural for kids that are 16, 17, 18 when somebody tells them they are upset to say, 'So you are feeling blank when blank.' And that right there expresses the only frustration that I have with the peer mediation model. My kids as well, when I am teaching them empathic listening say, 'So you feel blank when blank?' They say, 'I don't say that. That is not natural. That sounds corny. It sounds contrived.' And I say, 'Yeah it does but guess what? It's incredibly effective. It works. Try it. You will be surprised.' And they all look at me skeptically and they'll try it once and they'll try it again and invariably they'll come back to me and say, 'Yeah it did work. It works.'

Martha described her impression of *Conversation Peace* training as having two foci: theory and practice. She reflected on her students' experiences within each of these areas and emphasized the importance of observation and role-play in learning the peer mediation skills. Martha stated:

The first part of it [*Conversation Peace* training] is really the concept... the first part

tends to be more of the fun part. They [the CJI trainers] taught it in a fun way and there

were lots of activities to help explore the concept of restorative action. The kids just

loved to talk about philosophical questions and bring up issues about their school and that

sort of thing... the second [part of *Conversation Peace* training] is actually learning how

to do the actual steps of the mediation.... that is really the meat of it... the first part really

leads them into that. Then when they [the students] actually work through a situation

that's when the most learning that takes place. It's great to watch the experienced

mediators, the trainers, do the demonstration but it's hard for the kids to watch because

it's kind of slogging work... Their [the students'] eyes will glaze over a little bit, because

this is 45 minutes or whatever, 30 minutes, this is taking some time. It's not exciting.

It's hard to stay with it when you are not the one who is doing it....It's not entertainment

you know. [participant laughs]. While I think it is valuable to see that, it is hard to learn.

You don't really learn in that situation though that is a part of the training, that kind of

demonstration. But when you get down to the role playing themselves, you can really see

who is able to pick that up and do it.

It is clear, as evidenced by the interview excerpts, that different training modules/exercises

within *Conversation Peace* appealed to the various research participants by virtue of varying

learning modalities and lesson content.

*Students for whom Peer Mediation may be Particularly Difficult*

There was only one research participant who indicated that peer mediation was

particularly difficult with a specific student population. Sophie commented:

It's really hard to do mediation with kids who are MID [Mild Intellectual Disability] or

autistic or kids who aren't interested in anything at school other than the social drama,

.... there are some kids that I just know are going to have a lot of difficulty with it, you

get somebody who is autistic you know it is going to be a tough one. Or somebody's got

a reputation for escalating conflict.

It is noteworthy that no other research participant spoke about particular students for whom the

process of peer mediation might be particularly difficult or challenging.

*Time between Conflict and Onset of the Peer Mediation Process*

All research participants identified their knowledge of and in some cases concern about

the passage of time between the occurrence of the conflict, the receipt of the referral, and the

beginning and end of each mediation. While each school counsellor/teacher endeavoured to

make this interval as short as possible, there was considerable variability in the length of the time

interval.

For Barbara, whose school had the smallest student population, there was only "a couple

of hours" delay from the time of the referral to the beginning of the mediation process. For other

research participants, course timetabling for student mediators, (i.e., their actual availability to be

excused from their own classes to mediate a conflict), played a significant role in the time delay

between referral and mediation. There were other factors to consider including a "cool down"

period for the disputants as well as the disputant's own timetabling needs. Sophie described the

importance and necessity of a "cool down" period for the disputants: "[The mediation] usually

doesn't happen the day after the referral, . . . sometimes it takes three days, ... it's good that it

takes three days because they [the disputants] have had a weekend to think about it." Martha

declared:

> It [the time needed for scheduling the mediation] would be as soon as possible. . ..the
>
> mediation might be right away, especially with the younger kids, but it still needs to be
>
> determined by the [course timetable] schedule of the [mediators]. . .I think it would be
>
> fair to say that within a day to a week …there would be follow-up.

In Monica's peer mediation class "the appointment [for mediation] would be booked a week in advance," thereby allowing timetabling of both student mediators and the disputants to be considered. Monica also commented:

> The mediation session [alone] could take 15 minutes, or it could take an hour. It might require another session. After that there's paperwork that the students have to fill out just describing, reflecting not only on their own performance in the mediation but also a description of what has to happen after the mediation. With the disputants involved, we try to get them to sign a contract, so we put down in words what they have agreed to, to solve whatever problems that they are in. From that afterwards they have a follow up as well [the peer mediators do].

Brenda noted: "I would say the mediation would start within two days...it sometimes takes a couple of weeks until it's completely resolved." Susan commented:

> Once we have the agreement [to move forward with mediation] we wanted to hopefully solve an issue within five school days. That wasn't always the case, because not only did you need the mediators to get out but you needed release time for the children [disputants] to get out [of their classes].

In this study research participants indicated there was anywhere between a one-to-two hour to a one week time lapse between the occurrence of the conflict and the onset of mediation. This time interval was affected by the size of the student population within the school, the logistics needed for scheduling both mediators and disputants and a confidential meeting space, and the time needed for disputants to "cool off" before entering the mediation process.

*Time Involvement of School Counsellor within the Peer Mediation Program*

Given the experience of the six research participants involved in this study, each individual reflected, sometimes disparagingly, about the level of their personal day-to-day time involvement with **Conversation Peace** in their respective schools, given their other

responsibilities. The general structure for operationalizing *Conversation Peace* within a school is outlined below:

1) A school-specific process for the selection of applicants for peer mediation training which includes parental consent is undertaken.

2) Successful applicants attend a formal 2-4 day (usually off-site) training.

3) Disputants in a conflict choose to participate in a mediation.

4) Two student mediators are selected, from the pool of trained mediators, to co-facilitate the mediation.

5) The student mediators hold individual meetings with each disputant prior to the actual mediation (number of these initial meetings being dependent upon the number of disputants in the conflict).

6) The mediation occurs. The student mediators ensure that a written document describing any agreement or resolution resulting from the mediation is signed by the disputants and forwarded to the school counsellor.

7) The student mediators hold follow-up meeting(s) with disputants approximately one week after the mediation to ascertain the status of agreements made during the mediation.

The integration of this program within the overall ethos of any school culture, given course timetabling, exam schedules, availability of confidential meeting rooms within the school, and seasonal special events, is quite unique to each setting. All the research participants in this study seemed to hold "the lion's share" of the multitude of roles and responsibilities required to ensure that *Conversation Peace* was successfully implemented within their schools. In some schools, the school counsellor was alone with these tasks; in others, additional staff such as the Youth and Family/Child Care Worker, First Nations/Aboriginal Support Worker and other school counsellors participated to some degree. In almost all cases, the research participants: (a) were involved in the initial screening/interviews of student mediators prior to or during the selection

process, (b) collected written parental consent for student participation in the program, noting student absence from class due to mediation training and related meetings throughout the school year, (c) participated in some form in the 2-5 day student training program, (however the training program itself was facilitated, in all instances, by staff from Community Justice Initiatives), (d) organized and led several "booster" sessions for trained student mediators throughout the year to ensure ongoing review and practice (role play) of mediation skills, (e) reviewed the peer mediation referrals for suitability to proceed with peer mediation, consulting with administration/classroom teachers as necessary, (f) timetabled the availability of student mediators given their academic timetables, as well as considering the nature of the conflict and disputants, for example - whether or not actual gender of the student mediators would be a helpful component within the mediation, (g) completed confidentiality checks with student mediators as to their prior knowledge or interactions with disputants, (h) booked confidential meeting rooms as needed for pre-mediation meetings, mediations, and follow-up meetings, (i) debriefed the mediation with the student mediators, as necessary, following the event, and (j) ensured that any follow-up document such as the 'memorandum of agreement' documenting the resolution of the conflict was kept at least until the end of the school year. In addition, both Susan and Brenda personally witnessed each mediation directed by their student mediators. It is clear from this information that there are many aspects to the "behind the scenes" facilitation of *Conversation Peace*, and that each of the research participants managed these responsibilities in ways which were unique to their particular school setting.

Martha stated: "[*Conversation Peace*] isn't a big time commitment for me." Yet, for Susan the logistics were incredibly challenging. She stated:

It was just fitting it [*Conversation Peace*] into the school proper without affecting the other aspects of the [students'] learning... I found this very difficult. I think if that was solved, this program, with what I saw, how it was designed, and what it was meant to do,

would be excellent.... Logistically it was very difficult.... for instance, if there was four

kids involved in an incident, and I had two mediators ...and myself...being the

observer... I found it very difficult for that release time for all those people.

It is clear that the implementation of *Conversation Peace* has many unspoken elements which

come to light only as the program becomes operational within a school. It is prudent that school

counsellors are aware of these levels of responsibility as they undertake facilitation of this

program.

CHAPTER FIVE

Discussion

[Re: suspension/expulsion from school] that's not conflict resolution ... that's conflict ejection. It doesn't resolve the problem, it gets rid of the problem.... [I'm] not really sure you really resolved anything. I mean the victim is still scared shitless... Now they are more scared because their friends are mad at [them] because [the offender] was kicked out.... no education happens. I think it is a joke to call that conflict resolution... [the students] don't have the natural skills and abilities to actually get to the heart of the matter, which means it will resurface. ... if you wait too long, you have lost what you need to achieve true understanding. Without that true understanding the problem is not resolved.

Barbara, High School Counsellor

*5.1 Comparison of Findings with Literature*

There are many findings within this research study which are consistent with current literature regarding restorative justice practices within schools. All research participants commented on their experience of the benefits of an already cooperative school culture (Sellman, 2002), committed administrative leadership (Bell et al. 2000), and the essential need for a confidential meeting space within the school for purposes of mediation (Angaran et al., 1999; Bickmore, 2002). **Conversation Peace**, in their opinion and mine, successfully delivered a *cadre*-style peer mediation program (Bickmore, 2002; Carruthers & Sweeney, 1996; Cremin, 2002, Duanic et al., 2000, Guanci, 2002; Harris, 2005, Shulman, 1996, Van Gurp, 2002) which offered student mediators the skills and training to mediate conflicts illustrative of direct and indirect aggression between their school-aged peers: (a) verbal harassment, (b) name-calling, (c) threats, (d) spreading rumor/gossip, (e) teasing, (f) pushing/shoving, (g) harassment, (h) threats, (i) intimidation, (j) bullying, (k) property issues, (l) cliques, (m) verbal and physical fighting, (n) boyfriend/girlfriend conflict and (o) issues of prejudice. This success was demonstrated through the narratives of the research participants who indicated that a very high proportion of student mediations resulted in long-term agreements between disputants.

There were also novel findings in this research which, as yet, are unstated in the school-related peer mediation/restorative justice literature. The narrative voices of the research

participants and their firsthand experience with *Conversation Peace* have allowed these findings to surface. The first of these findings was the strong emphasis on confidentiality within student-led mediations and the importance of the role of school counsellors within peer mediation programs in schools. The need for confidentiality between disputants and peer mediators was emphasized to the school staff and peer mediators during their respective *Conversation Peace* training, and all research participants indicated this information was taken very seriously. They spoke firmly in terms of the high standard for emotional safety which confidentiality created within the mediation process, and seemed proud that their peer mediators also recognized and respected this responsibility. It was disappointing to learn that a teacher unfamiliar with this tenet of mediation attempted to pressure the student mediators into breaking this trust; however this situation, as well as Monica's situation where the school counsellors indicated their opposition to the peer mediation program which Monica was instructing, present key teaching points for school staff/administration initiating peer mediation programs within their school. School staff must be clearly informed as to the goals of the PM program, the nature of student conflicts which the school's peer mediation program seeks to resolve, and the importance of confidentiality. To successfully mediate a conflict between disputants where trust in a relationship has broken and conflict has arisen, the mediation process itself must model trustworthiness. Emphasizing the need for confidentiality within mediation, particularly between disputants where indirect non-physical aggression is the root of the conflict, demonstrates the alternative of the behaviour which caused the conflict in the first place. From a counselling perspective, confidentiality is a core agreement between counsellor and client which builds trust and emotional safety, and therefore school counsellors are well versed in its importance. They are also, by virtue of their specialized training and experience, able to support students, either peer mediators or disputants, if a disclosure of abuse arises (as occurred in Brenda's school, see pg. 83 of this thesis). Nowhere in the research literature is there any suggestion that such a

situation could occur. In fact, all research participants indicated that significant screening precautions prior to mediation were in place to ensure that the mediation would focus solely on the conflict at hand. Yet, even in this small sample of six research participants, there is not only evidence of such an event but also of the follow-up offered to the disclosing student and to the peer mediators who were witness to information which was inappropriate for their ears. Brenda also mentioned the long-term emotional memory of this experience which stayed with those specific peer mediators. This instance alone is sufficient justification in my opinion for school counsellors to be involved within peer mediation programs within any school. In terms of elementary school counsellors in British Columbia who work at more than one school, these individuals would need to schedule their work week to ensure they are on-site during days/times when peer mediations are planned. Only by being on-site the day of elementary mediations, will these counsellors be immediately accessible to debrief the peer mediators and disputants in the event that a disclosure is made and additional emotional assistance is required.

During the analysis of CR/PM literature I became curious as to a remarkable discrepancy between the many articles in the research literature which describe CR (conflict resolution), PM (peer mediation) or restorative justice programs in schools and the very few which actually name a theoretical foundation for such programming (Dawson & McHugh, 2006; Harris, 2005; Maxwell & Morris, 2002; Moffat, 2004; Shulman, 1996; Singh 1995; Sweeney & Carruthers, 1996). At a time when funding agencies/government are seeking evidence-based preventative and core curricula which promote the combined goals of academic success, enhanced health and prevention of problem behaviours (Greenberg et al., 2001, 2003), it seemed rather astounding that references to solid educational theory in area of CR/PM programming were so fleeting. No one article matched the structure or design or content of any peer mediation program with a detailed step-by-step analysis of a specific educational theory. To me this presented as a noticeable gap in the research literature. Consistent with this gap were two parallels within the

data: (a) none of the research participants volunteered specific theoretical principles supporting their professional beliefs/practices as school counsellors with the practices of either restorative justice or/and peer mediation, and (b) by some sad coincidence, none of my interview questions directly pursued this specific avenue of enquiry. While the research question, "How does *Conversation Peace*, a peer mediation restorative action program, address conflict resolution in public schools?" received whole-hearted, unanimous support and affirmation from the research participants regardless of the challenges they encountered, no one linked, from a theoretical standpoint, linked the principles of restorative justice to a specific educational framework through which conflict was addressed. While Moffatt's comment (2004, pp. 14-15) that a unique "pedagogy of peer mediation" exists could be inferred by the participants' belief in and abundant enthusiasm for *Conversation Peace*, the pedagogy itself, in my opinion, needed a more transparent link to educational theory. It was evident that the training program, manuals and firsthand observations/experiences of the restorative process were considered successful by the research participants. Their enthusiasm for *Conversation Peace* reminded me of Daly's (2002) remarks that proponents of restorative justice tended to canonize the tenets of restorative justice. While clearly those interviewed were dedicated to their involvement with this program, and believed it had outstanding value for the students in their schools, none viewed restorative justice as a panacea. All participants were pragmatic, noting that certain student-to-student conflicts required adult-to-student versus student-to-student interventions. Several participants positively described their experiences of a combined retributive and restorative solution to student conflict.

*Conversation Peace* is a cadre based peer mediation program in terms of implementation. While this model of implementation has its advantages (Bickmore, 2002; Carruthers & Sweeney, 1996; Harris, 2005), current SEL (Social Emotional Learning) research indicates that schools which use programs based in the *total student body/whole school*, or *curriculum-integrated* approach achieve longer term results for more students. Jones (2004) reported that optimal

results of CRE within elementary schools are best obtained through a two-tiered implementation process which included a specific program delivery in the Primary years (Grades 1-3) followed by the integration of CRE practices within Intermediate (Grades 4-7) curriculum subjects: Language Arts, Social Studies, Math, and Science. Relatively recent findings in educational peer mediation and conflict resolution research indicate the most successful preventative programs are: (a) being applied within core subject areas in addition to receiving their own instructional time, (b) are installed within the school year for the long term - becoming fully recognized as a "core" component within the overall school program, and (c) involve parental education and support (Johnson & Johnson, 2001b; Stevahn, 2004). Of the six research participants interviewed for this study, only Barbara described integrating some of the restorative justice themes and concepts into her Humanities class for Grade 11 and 12 students. It would be interesting to dialogue with the authors of *Conversation Peace* to explore their choice for the cadre model of implementation, given that educational research at the time of its publication was suggesting that curriculum-integration as the most effective way for all students within a school to acquire and practice the skills of conflict resolution. The founding of the Collaborative for Academic, Social and Emotional Learning (CASEL) in 1994 to begin to evaluate instructional K-12 classroom prevention programs would have been a beacon to all prospective publishers that SEL based programming was moving to the forefront of curriculum design and instruction. A possible expansion of or shift in the implementation model of *Conversation Peace* at a future time could increase the number of students in any school or school district receiving instruction in the principles of restorative action.

Most research participants in this study spoke impressively about the high proportion of conflicts which were solved through peer mediation and the longevity of agreements created during peer mediation sessions. The "success rate" for peer mediations conducted using *Conversation Peace* was highly consistent with the research literature, as were the types of

conflicts stemming from *physical, verbal* and *relational aggression* which were referred for mediation. While there were differing opinions amongst the participants as to whether or not the peer mediation program reduced disciplinary referrals to school administrators, quantitative measures such as described by Guanci (2002) and Johnson et al. (2001) were not a feature of this study. However, I would think this information valuable for future investigation and in-school record-keeping, and would hope that such data were being accumulated at the level of individual school administrators, if not by staff within the respective school boards. Even Kalpatoo and Associates' (2006) final evaluation of the Educating for Peacebuilding School Project in the Langley school district holds little of this information. Without these data or other empirical evidence assessing the hypothesized link between students' social/emotional well-being, competencies with constructive conflict resolution skills, increased school safety and academic achievement reported in studies by Moffat (2004) and Stevahn (2004), *Conversation Peace* may not have the commercial longevity it desires. This said, the research participants were united in their belief that the students acquired valuable life skills either through the peer mediation training or when participating in a mediation as a disputant. Macdonald's (2005) research of young adults in New Westminster transferring their high school acquired conflict resolution skills into the workplace bears out these reports.

In terms of criteria for students to be selected as student mediators, the research literature provided mixed information regarding gender and ethnicity (Cassinerio & Lane-Garon, 2006; Harris, 2005) and recommended that student mediators be selected from a cross-section of the student population (Bickmore, 2001; Guanci, 2002). While research participants in this study viewed communication skills and empathic abilities of the prospective student mediators as having more significance than gender or ethnicity, in some instances the gender of student mediators was considered by the school counsellor when matching mediators to disputants. Much of the CR research in schools is based within the tensions of the U.S. public school

experience, and as Barbara indicated, ethnicity may be more of a lightning rod within that climate. All research participants in this study worked in public schools in the Lower Mainland area of British Columbia during 2006-07. The six schools in which these counsellors were employed ranged in population between 100-2,200 students and were racially representative of their communities. Depending on a specific school's geographic location or educational focus, this could mean a relatively racially homogeneous student population or one that is extremely diverse. (In one of the Vancouver elementary schools where I worked as a school counsellor some years ago, the student population represented families from some 47 different countries.) I admit to a sense of appreciation that the student mediator selection process for research participants in this study first identified students by virtue of their empathic ability rather than their ethnicity and that school counsellors were willing to choose specific peer mediators who would best support the individual needs of disputants within a unique conflict. Several counsellors indicated they would choose a pair of male or female peer mediators, or a combination of male and female mediators, if they felt a specific gender constellation would provide the leadership necessary to achieve resolution of the specific conflict. The ethnicity of the peer mediators and disputants was similarly considered. Shulman's (1996) research extolling the benefits of older students teaching conflict resolution skills to younger students was supported in one school where the counsellor acknowledged older and more experienced peer mediators were partnered with younger and newly-trained peer mediators so that the latter could gain more confidence and experience. In a number of schools the high school peer mediators had made arrangements to travel to local elementary schools to offer peer mediation to the younger children.

Probably the final two significant discrepancies between the peer mediation practices in this study and those in the literature are: (a) the recommended time between the referral and the start of the mediation process in practice and theory, and (b) the manner in which a peer

mediation program is implemented within a school district. Guanci (2002) recommended 24 hours between the referral and the start of the mediation. In many of the interviews for this study, this brief time interval was simply impossible. Most research participants felt that a week between the time of the referral and the onset of mediation was the best timing that could be achieved, however this varied depending on the age of the disputants. Young elementary children, for example, have a more immediate sense of time and memory for detail. Waiting a week to discuss and resolve a conflict would not serve them well, whereas students at the secondary level might, as Sophie indicates, actually benefit from a cool-down period of several days before coming together to mediate. In broader terms of implementing a peer mediation program within a school district, the literature does not specifically identify the long-term effects of student skills or impact on peer mediation programs when students reach an age where they transfer from one to another school (i.e. elementary school to high school or middle school, middle school to high school). Participants in this research were keenly aware that they were involved in programs which changed in student membership each year due to the aging of peer mediators, their transition from one school to another and the entry of new and untrained students into the program. In an ideal continuum a child could receive peer mediator training in elementary school, move on to middle school and/or secondary school and continue with his/her involvement in a peer mediation program during his/her adolescent education. The challenge noted by at least one research participant was the transfer of trained peer mediators from one school to a second school in the same district which did not have a peer mediation program. In this case the student was unable to continue to use or refine his/her peer mediation skills, and the district lost a valuable opportunity to use the services of a trained student mediator.

*Significance of Study*

The purpose of this study was to narratively explore the experiences of public school counsellors using *Conversation Peace,* a restorative action peer mediation program published

jointly in 2001 by Fraser Region Community Justice Initiatives Association (CJI), Langley,

British Columbia, and School District #35, Langley, British Columbia, Canada. Six interviews

were conducted with five public school counsellors and one secondary teacher, an individual

who developed and taught a credit course in peer mediation using *Conversation Peace* as its

curriculum. Their experiences were collected and analyzed from transcripts of semi-structured

interviews using a categorical-content form (Lieblich, Tuval-Mashiach, & Zilber, 1998) of

narrative analysis. The narratives of the research participants and their firsthand experience with

*Conversation Peace* have offered very personal glimpses into the many themes which emerged.

I respectfully suggest the significance of this study falls into several domains. To my

knowledge, this is the first qualitative study of *Conversation Peace*, and as such I anticipate its

content will be of specific interest to the co-authors of the program, Community Justice

Initiatives (CJI) and School District #35, Langley, B.C. (LSD). Data for this study were

collected some six years after *Conversation Peace* was first published (2001) and some two

years after the Final Evaluation by Kalpatoo and Associates (2006) was submitted. I believe the

analysis of the 20 narrative themes, 12 having similar responses and 8 with varying responses,

from five school counsellors and one high school teacher using this program during the 2007

school year will offer new insight for future training and implementation of the program within

schools. It is no small feat to transform a theoretical model into practical implementation within

the multi-dimensional demands of a school or school system. The research participants have

indicated that *Conversation Peace* provides a peer mediation model which can be used

successfully in schools of varying sizes, and is sufficiently flexible to be organically "shaped"

into a structure that works best for staff and students in the specific schools in which it is housed.

This process of implementation would need to be reviewed regularly to ensure that the tenets of

the restorative peer mediation model were being met. Critical reflection on the process and

outcomes of the model need to be part of the implementation of the program in any school district (e.g., statistical record-keeping of outcome related data).

This study offers one, if not the only qualitative study on the implementation of restorative justice in schools undertaken from the point of view of school counsellors. This research has brought to light the importance of the role of the school counsellor within the ongoing facilitation of *Conversation Peace*, and potentially other peer mediation programs. Recognition of the need for and the importance of confidentiality during peer mediation training and program implementation is crucial to the participants' emotional safety during the mediation process. This foundation of confidentiality is a day-to-day lived experience in the world of counsellors and of school counsellors within this context. Teachers and administrators are not regulated under the same ethical standards and as such their attentiveness to this aspect of peer mediation may not be as attuned. The research participants in this study indicated that school counsellors were consulted at every level of the peer mediation process: (a) as "advertisers" for the peer mediation program during parent education evenings, (b) during the selection of potential peer mediators for formal training, (c) in the review of the mediation referrals and decision-making which followed (to move the referral to peer mediation or re-direct it to administration given counsellors' confidential knowledge related to the history of the disputants), (d) as trainers during the school year for ongoing skill development of peer mediators, and (e) in debriefing peer mediators as necessary in the unexpected event that an abuse disclosure might occur during a peer mediation session and more generally, to others working with restorative justice in schools. It seems evident that the training and experience of school counsellors necessitates their involvement within a peer mediation program in any school.

The third comment I offer concerning the significance of this study is the rich content of the narrative provided by each participant. Each individual spoke with both the enthusiasm and insight which emanates from the personal choice of anchoring a program which in many ways is

an addition to their existing positions within their school. Monica, for instance, is a specially

trained teacher offering an off-timetable course in Peer Mediation, in addition to her on-timetable

teaching load. The five counsellors all have their respective responsibilities with individual

counselling, classroom instruction, student timetabling, in addition to the many unpredictable

situations which arise when one is a school counsellor. *Conversation Peace* is a program which

each of these individuals has undertaken due to a supportive school administration and their own

passion and belief in restorative justice and the many positive learning experiences that peer

mediation brings to the lives of children and adolescents. Barbara's comment about the "worth"

of a peer mediator in terms of service to the school provides significant food-for-thought. To

paraphrase, students/teachers, in general, view having to "catch-up" on missed classroom

lessons/assignments as a consequence for a student being absent due to illness or skipping class.

Absence caused by service to the school community in the role of a peer mediator means a

student is using this time productively, contributing to an on-going and positive school climate.

Barbara's declaration that peer mediators at her school are not "punished" by having to catch-up

on missed academic work but, instead, are "rewarded" for it by receiving extra credit causes one

to pause when reviewing the values within the school system and the many messages, implicit

and explicit, which indicate institutional "worth".

Lastly, for those already using *Conversation Peace* or another peer mediation/restorative

justice program within your schools, I ask that you consider, Barbara's words when she

described her point of view regarding academic 'catch-up' for student mediators (see page 102 of

this thesis). For student mediators having to leave class for the purpose of service to the school,

is 'catch-up' on the missed academic work a requirement, and if so how is this viewed? I believe

there is considerable wisdom in Barbara's point of view that this type of service to the school

needs positive acknowledgement, rather than the student feeling he/she is falling behind in her

studies and having additional amounts of homework to complete. The overall significance of

this study is its insight and helpfulness to those considering the potential use of *Conversation Peace* within their schools.

*Limitations of Study*

There are a number of limitations to this study: participant self-selection, small sample size, one peer mediation program as sole focus, interview questions which did not, in retrospect, sufficiently probe the participants' experience or theoretical knowledge, and my own bias towards the use of restorative justice in schools. To begin, it would be logical to hypothesize that the research participants who volunteered to participate were more interested in the topic of this thesis than those who did not respond to requests for an interview. The difficulty I had locating research participants for this thesis certainly seems indicative of this reality. Second, as with previous peer mediation studies in the literature (Bell et al., 2000; Johnson et al.,2001a; Smith et al., 2002), the small sample size limits possibilities for generalizability of the results. The experience of six participants using *Conversation Peace* cannot be generalized to any other group or to any other program. Broadening the participant pool to include school administrators who worked at the schools where these research participants were employed, as well as the students who participated in the mediations either as student mediators or disputants, would have provided additional dimensions to the study.

It is unfortunate that the research participants had no formal data related to whether or not disciplinary referrals to administration had been reduced as a result of the peer mediation program in their schools. I was saddened by this. While in one situation, the research interview occurred during the first year of *Conversation Peace's* implementation, where there would be no information available for purposes of comparison, in the other schools *Conversation Peace* had been in place for several years. Only two of the remaining five research participants were able to state clearly that disciplinary referrals had been reduced.

In hindsight some gaps in the interview questions were revealed. For example, it would have been helpful to deliberately ask each participant two additional questions: (a) what they viewed as the benefits of their involvement (as opposed to that of other non-enrolling teachers/staff) within the program, and (b) to address how or if they believed this program interfaced with their professional theoretical view of therapeutic transformational change. These two missing pieces would be excellent questions to investigate in future research.

Lastly, I confess my own training in and enthusiasm for the use of restorative justice in schools. My interviews with the research participants were most pleasant for although we were strangers to one another, I would suggest we shared common beliefs about peer mediation, and the empowerment of students through this means of conflict resolution. This said, I repeatedly reviewed my analysis of the transcripts to ensure the accuracy of the emerging themes.

*Implications for Future Research*

This study was designed as an initial exploration of the experiences of school counsellors using *Conversation Peace*. In terms of curriculum design of *Conversation Peace* itself, future research could delve into the various lessons/training components to ascertain which are most helpful to the student mediators at various stages of their experience with peer mediation. Does, for example, one particular lesson or theme have more "weight" if the student mediator is just beginning to mediate or has had six to 10 months of experience actually mediating conflict with peers? When "booster sessions" of peer mediator training are offered mid-year to the trained peer mediators, by what criteria do the school counsellor (program facilitator) select their content? Is there a pattern to the skills which student mediators feel need "refreshment" after six to 10 months of mediation experience? This information might be extremely useful if the curriculum was to be revised or re-printed at a future date.

A second implication for future research would be the inclusion of current research on restorative justice programs in schools internationally within an actual module of the

*Conversation Peace* training program. The current reality that both school staff and students are trained simultaneously in *Conversation Peace* makes the sharing of such research results [e.g., Greenberg et al.'s work (2003) or Ahmed & Braithwaite's (2006) work describing the effective discharge shame] possibly too lengthy or cumbersome. It would be interesting to examine whether skepticism of school staff attending the training shifted in any discernable way given the empirical data found in these studies. In my opinion, a discussion of educational theory and recent results of already published research on the importance of school climate, social emotional learning, student aggression and academic achievement would provide the adults in attendance with empirical evidence and rationale to encourage the use of restorative justice practices in schools.

A third suggestion for future research would be an exploration into the use of peer mediation processes and modalities with students with special needs. Sophie alone mentioned this as a challenge. Future research could provide insight into the value, effectiveness and possible adaptations of peer mediation and restorative principles and practices used with specialized populations.

Future research would be enriched by interviews with students trained in *Conversation Peace* in terms of their own experiences of the training, use of their skills within the school setting, and whether or not these skills were helpful or applied outside their formal roles as "student mediators". A longtitudinal study which followed these young people into early adulthood could provide evidence for longevity of this learned skill set.

I would encourage future researchers to combine aspects of qualitative and quantitative research into future studies. I believe the mixed method approach will provide the best of both worlds – statistical data regarding status of disciplinary referrals to school administration, information as to academic achievement and social emotional learning, as well as the insightful

narratives of school staff and students experiencing a peer mediation program, and possibly a paradigm shift from retributive to restorative justice.

Lastly, a study outlining the benefits of networking between those involved in restorative justice within school districts could be explored. The difficulty locating school counsellors who knew of or were using *Conversation Peace* within their schools during 2007 proved to be very demanding for me. This speaks to either a lack of desire for those involved in *Conversation Peace* to be involved in this study, and/or to a possibility that schools are island communities, each with their own internal pedagogical ethos and independent sustainability. As such, each new program implementation continuously begins "from scratch" and without the benefit of shared dialogue with those who are already using this peer mediation model within restorative school communities. It is my hope that this thesis will in some small way illustrate the benefits of such shared conversation.

*Implications for Counselling Practice*

I believe this study presents a variety of possibilities in terms of implications for counselling practice. First, a counsellor's professional theoretical foundation to personal growth and change will either be challenged or enhanced by the narratives of these school counsellors sharing their experiences of *Conversation Peace*. This is not a lock-step framework from problem to solution as an offense by a student does not religiously lead to a specific consequence. Instead there is reflection upon restorative principles and an application of these values to those directly involved in and those affected by the conflict. Consider two of the six counsellors in this study personally witnessing every student-led mediation which occurred in their schools. Would this amount of time be available to every counsellor wishing to implement *Conversation Peace*, and if not, what are the support systems in place for student mediators who find themselves hearing inappropriate information during a mediation when no adult is present? Certainly developing protocols for the school counsellor to adequately debrief student mediators

following each mediation would be very important. Secondly, as school counsellors in British Columbia we are teachers first, and counsellors second (in B. C. school counsellors are all individuals holding valid teaching certificates in addition to having graduate level courses and a supervised practicum in counselling). Our views as to what children learn from, as a result of, or through the conflict resolution process is crucial. If our goal is to teach and value punishment, then that is what we support in our schools. If our goal is to empower children and offer opportunities for life long skill development in peaceful conflict resolution, then we will find ways to enable and model peer supported conflict resolution within our schools. As always, supportive change takes time and respectful, deliberate intention. By offering students the emotional "safety" of having conflict resolved in the company of trained peer mediators, the potential escalation of future disputes can be prevented and students themselves thus become empowered as their own agents of change, knowing there is a trained counsellor to whom they can turn if unpredictable or unexpected events occur. Powerful studies by Morrison (2002) and Ahmed et al. (2006) reflect how restorative opportunities in schools allow for the safe and appropriate discharge of shame in order to transform/de-escalate student conflict. As counsellors we are or should be very aware of the emotional damage done to children through shame and guilt, and the stress caused by anxiety of unresolved conflict. In order to free children to learn in schools this stress must be carefully addressed and reduced or eliminated. I believe *Conversation Peace,* with its age-old foundation in restorative justice, offers a peer mediation program equipped to achieve this goal.

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## Appendix A

### Heather Maud Main, B.Ed., Dipl.E.C.E., M.A. Candidate

#### Examples of Proposed/Possible Questions for Semi-structured Interviews

*"Does Conversation Peace, a peer mediation restorative action program, help or hinder conflict resolution in schools?"*

1. Confirm the approximate date of your *Conversation Peace* training and state whether you presently work with students at the elementary or secondary level.

2.

3. Describe the structure of the peer mediation restorative action program *Conversation Peace* at your school:

   *School Staff:*

   How and when was this program introduced to your school and school staff?
   Which staff members are involved in this program? What are their duties/responsibilities?
   How many peer mediation experiences have you personally witnessed?
   What, in your opinion, is the level of awareness of staff members not directly involved in the implementation of *Conversation Peace* as to the principles and values of restorative action?

   *Students:*

   How are "peer mediators" selected from the student population?
   What are their duties?
   Who is responsible for training the peer mediators?
   How many peer mediators have been trained to date?
   How long is the student training?
   Which modules of *Conversation Peace* have you found most/least beneficial in student training?
   What is the usual window of time between a school/school-related incident and the mediation which follows?
   Who decides which individuals will attend the mediation?
   How is the mediation and its content documented? Who receives copies of this documentation?
   Who is responsible for follow-up with mediation participants? How is this follow-up recorded? Who receives this information?

   *Parents:*

   What, in your opinion, is the level of parent awareness as to the use of *Conversation Peace* specifically in terms of the principles and values of restorative action within your school?

4. Feedback as to participant experiences of mediation using *Conversation Peace.*

   Discuss any feedback you have received from those who have participated in the *Conversation Peace* mediation process. Please indentify the role of this individual within the process...was s/he a student?...a peer mediator?....a staff member?....a parent?...an "offender"?....a "victim"?

5. Comment on your own level of involvement in *Conversation Peace*

   What has been your role? How many mediations have you personally witnessed? What has been your overall experience of the use of *Conversation Peace* within your school? Do you feel that *Conversation Peace* has helped or hindered conflict resolution in your school and why?

Appendix B

**The University of British Columbia**
**Office of Research Services**
***Behavioural Research Ethics Board***
*Suite 102, 6190 Agronomy Road, Vancouver, B.C. V6T 1Z3*

# CERTIFICATE OF APPROVAL - MINIMAL RISK

| PRINCIPAL INVESTIGATOR: | INSTITUTION / DEPARTMENT: UBC/Education/Educational & Counselling Psychology, and Special Education | UBC BREB NUMBER: |
|---|---|---|
| Marla Buchanan | | H06-03794 |

| INSTITUTION(S) WHERE RESEARCH WILL BE CARRIED OUT: | |
|---|---|
| **Institution** | **Site** |
| N/A | N/A |

Other locations where the research will be conducted:
private and mutually agreeable locations between research subjects from the ████████████, ████████████ ████████ and ████████████ and the researcher, Heather Main

| CO-INVESTIGATOR(S): |
|---|
| N/A |

| SPONSORING AGENCIES: |
|---|
| N/A |

| PROJECT TITLE: |
|---|
| Does "Conversation Peace", a restorative action peer mediation program, help or hinder conflict resolution in schools? |

**CERTIFICATE EXPIRY DATE: April 20, 2008**

| DOCUMENTS INCLUDED IN THIS APPROVAL: | DATE APPROVED: April 20, 2007 | |
|---|---|---|
| **Document Name** | **Version** | **Date** |
| **Protocol:** | | |
| Thesis Proposal | 1 | March 8, 2007 |
| **Consent Forms:** | | |
| Consent Form | 2 | April 17, 2007 |
| **Assent Forms:** | | |
| School Board Letters of Permission | 1 | March 8, 2007 |
| Request for Permission: ████████████████ | 1 | March 8, 2007 |
| **Advertisements:** | | |
| Recruitment Advertising | 1 | March 8, 2007 |
| **Questionnaire, Questionnaire Cover Letter, Tests:** | | |
| SS Interview Questions | 1 | March 8, 2007 |
| **Letter of Initial Contact:** | | |
| E-mail Advertising | 1 | March 8, 2007 |

The application for ethical review and the document(s) listed above have been reviewed and the procedures were found to be acceptable on ethical grounds for research involving human subjects.

**Approval is issued on behalf of the Behavioural Research Ethics Board
and signed electronically by one of the following:**

Dr. Peter Suedfeld, Chair
Dr. Jim Rupert, Associate Chair
Dr. Arminee Kazanjian, Associate Chair
Dr. M. Judith Lynam, Associate Chair
Dr. Laurie Ford, Associate Chair

Appendix C

April 16, 2007.

## Consent Form
### Does *Conversation Peace*, a peer mediation restorative action program, help or hinder conflict resolution in public schools?

### Introduction
Ms. Heather Main, a Masters student in the Department of Educational Psychology, Counselling Psychology, and Special Education, is seeking research participants for her thesis entitled *Does Conversation Peace, a peer mediation restorative action program, help or hinder conflict resolution in public schools?* The purpose of this thesis is to better understand the effects of *Conversation Peace* a peer mediation restorative action as it is being used in local public schools. Once complete, this thesis will be available for public review and reading through the UBC Library. Segments of this thesis may also appear in educational peer-reviewed journals.

### Study Procedures
Ms. Main hopes to interview 6 participants, 3 elementary and 3 secondary school counselors who have used *Conversation Peace* within their respective schools for a minimum of two years, and who are employed in any one of four local school districts: Vancouver, Surrey, Coquitlam or Langley. The interviews will be 1 to 1½ hours in length. When the interviews have been transcribed, each participating counselor will be asked to read his/her interview in order to verify its accuracy. At any time participants have the right to refuse to participate further and may withdraw from the study.

### Confidentiality
Any identifying information related to subjects participating in this study will be strictly confidential. Audiotapes and written materials derived from the interviews will not identify individuals. Audiotapes and any written materials will be kept in a locked filing cabinet to which only Ms. Main and her advisor have access, and will be held securely for five years before being destroyed, as required by UBC regulations. Any

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segments of these interviews that may be quoted in the final paper will not identify speakers.

### Potential Risks

Talking about experiences with **Conversation Peace** may at times be emotional, and if distress about this process is evident, Ms. Main will refer participants for appropriate counseling. However, the process of talking about these events is expected to be a helpful and positive experience for virtually all participants.
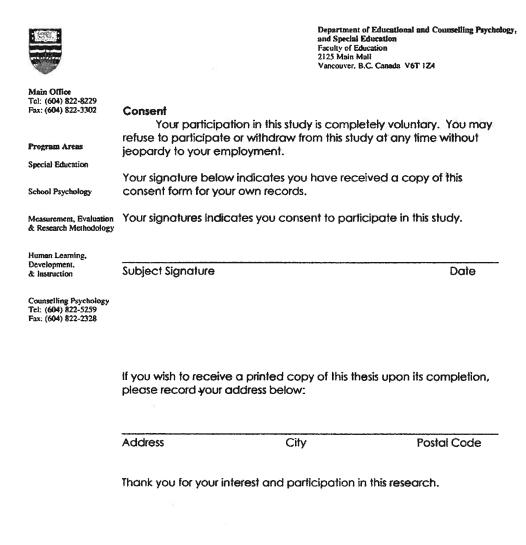
### Potential Benefits

Both elementary and secondary students experience conflict while at school, and the school counselor is often asked to support the student process of conflict resolution. **Conversation Peace** a locally authored restorative action program designed to support student conflict resolution through the modality of peer mediation. As research subjects will have used **Conversation Peace** within their schools for a period of two years, participation in this study will offer these counselors a reflective opportunity to discern whether or not **Conversation Peace** helped or hindered the process of conflict resolution between students in their respective school environments.

### Contact Information About This Study

If at any time you have any comments or concerns about participating in this study, you are welcome to contact either Heather Main, 604-279-0262, or her thesis advisor and Principal Investigator, Dr. Marla Buchanan, Associate Professor, Faculty of Education, Department of Educational and Counselling Psychology, and Special Education, 604-822-4625. If you would prefer not to discuss concerns with the researcher for some reason, you may also contact UBC's Research Subject Information Line, RSIL@ors.ubc.ca or 604-822-8598, which is concerned with the protection of research volunteers.

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**Consent**

Your participation in this study is completely voluntary. You may refuse to participate or withdraw from this study at any time without jeopardy to your employment.

Your signature below indicates you have received a copy of this consent form for your own records.

Your signatures indicates you consent to participate in this study.

_____

Subject Signature                                    Date

If you wish to receive a printed copy of this thesis upon its completion, please record your address below:

_____

Address                          City                  Postal Code

Thank you for your interest and participation in this research.

Heather Main, B.Ed., Dipl.E.C.E., M.A. Candidate

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7/29/2008