

# Expanding Justice

## through a Restorative Practice Lens

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Elder Justice: Keeping Seniors SAFE  
Annual Elder Abuse Conference  
June 9, 2023



# Overview

- What is Restorative Justice (RJ)?
- Who is involved?
- What situations are appropriate for RJ?
- What does an RJ process look like?
- Case Example
- Questions



# Criminal Justice vs. Restorative Justice

*A Different Way of Looking at Wrongdoing*

**Focus: Laws**

**Focus: People**

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What Law has been broken?

Who did it?

What do they deserve?

## Focus: People

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Who has been harmed?

What are the victim's needs?

Who is accountable/What are the obligations?

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Who has been harmed?

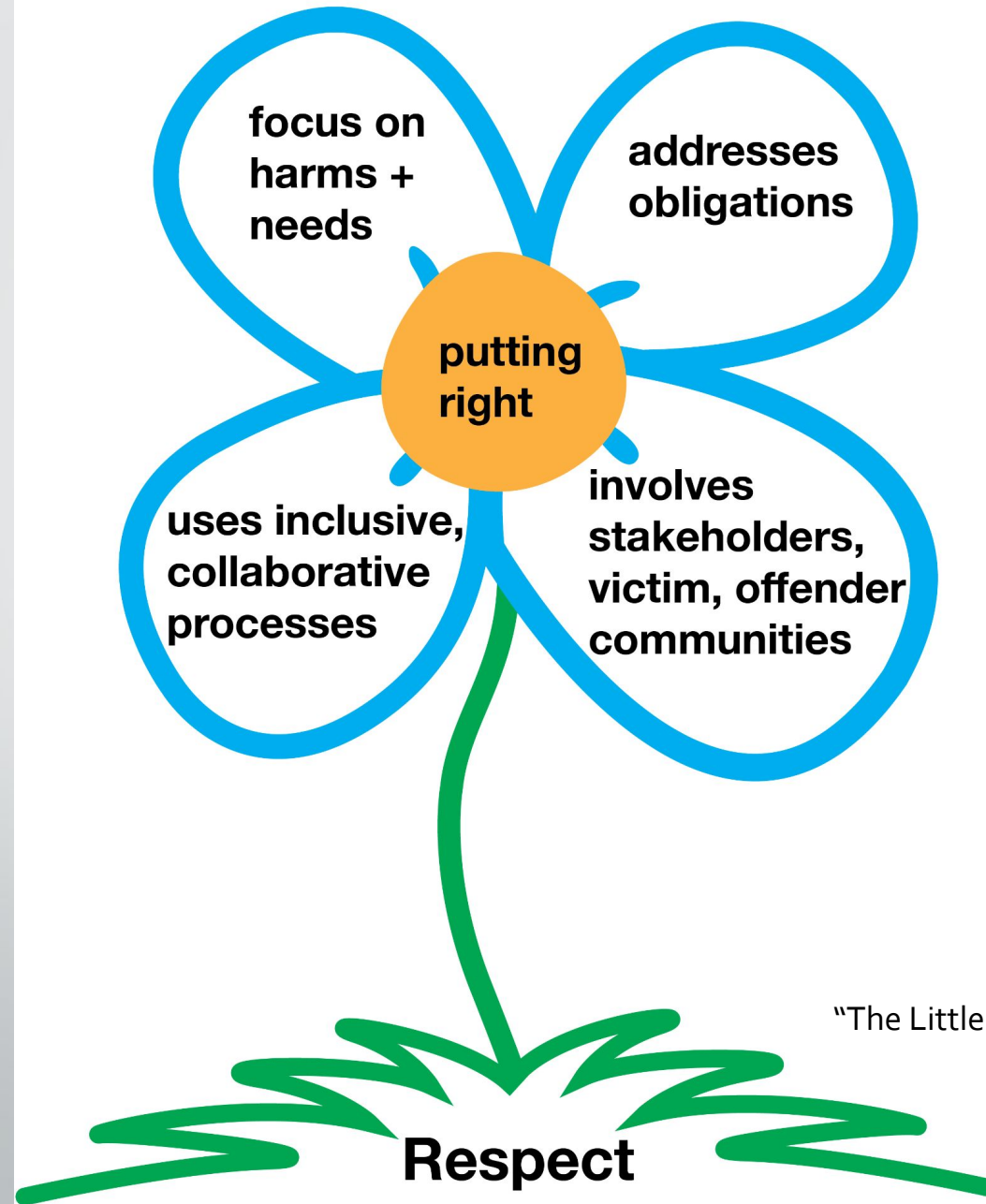
What are the victim's needs?

Who is accountable/What are the obligations?

Outcome: Putting things right

Voluntary

# The Principles of Restorative Practices

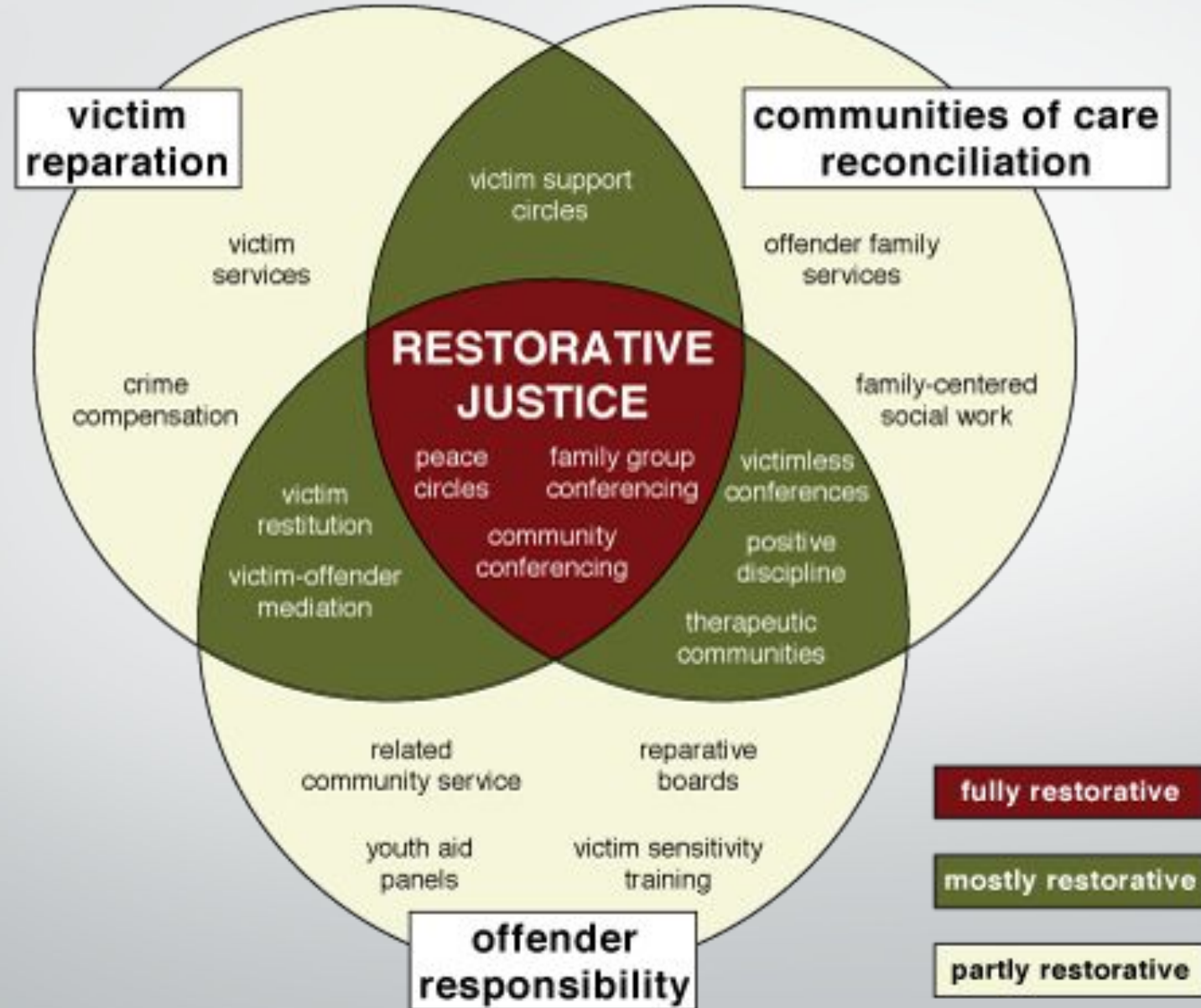


"The Little Book of Restorative Justice," by Zehr, 2002

And a note about words...



# Stakeholder Participation



# Pair & Share

Choose a partner who you do not know

Choose one of the following prompts and share with your partner:

Prompt #1: **What is the story of your name?**

OR

Prompt #2: **What is a place that has shaped you?  
What has been the impact?**

What was that experience like? How did it feel to share a story with a stranger?

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Do you experience connection like that in your day to day life? What is that like? How is that different?

# What is important about connection?

-

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- Connection creates and sustains relationships
- Connection is vital to the human experience
- Connection can give purpose
- Connection helps us work together

# Elder Abuse and Family Members

- Family members commit nearly 62% of financial abuse cases against elderly
- Most of the family perpetrators are adult children or spouses
- Family members commit multiple types of abuse more than 32% of the time
- Financial Exploitation is underreported by a 1:44 margin

Sources: <https://ncoa.org/article/get-the-facts-on-elder-abuse>  
<https://www.nursinghomeabuse.org/articles/percent-family-members>  
<https://www.justice.gov/file/1098056/download>

# Why do Family Members commit financial abuse?





# Why do Family Members commit financial abuse?

- Stress
- Resentment
- Carelessness
- Ignorance
- Greed



Source: <https://www.nursinghomeabuse.org/articles/percent-family-members-abuse/>

# Elder Abuse—Those causing harm

## Types of Abusers (simplified)

Deliberately  
seeking out  
victims

Believe they have consent  
or

Do not understand their  
actions are abusive

Based on research by Shelly L. Jackson, Ph.D., consultant with the Elder Justice Initiative at the US Department of Justice

# Restorative Practices

- Community Conferencing
- Circle Processes

# Restorative Community Conferencing

- Appropriate for situations involving family members or people known to each other
- Voluntary participation of many stakeholders
  - Person harmed
  - Harm-doer
  - Supporters
  - Facilitators
  - Others
- Format and process: Facilitated dialogue
  - Preparation
  - Circle arrangement
  - Agreements decided by collaboration of all parties
- Can take place
  - Along with court processes
  - Instead of court process
  - Long after the harmful incident



# Circle Processes

- Appropriate for larger group or family
- A communication tool for:
  - Building trusting relationships and
  - Solving problems
- Based on ancient traditions
- Format and Process
  - Seating in circle
  - Power is shared
  - Talking piece
  - Open sharing AND deep listening



# Needs of the Harmed Party

*What are the needs of the harmed party after financial abuse?*

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- Safety
- Material restitution/financial security
- Self-determination
- Relationship stability/trust
- Security/assurances against future harm

# Benefits to The Harmed Party

*What are potential benefits to the harmed party after restorative processes?*



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*What are potential benefits to the harmed party after restorative processes?*

- Safety/Security
- Reparations (financial or otherwise)
- Dignity
- Restoration of relationship(s)



# Case Example



# Questions?







**Thanks for attending!**

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