DEMOCRACY IN SCHOOLS: ENCOURAGING RESPONSIBILITY AND CITIZENSHIP THROUGH STUDENT PARTICIPATION IN SCHOOL DECISION MAKING

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> Children should be perceived as partners in the educational process along with parents, teachers governors and local authorities with a great deal to contribute as well as learn.[2]

What should be the place of children's voices in the running of their schools and in their education? Sadly in Australia this question is often overlooked in the shifting sands of education policy. Commonly state and federal governments focus on schools solely through a lens of educational attainment. Increasingly the emphasis seems to be on the development of the national curriculum and on the measuring of school and student performance in public examinations publicised now on the MySchools website. Meanwhile the media often focus on the behavioural problems with which schools are dealing and statistics reveal an increasing trend towards student disengagement from school through truancy and exclusion. The procedures for addressing problems prescribed in policy and legislation tend to be reactive rather than proactive.

The formulation and establishment of the United Nations Convention on the Rights of the Child (UNCROC) has led to a mounting global discussion on the rights of children generally. Particularly relevant in the education context is the right of participation set out in Article 12(1) and the link between the development of citizenship principles through democratic practices in schools and nation-building.[3] While participatory and restorative practices in education have been the subject of debate for several decades and have been implemented elsewhere such concepts have been slow to enter public consciousness in Australia. The teaching of citizenship in schools here has concentrated on civics classroom education. Increasingly though educators in Australia are taking the initiative in their schools to introduce citizenship by practice and example within the school structure by doing rather than just teaching. Many of these practices are associated with active citizenship and democracy and are based on participation in decision making in schools including in the restoration of interpersonal relationships. Where measures are implemented it is typically through the impetus of a keen principal or staff member and while there are many indications of their success they have yet to attract serious attention of education policy makers, legislators and designers of university education curricula.

This article is a review of the literature relating to research which has been undertaken in comparative jurisdictions such as the UK and Europe, the US and New Zealand in this area of student participation in school decision-making. It includes processes for conflict resolution termed restorative practices. It discusses the issues, the benefits and the challenges which have been identified in these studies. It formed the background to a study undertaken by Varnham, Booth and Evers which examined the ways in which such practices, referred to here as participatory and restorative, are being implemented in a small cohort of Australian schools. A comprehensive discussion of this research is contained in an article, Valuing Their Voices: student participation in decision making in Australian Schools, which is forthcoming.

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I Introduction

> Education for citizenship is not the same as civic education which is concerned with academic skills such as how a bill becomes a law although it includes acquiring civic skills and knowledge Rather education for citizenship is a moral enterprise It is concerned with organizing schools in ways that give students opportunities to learn about citizenship and its importance and acquire the needed skills and knowledge associated with it It is based on the belief that it is just as important for young people to acquire a democratic self of a civic understanding as it is to gain specific civic skills [4]

While school funding and academic achievement are contentious issues in Australian education policy school democracy and student citizenship as well as innovative approaches to conflict resolution in school communities have attracted little government attention Commonly Australian state and federal governments focus on schools solely through the lens of educational attainment Increasingly the emphasis appears to be on the development of the national curriculum, and on the measuring of school and student performance in public examinations now published on the MySchools website

Meanwhile statistics reveal that the number of young people who are disengaged from school through disciplinary exclusion or truancy continues to be unacceptably high and rising The procedures for addressing such problems in schools prescribed in education department policy and state legislation tend to be reactive rather than proactive At the same time while there is considerable focus on teaching citizenship in schools research indicates that this is failing to engage students in the democratic process in which they are required by law to participate from the age of 18 Australia is not alone in this [8]

Within schools in international jurisdictions such as the UK US and New Zealand there is a discernible shift towards the development and implementation of participatory and restorative practices There is evidence that a number of Australian schools are moving towards such practices

While things are happening in individual schools this is not enough There are many factors directing the importance for the architects of education law and policy to pay attention to new ways of both connecting and engaging young people in their schools and in their education and in helping to develop future democratic citizens

At the outset we define the terms which we are using 'participatory practices' are used to describe those that foster students' citizenship skills and empower students to participate in decision-making in their schools The practices may occur within the classroom, in the wider school community and even outside the school gates 'Restorative practices' target conflict resolution and relationship-building in the school community and they are directed at a reduction in anti-social behaviour conflict and disciplinary issues They aim to reduce suspensions and exclusion of particular students and to improve academic performance by keeping young people in school as far as is possible Ultimately however they aim to improve student behaviour generally within the school and thus have positive benefits to the wider school community including staff and parents They provide a means by which all young people may be encouraged to take responsibility for their behaviour, restore relationships and show mutual respect Traditionally restorative practices as first introduced into schools were modeled on those in operation in the criminal justice system generally resting on the Family Group Conference used in the case of youth offending since 1989 in New Zealand Their application to schools was in the words of Drewery and Kecskemeti 'given a big push by a remark made by a Youth Court Judge that

so many of the youth appearing before him were dropouts from school and was there nothing that could be done to keep them in school?'[9] While conferencing is still used in some schools, restorative practices have now been extended to include class 'circles', 'chats', peer mediation and one on one meetings between staff and students.

It is now relatively common to refer to schools which embrace participatory and restorative practices as 'restorative' and often 'democratic' schools.[10]

This article provides a comprehensive analysis of the research to date. A second article (forthcoming) will discuss the project entitled: 'Participative and restorative practices in schools: the engagement of children and young people and the development of citizenship, through democratic education', undertaken by the writers.[11]

The research is timely. Not only is it set against a background of research conducted in comparative jurisdictions which is discussed here, but also the Civics and Citizenship Curriculum currently under development by ACARA[12] recognizes the need for effective ways of engaging young people and providing the tools for their development as democratic citizens. The aim of the curriculum, for years 3-10 is stated as: 'Civics and Citizenship develops students' understanding of Australia's political and legal systems and effective participatory citizenship in contemporary Australian society. The Civics and Citizenship curriculum will enable students to develop the knowledge, understanding, skills, values and dispositions to be active and informed citizens in local, national, regional and global contexts'. The research discussed here, conducted previously in Australia and abroad, argues that in order that we may go any way towards fulfilling that purpose, formal learning must be accompanied by a change in school processes and procedures to embrace citizenship practices. We plan to further this discussion.

II What are the Issues?

The formulation and establishment of the United Nations Convention on the Rights of the Child (UNCROC) have led to a mounting global discussion on the rights of children generally. Particularly relevant in the education context is the right of participation set out in Article 12(1) and the link between the development of citizenship principles through democratic practices in schools, and nation-building. How may the right to participation be implemented in the education context? What should be the place of children's voices in the running of their schools? Sadly, in Australia this question is often overlooked in the shifting sands of education policy directed largely by political and economic imperatives. Commonly, state and federal governments focus on schools solely through a lens of educational attainment and on the development of the national curriculum, and measuring of school and student performance. Meanwhile, the media often focus on the behavioural problems with which schools are dealing and statistics reveal an increasing trend towards student disengagement from school through truancy and exclusion. The procedures for addressing problems, prescribed in policy and legislation, tend to be reactive rather than proactive.

Faced with the many issues concerning student behaviour and peer conflict now confronting school authorities, and statistics which reveal that an ever mounting number of young people are disengaged from school through disciplinary action or truancy, it is becoming increasingly important that education law and policy look seriously at the incorporation of new ways to connect and engage young people in their schools and in their education, and in helping to develop future active citizens.

III What is the Existing Knowledge?

There is now a mounting body of research on participatory and restorative practices undertaken in schools in New Zealand, the US, the UK and Europe and recently in Australia. There is, for example, in the US the International Institute for Restorative Practices[13] and an affiliated body for the England, Scotland and Europe, which undertake research and professional development in restorative practices including a special focus on schools. In Australia there is also RealJustice[14], led by long time restorative justice campaigner Terry O'Connell, which similarly has a focus on educating, enabling and assisting school processes. Much of the impetus for student participation in Australia also comes through the enthusiasm and indefatigable work of Roger Holdsworth and his team at the University of Melbourne and reported in '*Connect*' magazine.[15]

The available literature everywhere covers a wide range of schools, regions and cohorts. It reveals a diversity of practices across a wide spectrum that ranges from the tokenistic to the meaningful.[16] This is particularly the case in relation to participatory practices which foster students' citizenship skills and empower students to participate in their school's decision making. Researchers have identified them as those within the classroom which range from negotiated class rules, assessments and learning practices (eg. giving students a choice of individual or group learning) to class councils and class meetings.[17] They may be tailored by individual teachers for specific subjects, for example in sports subjects where Hastie and Carlson and O'Donovan et al observe how participatory practices were implemented.[18] They report how incidents of conflict decreased when Year 7 students helped run the hockey season through a series of student committees. Other examples include drama classes in Scottish primary schools where students work together with the teacher to produce a play based on a relevant social issue[19] and science classes in a United States high school that hope to engage students from immigrant backgrounds by allowing them some choice in their assignments, homework and field trips.[20]

Participatory practices involving the entire school community include student representative councils, student leadership programs, peer support and student 'officers' (such as sports captains).[21] Some articles highlighted more unorthodox or one-off means of student participation. In Mannion for example, students at several Scottish primary and high schools were brought on-board to help design their new playgrounds, giving them a sense of ownership over their school.[22] Some participatory practices involve working outside the school community. Holdsworth for example, tracks several Victorian high schools that run 'student action team' programs in their curricula where students work together to tackle a school or broader community problem.[23] Some schools include community participation in a more ad hoc fashion. Queensland's Buranda State Primary School, for example, makes a concerted effort to encourage students to understand they are 'citizens of the world, and that this brings rights and responsibilities'.[24]

Restorative practices are those that empower students to play an active role in how the school deals with conflict and antisocial behaviour. The two most common forms of restorative practices implemented by schools are conferencing and circles. Conferencing is a meeting targeted to address a particular issue.[25] Often this is a small meeting to address student wrongdoing, with the offender(s), victim(s), their parents, teachers and/or the principal in attendance. The point of these conferences is to get a clear sense of what occurred and to work together to remedy it. Several schools use scripts to guide conferences and ensure that everyone gets a fair chance to speak.[26] Some schools conduct large conferences, which may include the whole school community, if a serious incident of wrongdoing or an epidemic of problem, have occurred.[27]

Circles, in contrast, are not necessarily used to address particular wrongdoings. They are often a means of community-building to enhance students' learning environment. Bessels Leigh

School, a 'special school for troubled boys' in England, conducts circles at the end of every school day:

> In these circles, we ask questions about the last 24 hours. 'What has gone well?' brings out the positives. 'What has not gone so well?' is followed by 'What have you done to put right the harm?' 'What are you doing this evening?' ends the circle on a positive note. A boy chairs the circle, and everyone has a chance to speak.[28]

A Catholic primary school in Melbourne implemented 'social circles' in order to build strong relationships between teachers and students, and reduce the need for disciplinary action.[29] Simply put, conferences deal with conflicts as they arise while circles ensure fewer conflicts arise in the first place.

Overwhelmingly, the literature shows the importance of language. This includes language that encourages honest discussion, using problem-solving questions, and treating incidents of wrongdoing that crop up throughout the day as teaching opportunities, rather than as something that has to be quickly curbed with discipline.[30] These language and teaching techniques help embed democratic *philosophy* into every facet of school-life and, in doing so, support the implementation of democratic *practices*. This aligns with the concept of the 'whole school approach' and is coupled with a change in everyday teaching styles to encourage a more participatory/restorative democratic cultural shift.

Almost universally, schools believe that a 'whole school approach' to incorporation of participatory and restorative practices is vital. Certainly the literature suggests that viewing democratic practices in isolation is problematic because often they are introduced as part of a broader cultural change of the school. The 'whole school' approach is based on the belief that democratic practices can only take root if the school's culture and ethos is 'democratic' enough to sustain it. As staff surveyed by McGuire stated, democratic practices are 'not a program, you have to understand the philosophy and agree/commit to it for it to be effective'.[31] As Bob Costello, director of training at the IIRP, states, 'Restorative practices are not new 'tools for your toolbox', but represent a fundamental change in the nature of relationships in schools. It is the relationships, not specific strategies, which bring about meaningful change'.[32]

Changing the culture of a school in order to accommodate democratic practices is a multi-faceted endeavour. Some schools found it beneficial to incorporate democracy-enhancing components, such as civics and emotional intelligence, into the curriculum.[33] Shaw suggests that restorative practices need to be complemented by other school programs such as pastoral care, social skills programs and other student-centred strategies. More acutely, a 'whole school approach' requires staff (and maybe student and/or family) training, structured planning, leadership, and adequate resources.[34]

The literature makes it clear that schools need to find what works best for them and in some instances traditional schooling approaches were retained successfully alongside democratic practices.[35] This 'blended' approach has been used by some schools as a means of transitioning to a much wider or holistic incorporation of democratic processes and procedures.[36]

Whatever the method used and the approach taken, previous research has emphasized the importance of whole school planning. As staff surveyed by McGuire advise: 'Model, model, model – staff meetings, student meetings, language used'.[37] Armstrong states:

> For restorative practices implementation in schools to be effective and sustainable, a strategic plan is required . Ideally, as part of this plan, a team of dedicated staff, including a member of the leadership group, is required. This team should have

> responsibility for supporting and training staff and community This would significantly assist implementation of this culture shift in schools As any culture shift in schools is challenging emphasis needs to be given to a structured and staged approach to the implementation of restorative practices [39]

As Armstrong suggests proper planning usually includes implementing strong leadership to spearhead restorative and/or participatory initiatives and sustain its progress [39]

The literature stresses that training and preparation of all members of the school community – teachers, family and students is equally essential [40] The centrality of teacher training was an important finding of our research and this is the subject of a separate article [41]

At the centre of all democratic practices of course is the student voice The literature notes that students may be resistant to democratic practices because they are also conditioned to accept traditional disciplinarian teaching approaches Ireland et al[4] suggest these problems are compounded by the fact that students may be lacking communication and negotiation skills Some studies stress the importance of easing of students into these changes Ponder and Lewis-Ferrell [4] for example, write that before implementing an 'active citizenship' project in her class, a primary school teacher held discussions querying students on how they would define a 'good citizen' She followed this up over the next two weeks by reading children's literature that introduces students to different ideas on citizenship (including real examples of citizens taking action in their community) Ireland et al present contrasting examples of two schools and how they implemented a student representative council

> *A poorly developed student voice*
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> Decision making in the school tends to be top down in nature the power of the school council is considerably limited and it has low status as revealed in interviews with staff and students One teacher interviewed suggested that there is a lack of a culture of students taking responsibility in the school The operation of the school council relies heavily on the input of the sixth formers who run it and varies over time depending on how much they contribute (for example in 2004 5 there was a dearth of council meetings) Student participation in the student council decreases as you go up the school and student contributions are not always appropriate due to students lacking an understanding of school processes Though students have been involved in governors meetings staff recruitment and school uniform policy they do not receive feedback about teaching and learning and generally feel that they do not have much of a voice in the school
>
> *A well developed student voice*
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> The school s headteacher is a champion for citizenship education and puts particular emphasis on the experiential and implicit teaching of citizenship Over the past two years the school council has been considerably developed Every tutor group elects a representative to the council Older council representatives are involved in interviewing new members of staff The students were satisfied with the operation of the school council and as one student noted I think it s effective because it s not just the big issues that get changes but the smaller issues too The school council is complemented by a student Teaching and Learning Forum where a select group of students who have received training give feedback about the teaching and learning Students were enthusiastic about the Forum They explained loads of students have been picked to go and talk about how the lessons are going and talk about how to improve them there have definitely been changes according to what we ve said [4]

Tackling student resistance (and ensuring students develop appropriate democratic and communication skills) ties in with a whole school approach. The latter school's success relies on a more democratic, less 'top-down,' approach and its council does not exist as a medium for participation in isolation. It is reinforced by the election process and student 'Teaching and Learning Forum.'

We now consider the Benefits and the Challenges of school democratic process as revealed by the literature, in relation to all members of the school community and facets of school life.

A *Benefits*

The research is overwhelmingly positive regarding the benefits experienced by students and members of the wider school community following the inception of democratic practices. While there is much anecdotal evidence as to positive results in terms of improved school community feelings, generally better and more positive behaviour among students, and less interpersonal conflict, it is important to look to the literature also for data which demonstrates such results. There is much heart to be taken from many, if not all, of the studies both in Australia and in the comparable jurisdictions overseas. Essentially the evidence points to matters such as a reduction in disciplinary referrals, improved academic results and generally calmer school environments.

The literature was similarly positive regarding the 'whole school' benefits enjoyed from implementation of democratic practices. Several studies investigating restorative practices could point to 'hard indicators' of their success. For example, the numbers of absenteeism, detentions and suspensions fell significantly over an 18-month period after restorative practices were implemented in three Australian Catholic high schools observed in Harney.[45] After two years of restorative practices at Lincoln Center Elementary School, 'the number of reports of violence decreased from seven per day to fewer than two'.[46] 'Hard indictors' aside, all participants – students, teachers, counsellors, principals, family members – in interviews, focus groups and surveys conducted across the literature generally found participatory and restorative practices beneficial.[47] The specific benefits to each participant group are discussed below.

1 *The Students*

(a) Their Views

Students were very positive about democratic approaches in their schools. As one Scottish high school student commented in Maitles and Gilchrist, regarding participatory practices trialled in their religion and philosophy class, 'You get so involved in it, so wrapped up in what you're doing, you forget it's just a class'.[48]

McCluskey et al found in regards to restorative practices trialled in 18 Scottish primary and high schools:

> For their part, pupils felt that RP [restorative practices] had led to teachers 'not shouting', 'listening to both sides' and '(making) everyone feel equal'. Pupils were generally very clear about the effectiveness of restorative meetings, where these had taken place. ... [One] pupil explained: 'I like what Mr (Name) does. He just takes what you say and gets the other one to say what happened and then he would bring us both together and we would speak about it then. It did work when he done it.' When this pupil said the teacher 'takes what you say.' she highlighted an important point made by many pupils keen to

point out how much they value a fair hearing one of the central tenets of a restorative approach [4]

(b) Mental Well-being and Relationship Skills

Democratic practices were found to provide multiple benefits in terms of students' mental and personal well-being Surveys conducted with teachers, principals and other staff at six Victorian schools all concluded that

> the implementation of RP [restorative practices] has led to improvement in student behaviour and increased the likelihood of students taking responsibility for the harm they have caused It has improved staff-student relationships and student-student relationships, as well as made these schools calmer safer and more pleasant places to be [5]

Shaw concluded

> There is sufficient evidence in this study and in the literature to argue that restorative practices can be used in schools to address such things as bullying conflicts breakdown of relationships alienation and reintegration of marginalized students [1]

In regard to participatory practices, Marri observed a United States high school history teacher who empowered student voices through group activities and class discussions – where students not only where encouraged to express their opinions freely without backlash but also to share the responsibility of ensuring their less vocal peers have a chance to speak – in order to improve student relationships and diffuse classroom racial/cultural tensions [5]

(c) Academic Performance

Some studies suggest participatory and restorative practices improve students' academic performance Teachers at New Zealand's Midway High School noted that the introduction of circles led to 'improvements, in the quality of work produced greater output of work more students asking questions and students that hadn't really performed well starting to revise properly, some doing their homework' [3] After restorative practices were implemented at Palisades High School in the United States, Principal David Piperato stated

> You cannot separate behaviour from academics When students feel good and safe and have solid relationships with teachers their academic performance improves [4]

While restorative practices were shown to free students' learning environments from disruptions participatory practices were shown to give students a sense of *ownership* over their studies By allowing students a say in *how* they study (for example, group work, class discussions) and *what* they study (for example, students vote on which curriculum option they prefer), students will be more dedicated to their studies with academic pay-offs to follow As one student said in Maitles and Gilchrist with regards to having a say on curriculum choices 'I just think you try harder It's more special to you if it's something you've picked' [6]

Maitles and Gilchrist also noted that in the high school observed, a substantial reason for teachers' initial opposition to participatory practices is the 'assessment driven nature of the education system' This fear was not tested because the trial class was one that did not need to prepare for external exams A noted spike in students' enthusiasm and commitment to their studies however, seemed to allay such teachers' fears [3]

(d) Citizenship Skills

Does the literature suggest restorative and participatory practices make students better citizens? A few articles made this link. In Print et al two history/civics teachers make the point that democratic classrooms provide the 'atmosphere of security and trust' for students to 'experience and practice their democratic skills'.[58] They explain:

> (I)f we maintain an authoritarian teacher's role, where the ends are transferring objective knowledge, students are left without experience in formulating opinions or taking part in discussions and debates – experiences that are at the very core of a democratic society.[59]

Shaw states that restorative practices:

> ... provided a formal way to teach about the ethics and ideals of justice, citizenship, and positive relationships. The experience suggests that restorative practices can provide students with important opportunities to understand the impact of their behaviour on others and promote accountability within a community or collective context. According to participants, the best environment for such transformation is one in which notions of democracy, student voice, and participation are consistent or aspirational features of school practice.[60]

It should be noted however that one recently concluded UK study found that longitudinal data suggests that a 'democratic school climate' has little impact on community cohesion.[61]

2 *Families*

Few articles examined the feelings of students' families. Those that did so focused on restorative practices (because conferences often involve the offenders'/victims' parents) and it was demonstrated that these generally had the support of parents who acknowledged the benefits. In Harney, surveys suggest that 'parents of students involved in wrongdoing feel that they are part of the decision-making process and are more supportive of decisions when they are made'.[62] In Kane et al, parents' relationship with the school was found to have grown considerably due to the implementation of restorative practices.[63]

3 *Staff*

Teachers and principals across the literature reported that they had personally benefited alongside their students from the 'calmer' school and classroom environment fostered by democratic approaches. Many teachers and principals further reported that participatory and (especially) restorative practices had transformed them professionally. Principal Baumgartner said of his experience implementing restorative practices at Palisades Middle School in the United States:

> I have had an epiphany, a metamorphosis... I used to be one of the 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 are the boss. That does not work. I did not solve problems; I just postponed them until they go to high school and then somebody else had to deal with them. Restorative practices work. We now fix and solve problems.[64]

McCluskey noted how a restorative approach transformed staff professionally:

> One [teacher] commented, 'I stopped being so confrontational ... I have always imagined myself to be a good listener. I always did listen to the kids but I still, at the end of the

> day more or less imposed what I was thinking in the first place Now maybe that doesn t happen quite so much I think how can we sort this? And I certainly I really do think I have changed quite a lot in the last two years This point was also made by another teacher It is about trying to be non confrontational Treating kids as individuals rather than en masse [6]

In Mirsky staff observed that restorative practices did not only lead to better relationships with students but better relationships with each other

> Restorative practices also helped establish a culture of collaboration among staff members Teacher Heather Horn claimed The traditional mindset of If you re doing something wrong it s not my job to confront you has become this is a team thing and your behaviour is affecting me as a teacher The first year the IIRP [International Institute for Restorative Practices] provided basic knowledge of restorative practices for the believers teaching them to be a support group for each other That was phenomenal for us said Horn Teachers used to complain to each other about kids and judge them she said But the IIRP taught teachers how to discuss students behaviour rather than their personalities and brainstorm as a group about how to handle it Before it was almost a taboo said Academy teacher John Vennel You never talked to another teacher about how they talked to kids It was their own damn business in their own classroom Now we find it very acceptable to hold each other accountable [66]

While many teachers considered democratic practices a breakthrough for their students and themselves, the literature is also filled with examples of teachers suspicious of these practices and reluctant to implement them It is important to note however that often these initial reservations disappeared once these practices had been properly implemented and their benefits came to the fore [6] Those teachers who remained unimpressed generally came from schools where these practices were implemented poorly [68]

The benefit of a classroom culture in promoting civics education was recently identified by Isac et al from their analysis of the International Civics and Citizenship Education Study conducted across 38 countries and published in 2009 Practices such as promotion of classroom discussion and debate and positive teacher-student and student-student relations contributed to students knowledge of civics and citizenships and their prospects of engaging as citizens beyond school [69]

B *Challenges*

While there is general consensus in the literature that democratic practices are incredibly beneficial once implemented there is also consensus that their successful implementation is often difficult and resource-intensive Simply put the problem is not that these practices do not work, but that they can be burdensome to implement This section examines the challenges schools faced in implementing participatory and/or restorative practices

Many of the challenges detailed below relate to the implementation of restorative practices more so than participatory practices This is due to the fact that restorative practices are employed as conflicts emerge, so tensions and dysfunctions are often already a significant challenge in the school Participatory practices however, are often being implemented in more stable environments Solutions to these challenges will be discussed below

1 *Staff Resistance*

A challenge that presented itself often in the literature was teacher reluctance or scepticism regarding democratic practices. Several teachers interviewed by Harney for example claimed they felt 'vulnerable at times' when conferencing with students responsible for 'serious wrongdoing'.[70] As one primary school headteacher surveyed in McCluskey et al stated in regards to the implementation of restorative practices 'teachers are afraid we are stealing their strength'.[71] As discussed in Shaw, restorative responses to conflict can be made more difficult based on the personal style of the teachers, and the nature of their relationship with students:

> Restorative practices involve participants in collective problem solving, and it can be problematic when teachers are unable to engage students in such a process. The Assistant Principal from Peninsula Secondary College summed it up this way: 'There can be problems if the staff member is part of the issue. They may be good teachers but they don't relate well to kids.'[72]

2 *Student Resistance*

While the main resistance to democratic practices observed in the literature came from teachers, some schools experienced resistance from students. Some of this resistance can be explained by the fact that students, like teachers, are culturally conditioned to accept the correctness of traditional authoritarian structures (discussed below). Some of this resistance, however, comes from students' desire for a more active role in their schools, but scepticism as to whether the practices implemented can achieve this. Ireland et al[73] observed the various participatory practices in place at a wide range of high schools across the United Kingdom, and provided an example of the sorts of problems students interviewed in the study had with school councils. Many students reported that they feel uninformed about the council's role, the council meets too infrequently and it is given too little power. Importantly it was noted that many of the problems stemmed, not from the democratic practices themselves, but from how poorly or half-heartedly they were implemented.

3 *Family Resistance*

In the context of restorative practices, families might be resistant, or at least, efforts need to be made to engage them in the process. Staff surveyed in McGuire make the point that 'parents have to accept this [restorative] approach to discipline and understand that they will be directly involved in circles/conferences if their child's/student's behaviour warrants it'.[74] Shaw suggests more research needs to be done to determine the best ways to engage parents in the restorative approach.[75] Where families are responsive and engaged in the process, McCluskey states that schools may have difficulties with power sharing where schools assume that 'their role is one of control of process and procedure'.[76]

4 *Student Abuses of Power*

Staff's fears that students might abuse their newfound power were sometimes proven correct. Matthews details how elected student leaders were found abusing their privileges at a rural Victorian primary school soon after the leadership program was implemented (for example, sports captains used the sport's shed to hold parties).[77] Also in Victoria, several staff members involved in implementing restorative practices complained that 'some students feel they have been given a

soft option and try to repeat behaviour', 'there are some students who cannot realise the damage they have done to others' and 'the emotional intelligence of some students is low'.[78]

In McGuire, however the belief in the benefits of restorative practices were 'unequivocal' and the challenge of getting students (and staff) comfortable with restorative practices was found to be achievable as a matter of time and commitment.[79] Similarly, in Matthews, the Victorian school was able to amend its leadership program to deal with such misbehaviour, including a 'three warnings and you're out' rule. At the end of the day, school staff should have the final word, discipline is still an available option and many of these abuses were products of the teething stages of implementation.[80] Overton and Sullivan examine the fear that non-compliance is prevalent in democratic classrooms. It concludes that the fear is unfounded – disruptions are usually a product of the activity being undertaken (e.g., if students find it particularly boring) rather than the teacher's democratic methodology.[81]

5 *The Traditional Authoritarian Culture*

Schools found implementing democratic practices challenging if there was not a cultural change within the school to accommodate them.[82] With participatory practices, schools might have troubles if they are empowering *some* students but not others or only operating in *some* classrooms but not others. With restorative practices, the problems with an inconsistent approach may be more acute. It sends a confused message, and is unfair to students, if conflicts are dealt with in contradictory ways, depending on whether a 'restorative' teacher or a 'traditional authoritarian' teacher is in charge.

Karp and Breslin make the point that a democratic approach may suffer from 'internal inertia' unless the culture changes:

> Every principal, teacher, counsellor and student has been socialised in a culture of retribution and its language, even veneration, permeates all sanctioning processes. Even when restorative practices are fully adopted, it is hard to accept them without suspicion. Where a partial staff implements the practices and where training, even for these staff members, is not comprehensive, we can expect the tension between retribution and restoration to be a significant obstacle.[83]

The reason for staff/student/family resistance discussed above is, in part, because of the traditional authoritarian culture these participants are trained in and accustomed to. McCluskey et al believe the central challenge for the successful implementation of restorative practices lies 'in its contrast with the habitus of schools, with the 'taken for granted' structures and systems of discipline and control in schools.' As one staff member claimed:

> There's always the risk that when the going gets tough, restorative is an easy target in any school – you've got a kind of default setting among teachers saying, 'well that's all very well but we're not punitive enough, we're not scary enough. The kids aren't frightened of us'.[84]

This cultural disconnect is why many schools recommend a 'whole school approach', discussed above. Such an approach is aligned with the recent recommendation of Vaandering that restorative justice be embedded in school education as an 'engaged and productive pedagogy' rather than as a purely skills-based mechanism tied to control of student and staff behaviour.[85]

6 *Resource Constraints*

Successfully implementing a democratic approach does not only require the *will* to change by overcoming staff, students and/or family resistance. It requires the *capacity* to change. The 'whole school approach' is a solution, but it is also a challenge in itself. As the name suggests, it requires the whole school to shift to a more democratic ethos. If a school is not already founded on democratic principles, such an undertaking can be resource intensive. This is why the Queensland government abandoned plans in the 1990s to fund the implementation of restorative practices in the schools of that state, despite the positive results flowing from a 75 school pilot study. It was ultimately too burdensome on resources and budgets to continue.[86]

While some schools had concerns with funding in order to afford training and ongoing support[87], many schools had concerns with another resource: time. Restorative practices, in particular, were perceived to be burdensome for teachers who are already time-poor.[88] Teachers voiced concerns 'that it was not possible to engage in restorative negotiations in the middle of a busy class session with thirty pupils, and that time constraints were simply too great'.[89] Traditional methods of discipline appeared more time efficient – while suspensions can be handed out swiftly, circles and conferences take time, organisation and contemplation.[90]

Time constraints may also be a long-term concern for schools adopting a 'whole school approach.' Armstrong, after observing schools in Australia, New Zealand, Canada, the United Kingdom and the United States, suggests that properly entrenching a restorative approach in a school takes 3-5 years.[91] Shaw estimates it takes 1-4 years.[92]

7 *Resources*

As was discussed above, several schools shared concerns that implementing democratic practices can be a strain on resources, namely, time and funding. Firstly, it should be noted that the large bulk of these schools ultimately found the 'democratisation' of their schools a worthwhile investment of these resources. Further, while the proper implementation of democratic practices can be time-consuming, there is the view that these practices can ultimately *save* time and energy in the long-term because they help create a 'calmer' school where staff have less incidences of conflict and wrongdoing to deal with.[93] Armstrong also makes the point with regard to funding:

> In some settings, funding for training and ongoing support presents a challenge. Interestingly, though when schools are committed to this change, the funding is incorporated into everyday business.[94]

Government initiatives and non-government organisations – typically organisations set up specifically to promote restorative and/or participatory approaches – can assist with resource and funding needs. Non-government organisations, in particular, were viewed as valuable providers of support for several schools observed in the literature. For example, the IIRP helped with the implementation of restorative practices in several American schools observed by Mirsky, arranging workshops for teacher training and spending 'hours listening to the teachers' when they suffered teething problems with the program.[95] In Australia, organisations such as the Catholic Education Office Melbourne and Marist Family School Conferencing Service assisted Catholic schools with implementing restorative practices in practical and financial ways.[96] Armstrong recommends that schools reach out to non-government specialist organisations as a source for the best quality staff training.[97]

8 *School Rules*

Tied in with the whole school approach, several schools suggest the need to rethink school rules to support a more democratic philosophy. Staff surveyed in McGuire advised that restorative practices 'need to run hand-in-hand with clear school rules' and that schools modify their Codes of Conduct to be in line with these practices.[98] All four 'alternative' Western Australian schools observed in Dobozy suggest not having 'specific rules' but 'general principles' – so students are actively engaged to follow basic tenets, such as 'respect', 'tolerance' and 'equal rights', and understand their worth, rather than simply follow a list of 'dos and don'ts' unthinkingly simply for the sake of avoiding punishment.[99]

In the long-term goal of making a school more democratic, challenges and teething problems relating to participant resistance, resource constraints and/or student unrest will be inevitable. Indeed, Olkowski and Tymus Ihrke urge schools making these changes to embrace this 'chaos' as part of the (democratic) process.[100] These hurdles are to be expected, and more importantly, the literature – encapsulating a diverse range of schools' first-hand experiences – strongly suggests that the benefits reaped from these changes, regardless of the difficulties related to their implementation, are worthwhile. These benefits were enjoyed across the spectrum. Students, teachers, staff, families and even the broader community found participatory and restorative practices led to important rewards in the short-term (a calmer school environment with less conflict and wrongdoing) and long-term (students learn life-long relationship, citizenship and communication skills as well as improve in terms of academic performance, all of which benefit their personal as well as the community's well-being). In short, the literature highlights the difficulties in transforming a school to a more democratic model but strongly suggests the transformation is well worth it.

IV Conclusion

Key research which has been undertaken in Australia, the UK, the US and New Zealand relating to citizenship education and restorative practice in schools provides two notable conclusions.[101] First, it points to the failure of civics education programs in schools to prepare young people to function as citizens in a democratic society. It shows a need for schools to deliver an effective active citizenship program by 'demonstrat[ing] through their own internal structures and mechanisms that they operate as a democratic institution'.[10] Secondly, research points to the beneficial effects on school cultures of the implementation of varying degrees of participatory and restorative practices.[10] While the research points overwhelmingly to the benefits, it is also realistic in its identification of the many challenges faced by schools in moving down this path.

The research project which is the subject of a following article[104] is set against the worldwide background of this research into, and implementation of, restorative or democratic practice in schools set out here. The object was to consider the exercise of the right to participation of children and young people in decision making in our education environments and our school communities. We set out to consider the range of practices, the extent to which they are implemented in a small cohort of New South Wales schools and how they are perceived by members of the school communities. By examining school policies, observing school practices and interviewing students, teachers and parents, we aimed to gain a picture of the ways in which participatory and restorative practices may be implemented, and their effectiveness. We aimed to consider how a group of schools worked with and overcame the challenges identified in the literature.

Students make a school and if you don t listen to the students, you have no school [0]

Keywords student participation, school democracy, restorative practice, practising citizenship

Endnotes

1 Professor Senior Lecturer Associate Professor and Research Assistant Faculty of Law, University of Technology, Sydney

2 Gerison Lansdown, Children s Rights proposals for new education legislation (1998) 3(1) *Education Public Law and the Individual* 8 10, 9

3 N Taylor and A Smith, *Children as Citizens? International Voices*, (Otago University Press 2009) resulting from Childwatch International Children's Perspectives on Citizenship and Nation Building Project 'a cross cultural and cross-generational international study exploring children s and young people's understanding of citizenship rights and responsibilities

4 Education Commission of the States, Denver, Co (2000) *Every Student a Citizen Creating the Democratic Self Campaign for Action Compact for Learning and Citizenship National Study Group on Citizenship in K 12 Schools Executive Summary* 3 <http //www cpn org/topics/youth/k12/pdfs/Every_Student A_Citizen pdf>

5 In New South Wales in 2012 the total for long suspensions was 18 186 up from 16 814 in 2011 which in turn was up from around 14 000 in 2008 and 2009 Non-attendance rates in NSW for 2011 and 2012 hovered around 10% though it must be remembered that these figures may be impacted by illness and natural disasters such as floods In 2012, 590 cases were referred for compulsory attendance enforcement action under new measures introduced in 2011 This represents a significant increase from the 423 cases referred in 2011 <https //www det nsw edu au/media downloads/about us/statistics and research/key-statistics-and-reports/enforcement-of-compulsory-school-attendance-2012 pdf>

6 Though it must be noted that in recent years the New South Wales Department of Education and Communities has introduced new measures to enforce school attendance which are proactive rather than punitive (prior to 2011 prosecution was the only official option) However the measures continue to be triggered by non-attendance rather than innovations designed to encourage attendance

7 J Arvanitakis and S Marren *Putting the politics back into Politics Young people and democracy in Australia – A Discussion Paper* (2009) Whitlam Institute within the University of Western Sydney Lawrence J Saha and Murray Print *Youth Electoral Study (YES) Report 5 Youth schools and learning about politics*, Report 5 2009 Canberra Australia Australian Electoral Commission <http //www acc gov au/About_AEC/publications/youth study/youth-study-5/youth electoral study-05 pdf>

8 For research evidencing a similar concern in comparative jurisdictions see Lyn Davies Pupil Democracy in England (2002) http //www childresearch net CYBRARY/EVISION/2002/DAVIES HTM/, and Education Commission of the States, Denver Colorado *Every Student a Citizen Creating the Democratic Self Campaign for Action Compact for Learning and Citizenship National Study Group in Citizenship in K 12 Schools* (2000) Available at http //www cpn org/topics/youth/k12/pdfs/Every_Student_A_Citizen pdf Rothstein R 'What produces a Voter? Seemingly Not Civics Class' *New York Times* (New York), 11 July 2001, quoted in C Gibson, *From Inspiration to Participation A review of perspectives on youth civic engagement* (November 2001) The Grantmaker Forum on Community and National Service http //www pacefunders org/publications/pubs/Moving%20 Youth%20report%20RFV3 pdf

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10 S Varnham M Lyers & T Booth T, Let's Ask the Kids Practising Citizenship and Democracy in Australian Schools (2011) 16 (2) *International Journal of Law and Education* 75

11 This research had the aim of investigating these participatory and restorative processes and practices that may be said to be incorporated within the terms school democracy' or practising citizenship in Australian schools The project focused on a small number of schools that have to varying degrees, embraced these principles into the manner in which they operate This research aimed ultimately to

provide a body of evidence to inform the discussion and assist in advancing the incorporation of these concepts within education policy and legislation

12 The Federal Australian Curriculum Assessment and Reporting Authority

13 www.irp.edu/and the affiliated http://www.irp.eu/

14 www.RealJustice.org.au

15 See for example the latest edition June 2014 which focuses on student participation in schools in a global context

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