

CONVERSATIONS ON RESTORATIVE JUSTICE

A talk with Dennis S. W. Wong

*Albert Dzur**

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1. Turning over a new leaf: early experiences with restorative justice

Dzur: How did you become interested in restorative justice? Can you remember when you began thinking that it was important and you should spend more time on it?

Wong: Restorative justice is not part of the common terminology in Chinese communities. I graduated from college in 1984. At that time, the terminologies of restorative justice were not available at all, but there was a similar concept coming from Christianity. I was not born a Christian, but joined church activities in my first year of primary school. I joined the Sunday school and then Christian fellowships every Saturday. We always heard about the concept of restoration at church. As Christians, we believe that we should possess love and care, empathy, and think from others' perspectives. I learned these kinds of concepts when I was very young, but we didn't call it restorative justice at that time.

Dzur: Your conception of Christian fellowship that you developed in adolescence prepared or sensitised you to those questions. Then, in your graduate studies as a criminologist, you connected those Christian fellowship ideas to certain ways of thinking about crime and justice?

Wong: Yes, definitely. I got in touch with the concept of restorative justice when I did my PhD at University of Bristol, where I graduated in 1996. I linked my

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Christian beliefs, my value systems, together, and then found that my earlier sensitisations to restorative justice may have come from Christian belief.

Dzur: You say this was something that crossed your horizon in Bristol. Do you remember what it was in particular that drew your attention to restorative justice?

Wong: Yes, it was very clear: I got in touch with the theory of reintegrative shaming. When I did my master's degree at the University of York, I studied juvenile delinquency policies, comparing the delinquency policies between Hong Kong and the UK. At that time, I didn't touch on any conceptual stuff relating to restorative justice. But when I was in Bristol, starting in year one or year two, which was 1992-1993, I got in touch with the very lovely concept from John Braithwaite, the reintegrative shaming theory.

I really love that concept because it is a balance of strategies between harsh discipline and rehabilitation for youth offenders. Let me explain more about why I love this idea.

When I was in my secondary school, I didn't do well in my academic studies. I went into a borderline academic school, which was not a school with good academic standing. In Hong Kong, we normally classify the schools into different bandings. Band one school is the best, then two, three, four and five. I was in the band five school, which is the poorest. I hadn't worked well in my primary school where I barely passed all the subjects. Then I could not get into a government subsidised school in secondary level, so I had to find a private school, which meant my parents had to pay my tuition fee.

Surrounding me in the band five secondary school were mostly working-class adolescents. I was also coming from the working class. My father was a porter for a building and my mother was a cleaning lady in the same building. We lived on the rooftop of that building, my five brothers and sisters, together with my father and mother. We had a big family, but my father and mother only had a limited monthly salary for all of us.

Coming from the working class, we labelled ourselves that way: being working-class boys, we don't have a bright future, anyway. The best way for getting a bright future is to study well, to get good academic grades, enter into university and become a university graduate.

I struggled during my secondary school years one to three. After getting in touch with some who might be called 'undesirable peers', we gambled and played mah-jong, which is a game like bridge with four players. I engaged in these kinds of gambling activities right after school. We finished school at 3:30 pm and immediately went to a canteen to play cards or mah-jong. We sometimes gambled for two hours before going back home. I felt I was a little addicted to gambling: I loved playing cards and hoped to gain a small amount of money. I was on the verge of delinquency at the time.

Dzur: And you weren't doing any homework.

Wong: I didn't like to do homework. I sometimes copied homework from my classmates if I didn't do it. And we didn't pay attention to teachers' lectures during

class. We sat at the very back and chatted all the time. I was that sort of young person, which I now name as delinquent.

Fortunately, I went to church when I was very young, and I continued to go to church every Saturday and Sunday. During Saturday and Sunday, I became the kind of boy who is polite, with good manners, listens to the Sunday school teachers, joins in games, listens to the Bible. On Saturday and Sunday I tried to be a good boy. When I was at home, I tried to be a good son. But when I was at school from Monday to Friday, I wasn't performing well.

Dzur: Can you connect this experience as a young person to your lightbulb moment with John Braithwaite's work?

Wong: Not yet. I turned myself around in the fourth year of secondary school. My first through third years yielded very poor academic results. But one day, in the fourth year of secondary school, I had a dream. I dreamt that I was poor at the age of 40 and had no family members with me. I clearly remembered that dream when I woke up and cried for the whole night. I knelt down, prayed to God and sought redemption!

Dzur: What was it about the dream that made you so upset?

Wong: Being 40, all alone, with no family members, in a poor condition. I was surprised to dream this. Perhaps, the dream was associated with my self-reflection. I was socialised by a lot of church elders when I was young. The elders were always reminding me that children have to perform well and work hard. Besides, I felt that my parents loved me very much, that my sisters were all performing well and thus I should also perform well.

I turned over a new leaf in secondary year four, and I dropped all the gambling activities. I didn't spend time on entertainment such as watching television or listening to the radio anymore. And I worked very hard starting from the age of 16 onwards.

I wanted to pay back my parents and those I had hurt before. At that time, there was a shopkeeper on a motorcycle by my school, and he sold ice cream. I sometimes deceived him by paying a certain amount of money with my left hand but at the same time using my right hand to grab more food. That is stealing.

When I got in touch with the concept of reintegrative shaming and restorative justice, I had something like a lightbulb insight: 'Oh, come on, Dennis. You did something bad when you were young. Now you have learned about restorative justice. Can you make amends for what you have done? Can you repair the harm done when you were young?' After I graduated from university, and then became a social worker, I went back to that motorcycle. The motorcycle was still there, after fifteen years! The shop keeper was rather old at that time. I deliberately bought six to ten ice creams at a time, just wanting to pay him back.

Looking back at this sort of behaviour, that was my first encounter of practicing restorative justice.

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Dzur: In your youth you saw these two paths. But when you're fourteen, the path of being the good boy at Sunday service, being a good boy at home, being the good student at school, didn't feel like the real you. It was the boy who was playing cards who seemed like the real you.

Wong: Yes, deep down in my heart, I just wanted to gain more, to achieve something, to be successful.

Perhaps influenced by my upbringing, I turned over a new leaf in secondary four, and I eventually studied much better, and barely got into the university. After graduation, I got a decent job from a social services agency, at the age of 24.

That first job was called an outreaching social worker. Outreaching means that we were not stationed in a youth centre all the time, but we did outreach to get in touch with youth or gangsters on the streets. I deliberately picked this job because I understand that a lot of so-called 'gangsters' or 'delinquents' were somewhat like my past. They are struggling with frustrations from working-class backgrounds to get to a bright future. I wanted to commit myself to be a kind of professional who can help these delinquents make amends for what they have done, and become good again.

After a few years, I decided to study for a master's degree and then a PhD degree. When I graduated with my PhD, I was already 38 years old. Let me tell you more about why I am inspired by the reintegrative shaming theory. I am good friends with John Braithwaite now. I admired him very much when I read his book, *Crime, shame, and reintegration*, in 1989. I discovered that this sort of work can resolve two longstanding questions that I encountered. The first question is, are there any ways for holding badly behaving students accountable to victims for offending? Second, can we at the same time give them an opportunity to be rehabilitated without negative labelling? Is there really a way for helping these so-called delinquents grow out of crime?

When I was in outreaching service, I saw a lot of scenarios in which delinquents were caught by the police, put into prison, detained in the detention centre, because they were not able to desist from crime. I had been thinking of a balanced strategy that could, on the one hand, help these delinquents become accountable and, on the other hand, not be negatively labelled by the criminal justice system.

The criminal justice system in Hong Kong could not provide such an opportunity, because we didn't have adequate alternatives to prosecution at that time, apart from the police cautioning scheme. Under the police cautioning scheme, we would not send young people to court, but would give them a chance for receiving a reprimand from the police superintendent. If the delinquent is not dealt with by the police cautioning scheme, the youth would be sent to court. The lowest disciplining of a convicted delinquent would be a probation order, and subsequently a community service order. If the delinquents had committed more serious offences or came from poor family backgrounds, they may have been sentenced to custodial institutions such as probation homes, training centres, and detention centres. We didn't have many alternatives to prosecution, unlike other jurisdictions or countries. That's why I had been wondering if there was any way to

provide a balanced strategy that could hold young people accountable without labelling them with the criminal justice system.

By the way, I also find that reintegrative shaming theory is beautifully matched with Chinese values. The Chinese authority figures, including parents, teachers and community leaders, always adopt the punitive approach to reprimand their children or family members, with the view of keeping them good. But their ways of parenting and disciplining are not as effective as those in the Western countries, in my perception.

2. Mediation vs restorative justice in China: legacies of traditional values and politicisation

Dzur: In some of your writings you discuss the support for restorative justice ideas in China, but also analyse tensions between restorative justice and Chinese criminal justice. Let's start with the first side of this issue: in what ways is China a welcoming environment for restorative justice? How does restorative justice connect with both traditional values and also Communist party values?

Wong: This is a very interesting topic for discussion, especially for those who are not familiar with the Chinese criminal justice system or traditional Chinese values.

We Hong Kongers learned the same values as the mainland Chinese. For example, we respect our ancestors, we love our parents. We call this filial piety; we respect our parents all the time, to an extent that we will listen to our parents' instructions, and we honour elders, especially when they come from the same family. In a big family, we highly respect our uncles and aunties, and we seldom argue with them. On the one hand, we are submissive to the authority of elders. But, on the other hand, Chinese also place great emphasis on interpersonal harmony. We don't really like people arguing in front of a big group. If you have Chinese students, you may find them a little bit submissive and not verbally expressive, unlike American and European students. They seldom ask questions or debate with you, because Chinese place great emphasis on interpersonal harmony.

I was trained as a social worker and then as an educator. I always compare task-oriented practice to people-oriented practice. If you are a task-oriented person, you place an emphasis on tasks, timing and do things quickly. You want to resolve problems in a short period of time at the expense of interpersonal relationships. But people-oriented personalities don't really mind about the timing. Sometimes they do things and make decisions slowly, because they want to maintain good relationships with people. A lot of Chinese are people-oriented. We just don't want to engage in conflicts in front of people, so we tend to adopt mediation techniques to resolve conflicts and personal problems.

Mediation has a more-than-5000-year history in China. By mediation, I am talking about a mediator in the middle, with two conflicting parties, one on the right, one on the left.

This is somewhat like victim-offender mediation. Chinese prefer to rely on mediators all the time: in the family, in the community, and in school. Mediators

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are not police, not social workers, not managers of an agency, they are just ordinary people. Ordinary people may stop in the street and listen to people arguing, and at the end of the day they may intervene and become a mediator resolving community conflicts. That is mediation with Chinese characteristics.

Dzur: You have spent a good deal of time in Britain. What are some of the main differences between the mediation done in China, and the restorative justice procedures you have seen in Britain and elsewhere in Europe?

Wong: There are a few major differences. Mediation services have been developed for more than one hundred years in Europe, and further back in North America, dating back to Native American and indigenous people. We are similar in having a long history of mediation. But when I got in touch with Mediation Services UK, during my graduate work in Bristol, I discovered that according to the traditions of mediation in the European countries, they place great emphasis on the training of the mediator. They honour the structure of procedures: the opening, the ending, and the middle phase. The mediator will normally be impartial, try to be neutral and avoid a conflict of interest.

Europeans and Americans place great emphasis on procedural justice too. They document mediation procedures, and want people to have standardised mediation practices. That is why they set up mediation associations and develop accreditation systems to allow people to receive training to be a mediator. That is one big difference with those doing mediation in China.

Dzur: You've written about different kinds of mediation in China. You don't find Western-style training there?

Wong: No, not yet. The Chinese authorities, when they promote so-called 'restorative justice', they equate the Western restorative justice with the Chinese mediation practice. But I find the Chinese mediation practice is very different from the Western restorative justice. That's why, in some of my articles, I posted a warning to the audience that when the Chinese authorities claimed that they were doing restorative justice, we need to keep an eye on the procedural differences between Chinese mediation and Western restorative justice.

Dzur: Apart from differences in training, you also mentioned differences in adherence to certain procedural norms. Can you say more about that? What procedural values are missing in Chinese restorative justice?

Wong: It is not just a matter of procedure; it is also related to the primary emphasis on moral imperatives.

Dzur: Can you explain that?

Wong: We Chinese respect our elders. Whenever the elders say something, we dare not challenge them easily. That's why, when there are family members or elders present in the restorative meeting, young people may be submissive to the elder's

decision, and then there will not be genuine restorative justice. That is the first point.

The second point relates to the Communist ideology under mediation. The Hong Kong people are not familiar with Communist ideology, because we used to be citizens of a British colony. It is only recently that we are able to understand the Communist system, as Hong Kong was returned to China in 1997. By now, we understand that people in China are mostly living in a neighbourhood or street district in which people know each other well. In each district or living area, there are community leaders organised by the Communist Party to liaise or cultivate a sense of belonging among residents. Whenever there are central opinions or policies from the top, these community leaders will try their best to disseminate the messages and explain the rationales behind them to residents so as to hold people together. This kind of practice is related to the 'party line' approach. It signifies that local government will listen to the ideas of the people before policymaking, and in return, people should follow the instructions given from the Party. You can imagine - if there are Party officials or related persons in charge of the mediation process, how can people feel any neutrality in the mediation?

Dzur: How does that interfere with a restorative justice process? Can you explain?

Wong: When the Chinese Communist Party took over sovereignty of the whole country in 1949, they abolished all the courts that had been set up by the Nationalist Party. The Communist Party did not trust the judges or the traditional court hearings. So they abolished all the courts, and then they set up the people's court.

All civil and criminal cases were put on trial by the people's court with the help of the people's judges. That is the first thing we need to understand. Second, during the years of 1953 and 1954, just a few years after taking power, mediation committees were set up to deal with some civil cases. The Communist Party calls these 'the people's mediation committees'. The government set up many people's mediation committees at various levels, such as villages, cities and provinces. Whenever there were conflicts in communities, unless they were clearly related to criminal behaviour, cases would be dealt with by the mediation committees.

To me, as a Hong Kong scholar, I am not sure whether the people's mediation committees and the people's court in China were fair and just. Sometimes, I cast serious doubt on their impartiality and fairness.

Dzur: Why don't you trust these bodies? Is it because they have a dual allegiance, to the Communist Party authorities as well as the parties before it – the victim and offender?

Wong: Yes.

Dzur: Can you give an example of a case where you wouldn't trust an outcome because the allegiance to the Party pulls in one direction and the attention to the victim and the offender pulls in another?

Wong: I have heard of a case like this. For example, there was an eighteen-year-old boy fighting with another boy, who was sixteen. The eighteen-year-old boy

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accidentally killed the sixteen-year-old boy. The suspect was put on trial in a court. I should note that although the courts are still called ‘the people’s court’, the current courts were re-established in a more formal manner after many years of development. They have more reliable judges, who have received proper training, so the current court system is a decent one. The case I am referring to happened many years ago. The boy was not given a lengthy sentence but a mediation opportunity. Someone guessed that the reason behind this might be due to a close relationship between the suspect’s family and a local government or Party official. That is why the suspect’s family might have been able to talk things over.

In the end, the judge agreed to conduct a victim-offender mediation for the case. The judge claimed that it was because the suspect was barely eighteen years old and the other was sixteen, and thus mediation was recommended. The family who lost a son was persuaded to receive fifty thousand Chinese dollars in compensation for the loss of a life, and the offender was only sentenced to less than three years of detention after mediation. The case was handled by the same judge, who first acted as a judge and subsequently acted as a mediator. The judge made a dual-role decision in the process of both adjudication and mediation.

To a certain extent, this can be considered as a case of restorative justice. However, as the case was not conducted in a transparent way, the dual-role practice is questionable. I think there is still room for improvement for restorative justice in China.

Dzur: Political influence over the proceedings is one issue. The second issue you have mentioned is the moral imperative. Can you explain how that interferes in Chinese restorative justice?

Wong: It means that the family elders or community leaders may exert their influence on the participants. They may persuade the participants like this: ‘Come on, we have to keep the community harmonious. You shouldn’t make so many complaints, you should listen to us, be more harmonious.’

Dzur: In your view, that conflicts with restorative justice because it means that the voice and experience of the victim is not as important as the moral imperative of the elder. The moral imperative of giving filial loyalty to the elder makes one less likely to express oneself as a victim.

Wong: Yes, there is a moral hierarchy. The so-called ‘community leader’ or ‘Party leaders’ are people who have power and community connections. They may want to maintain status quo at the expense of individual rights. The following quotation may be an example of persuasion: ‘Come on, we shouldn’t allow this kind of tragic incident to be known to people upstairs. We shouldn’t let the provincial government know that we are in a chaotic situation. Can you guys be good citizens and buy into our offers? We are one community, like family members.’

Dzur: It is interesting how traditional hierarchical moral values, of respecting elders and the community, have fused into the current system, which is highly sensitive to what the Party officials care about.

Wong: My feeling is that government officials will insist that the societal goal is more important than the individual goal. In order to keep up a so-called harmonious society, they don't really mind making a decision at the expense of an individual's interests or at the expense of the victim's rights.

3. Encouraging restorative justice as a reform discourse in China

Dzur: When you meet with colleagues in the legal system and talk about the ways current practice is deviating from restorative justice values, do you ever hear the following objection: 'Oh, you're just applying European-style attitudes, and that won't work here.' Do you ever face that kind of reaction?

Wong: I do not, because, first of all, I am Chinese, so I understand all these traditional Chinese values: I honour filial piety and collective values, and I respect elders. At the same time, with my Western training in sociology and criminology, I am always alert to the false hope given to the victim or to the community when people say, 'Come on, let's keep our society harmonious by not raising complaints, by not raising disagreements.' I don't like that.

Dzur: How do you use restorative justice ideas as a way of reform while keeping with these traditional values that you share?

Wong: When you invited me to do this interview, I was really delighted, because many Western scholars may not be able to understand my writing fully, and I would like to explain this now. On the one hand, I advocate the use of restorative justice in China. But, at the same time I advocate a genuine restorative justice practice, not the traditional Chinese mediation practice.

How can I advocate a genuine restorative justice in China? My strategy is that I tell them that I am also Chinese. I understand all the Chinese traditional values, and I honour them. But, at the same time I also honour procedural justice. I think that real restorative justice, real mediation should possess a few elements. First, mediation should be impartial. Second, we should try to keep our procedures free from conflicts of interest. Third, we should try to do away with all the political influence and traditional family influence when we conduct restorative conferencing, when we conduct a mediation meeting.

Whenever I travel to mainland China from Hong Kong, I share my ideas with Chinese officials and scholars. They buy into my ideas, despite the fact that they have worries about the difficulties of persuading their senior leadership to accept such kinds of good practice. I tell them that if mediation is involuntary, if a real consensus cannot be reached, someone who was suffering or who was disadvantaged will come back to fight again. Then you are not able to keep your society or community harmonious. If we really want to achieve a harmonious society, we should adopt a fully restorative practice model inspired by the Western experience. I try to integrate Western ideas with the Chinese traditional values and would like to call it a Chinese style of restorative practice.

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Dzur: What you're suggesting goes beyond making minor changes; it involves fairly significant structural changes. For example, securing the autonomy of the adjudication process from political pressures would be a big change. Where do you see support for such structural reforms? It's one thing for somebody to say, 'I like your ideas' and it's another thing to start putting pressure where it needs to be put to make changes. Where do you see that happening? Are there, for example, people who are working in the justice system who could be organised to make changes?

Wong: Yes, of course. I try to sell my ideas to the mainland Chinese through different ways. First, I exchange my ideas with scholars in China and mingle with a lot of criminologists, professors and practitioners in Nanjing, Shanghai and Beijing. I have established good relationships with them over time and visit them frequently. In return, we invite them to come to Hong Kong to attend our conferences. We pay their travel and hotel expenses to facilitate their coming. Over two decades, we have become very good friends and learn from each other.

Dzur: You're like the Sunday School, inviting the kids in and teaching good behaviour!

Wong: I have gotten in touch with a few major restorative justice scholars in China and indeed, they also buy into our ideas. Then they write in Chinese, and by integrating our ideas into their writings, they promote Western restorative thoughts.

Dzur: These are academics who recognise some of the same problems.

Wong: Yes, that is the first way I try to make changes. The second way is that I work with prosecutor's offices, including Shenzhen and Guangzhou. We work with the prosecutor's office because the prosecutors have direct experience with delinquents and they will advocate for policy changes. They believe in the merits of using conditional non-prosecution strategies for assisting delinquents. Under this approach, delinquents will not be sentenced to custodial institutions but are put on community treatment under certain conditions. One of the conditions may be restorative in nature. I discuss this approach in one of my recent articles. In a recent amended version of Criminal Procedure Law in China, the authority has formally endorsed the use of conditional non-prosecution to allow youth offenders to repair the harm they have done to the victim and the community.

Recently, I published an article about community correction practice in China. Community correction in China is equivalent to probation services in the UK. Young people are allowed to receive community-based treatment instead of being put into a custodial detention institution. I argued in the article that there are a lot of drawbacks under current community corrections policies. There are also bottlenecks that do not allow the community corrections to be fully implemented. By introducing the use of restorative justice, China may be able to develop a much better community corrections service.

So we are trying our best to promote restorative justice in China. My strategies for doing this include, first of all, getting in touch with Chinese academics,

persuading them to buy into Western restorative justice ideas. Second, I try to establish connections with prosecutors and judges through attending conferences, and developing capacity to learn from each other. Third, I also share my ideas to social work professionals. For example, I will conduct talks in Shenzhen, Guangzhou and Nanjing in order to share our good practices with social work service agencies.

4. Restorative justice in schools: a whole-school approach with prominent student roles

Dzur: Your life experiences as an adolescent must have informed your research and practical work in developing bullying prevention programmes at schools. What makes a particular school amenable to restorative justice? What makes restorative practices more likely to have a real effect?

Wong: This is a very important question for me as I near the end of my academic career, because since 1996, when I graduated with my PhD degree, I have been advocating for reforming the juvenile justice system in Hong Kong. I argue that Hong Kong should buy into restorative justice ideas like the family group conferencing model from New Zealand and Australia. Then we can set up a division in police departments to screen in or keep out juvenile delinquent cases for receiving restorative justice.

Unfortunately, my idea was not taken up by the Hong Kong government. Despite our continuous effort, they responded, 'We have been adopting the Common Law legal system, and there are a lot of community-based treatment services for young people. We have probation orders, community service orders, a police cautioning scheme, and we already have adequate alternatives to prosecution. So we don't really need to allocate additional resources to such a new approach of restorative justice.'

Despite more than 20 years of effort, I have not been able to persuade the Hong Kong government to amend any part of the criminal justice system. I was a little bit frustrated at that time, but I turned to targeting schools. I started conducting surveys on the prevalence of school bullying and the underlying factors affecting victimisation and perpetration. By 2010, I was one of the prominent experts in the study of school bullying in Hong Kong.

At that time, a lot of school principals, including primary and secondary school principals, came to my talks, and they became my audience. I promoted the ideas of using restorative justice to mediate conflicts between bullies and victims in schools.

I advocated that every school should train a group of student ambassadors to be peer mediators and should train at least one-third of the teachers to be mediators. With the help of teachers, as mediators, and student ambassadors as peer mediators, a lot of schools received training from my organisation, the Centre for Restoration of Human Relationships, which was set up in 2000. This centre is a non-governmental organisation and I am board chairman. We hire social workers; most of them were indeed my social work students, who practice my philosophy

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and model. Over the past 20 years, they have gone into different schools to encourage school heads to train their teachers to be mediators and conference facilitators. They are buying into a restorative whole-school approach for tackling school bullying. Our ideas were widely shared to schools and now many schools have heard of the use of restorative justice for solving this problem.

Dzur: What do you think distinguishes the school that really takes these ideas on in full measure, as opposed to the school that treats it as just another programme?

Wong: School bullying is not easy to tackle, because the victims have all kinds of feelings that are not easy to express, first of all. Second, the supporters of victims, including their parents, are always frustrated that they are not able to seek genuine help from the schools. A lot of schools are very conservative. They don't admit that there are school bullying incidents. And a lot of teachers are very traditional. They use harsh discipline in school to try to punish the bullies, and to try to deter the victims from making so many complaints in order to maintain the reputation of their school and continue to attract good students.

Dzur: Let's say there are one hundred schools that have listened to your ideas about restorative practice, and have invited the NGO in. Of those hundred, how many make a serious effort and try to implement it to the best of their ability, do you think?

Wong: I think half of the schools will really apply our ideas.

Dzur: So the other 50 per cent of principals just say, 'Okay, we will add restorative justice to our list of programmes, but school administration will remain business as usual.'

Wong: They'll say, 'Your idea is good, Professor, but we just don't have time to learn your model because our students have to sit for public examinations. They have to do well in the academic studies, and they just don't have time to learn new things.'

Dzur: Looking at the 50 per cent of schools that do make a serious effort to really work with restorative justice ideas over time, what do you think differentiates them from the other group?

Wong: We can say that, with the efforts that we have put in over the past 20 years, that more and more educators, more and more teachers in both primary and secondary schools are well aware of the concept of mediation and restorative justice. I have been surprised to receive phone calls from a few school principals who, as a whole, do not buy into my service or buy into my ideas. When they encounter a big crisis, they use all kinds of ways to resolve it but fail. Then they will think of us and call me for help. I am most delighted to bring in one or two social workers to resolve the situation. Our services are well received at the end of the day.

Dzur: I would call that an *ad hoc* solution. They're reaching out to use this restorative justice process to fix a problem. But that's different than being committed to

restorative justice over time for the next five years. And that's my question: how does restorative justice jump from being a useful solution to the problem today to being part of the institution of the school over time?

Wong: I have published articles comparing full restorative models versus partial restorative models, with control groups as well as case examples. We draw a conclusion that unless we use a fully restorative whole-school model, then the school structures, the school ethos and environments, cannot be changed and school bullying cannot be resolved. We have drawn such conclusions in the academic field, and this message has been clear to many educators in Hong Kong. But we can do nothing as an academic proponent of restorative justice in Hong Kong. We just try our best to sell restorative justice, continuously.

On the other hand, we are delighted to see that a good number of schools already use our services, and the prevalence of school bullying is dropping. Their school ethos has turned from a harsh to a mild disciplinary model. Parents love their schools. We also conduct a lot of parental talks and activities. We are not just training teachers and student ambassadors. We also train parents.

Dzur: I'm curious about the student ambassador. How did you come to this idea that it was important for peer-to-peer work to be part of the process?

Wong: There have been a lot of journal articles and publications talking about peer mediators. I also saw a lot of videos training students, as young as kindergarten level, to learn conflict resolution skills. I visited the Centre for Behavioural Research at the University of Stavanger, Norway a few years ago and talked to scholars about the best ways for resolving school bullying. Apart from a clear school policy, they also believed that one of the best ways is to let students resolve their own conflicts with peer mediators. There seem to be no power imbalance issues when cases are resolved by youth themselves instead of being resolved by adults or professionals.

Dzur: Peer mediation nicely aligns with reintegrative shaming theory.

Wong: Yes, very much. By studying the theory of reintegrative shaming, the most difficult thing that we have to tackle is who has the power to shame people. If you believe that only the adult has the power to shame the adolescents, that is not truly reintegrative.

Dzur: When my children were in grade school, they would refer to other children who tried to enforce morality at school as being 'goody-goody', making fun of rather than admiring these self-selected peer mediators. How do your student ambassadors avoid this problem of coming across as mini adults rather than actual peers?

Wong: We trained them. We asked the schools to allow us to conduct eight sections of training for those who are in senior forms. For example, we have six forms in secondary schools, form one to form six. We normally encourage form four and form five students to be student ambassadors.

Albert Dzur

Dzur: The problem is, the moment they are student ambassadors, they're no longer genuine peers. How do you resolve this issue?

Wong: We are not just providing them workshop training in the classroom. We invite them to go camping and learn these ideas through experiential workshops. I was a trained social worker and I know how to conduct an experiential workshop. We want these student ambassadors to be genuine ambassadors. They should be learning how to play an impartial role and free of moral imperatives, perform like a neutral person, listen to others, and then help participants to arrive at a consensus.

We also screen out those who are not committed to being mediators. We select a certain group of ambassadors to receive that sort of honour, and let all the teachers understand that these are the student mentors or ambassadors: 'Teachers, please work with these ambassadors when you receive a report from your students about bullying.'

Dzur: The teachers have to learn to give the students a little bit more authority in the school than they are used to giving.

Wong: The teachers are very busy and they like that there are helpers helping them resolve conflicts, since some of the conflicts are very trivial.

Dzur: There's a reintegrative shaming power to having peers be part of this. And I wonder, too, if one of the reasons for having peers take a prominent role is that victims are less embarrassed to come forward to talk with a peer than they might be to come forward and make a formal bullying complaint to an adult.

Wong: Definitely, that is the case. I have personally conducted more than 50 restorative conferences in school and other places, and I act as a kind of outsider from the authority. Those sort of restorative conferences in schools consist of principals, disciplinary masters and conflicting parties. Before I conduct any mediation session, I will brief all the participants about the roles they need to play in the conference. I try to make sure that there won't be any reprimanding or unfair judgements.

My experiences have been very good. I love schools resolving a student's conflict in front of adults and students. They think that Professor Wong has been a good model of an impartial mediator.

Dzur: What you say about the whole-school approach makes a lot of sense. Restorative justice is not just an adult programme, it becomes part of the language and culture of the school such that if you're experiencing bullying it is just routine for you to call for a mediation. It's a normal part of school life, rather than an unusual thing that happens over there in the adult rooms.

Wong: That's true. In one restorative conference that involved five offenders, who had stolen mobile phones, there were more than six theft victims. We invited these eleven boys and girls, and their fathers and mothers, to come to the music room of the school, and we invited their class masters, class teachers, disciplinary masters,

counselling masters, deputy principals, and the principals to join in the joint conference.

Before the joint conference, we conducted individual conferences for different parties. All together, we spent three-and-a-half hours to resolve this conflict, and it was smoothly resolved at the end of day. A lot of people burst into tears. They were touched by the way the offenders asked for forgiveness and made a commitment to not steal again. All kinds of emotions went on during the joint meeting and we were really touched by the power of restorative practices like this.

5. Future hopes for restorative justice

Dzur: What do you think about on bad days, when you're frustrated with government inaction, for example. What keeps you going in your work?

Wong: My belief is this: the human being is beautiful. I truly believe that deep down in our heart, there is some sort of conscience. There is some sort of empathy that we can trigger, with offenders, or by our genuine touch, genuine encounter.

I tell offenders, "This is the reality, this is the law, these are the rules. And people feel frustrated by your behaviour. But there is always a chance for you to change. No one has a one hundred per cent chance of changing his behaviour, but you yourself may have one hundred per cent chance of controlling yourself."

Dzur: What gives you hope, then, is this transformative message, this transformative space that restorative justice provides to people.

Wong: Yes, I truly believe this.