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Project Articulate: Restorative Justice and Cultural Translation — Why Me?

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This is a blog by our Project Articulate Evaluators Tim Chapman and Sarah Maitland.

One of the key elements of Restorative Justice that distinguishes it from other approaches to addressing crime and justice, is *dialogue*. Through facilitated restorative processes, people are enabled to articulate their account of what happened, discuss what matters most to them, and share what they want to happen in the future to ensure that their needs are addressed. The essence of dialogue is the clarification and exchange of what something means to those participating in it. The process of dialogue seeks to achieve mutual understanding and consensus.

In a Restorative Justice process, the facilitator will prepare each participant and facilitate the process of dialogue so that it is safe, respectful, honest, and fair. Most of all, the facilitator will see to it that no one person dominates, intimidates, or manipulates the others. However, even with excellent facilitation, having to speak about an event that may bring up strong, distressing feelings, and in many cases, doing so in the presence of strangers, can be difficult for many participants. The process may trigger emotions such as fear, anger, shame, or anxiety, which many people struggle to express and may feel embarrassed when they become emotional in the presence of others. It is also demanding to listen respectfully to someone who is articulating how they have suffered from an act for which you are responsible and it may be difficult to find the words to respond adequately. Of course, sensitive preparation and skilful facilitation by a trained practitioner supports participants to face these challenges and aims to empower them in the process. Any agreement emerging from a restorative process must be very clear and unambiguous to ensure accountability and the provision of support. The language used in the agreement is also important as it must be specific, open to measurement, realistic, and time-bound.

Restorative Justice is about relationship-building and building rapport. Participants involved in a Restorative Justice dialogue may speak different languages, and those for whom English is an Additional Language may have varying levels of proficiency. The process of communication can pose a challenge even for people who share a common language and a culture that contains unspoken yet generally understood and accepted values and assumptions. For people who *do not* share the same language and culture, this process presents further challenges and potentially risks increasing the traumatising effects of crime. Learners of English and people with limited proficiency in English [face challenges both in terms of reporting crime, and in terms of accessing support](#).

In the restorative process, some may need to rely on an interpreter to communicate in the language they feel most comfortable with, while others may not need to rely on an interpreter to the same extent. If an interpreter is present to support the Restorative Justice dialogue, it is important to consider participants' ability to develop empathy, to feel 'understood', or to feel satisfied with the process whilst being unable to enter into direct dialogue with one another and having their experiences communicated through a third party.

Some of the challenges presented by barriers of language and culture in a Restorative Justice dialogue arise because what is experienced and narrated by one person, cannot be transferred wholesale to another. No two people will interpret the same statement in exactly the same way, because the words that are spoken, even when they appear 'neutral', are often surrounded by layers of social and cultural complexity. It is for this reason that a 'cultural translation' approach recognises that language is inseparable from lived experience or culture, because when people speak, they employ language to mean certain things and to express certain ideas and feelings. Reaching an 'understanding' between speakers does not depend upon universal criteria that are shared equally by all. Instead, understanding depends on the experiences of the people in dialogue, and on their shared proficiency in the language that is spoken.

How can people with English as an Additional Language participate fully in what is already a difficult but potentially very rewarding process? How can agencies who offer Restorative Justice best respond to the needs of people with English as an Additional Language? There is a risk that, because of these difficulties, agencies who offer Restorative Justice could exclude the possibility of a face-to-face meeting for people who are not proficient in English without considering their needs, especially in the absence of an interpreter.

Understanding the challenges for those who speak English as an Additional Language is an important first step in ensuring that people who are affected by crime are not marginalised. Being sensitive to 'translation' in the restorative encounter, means drawing attention, not just to the transfer of meaning and ideas from one *language* to another, but also from one *person* to another. Whether an interpreter is present or not, a sensitivity to the nature and quality of participants' interactions with one another is crucial.

Restorative Justice is such a powerful process and as part of Project Articulate we aim to empower those affected by crime and conflict, ensuring that language and cultural differences are not a barrier for accessing services you need. You can find out more about Project Articulate on [our dedicated webpage](#).

Sarah Maitland will be speaking at our Why me? Annual Conference in May. The Conference will bring together frontline staff, practitioners, academics, staff and volunteers working within and outside of the Criminal Justice System and Restorative Justice experts to discuss the theme of 'Promoting Equality in Restorative Justice'. [Sign up now](#) to hear Sarah Maitland discuss how to improve access to Restorative Justice for people with English as an Additional Language: