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IS IT POSSIBLE TO IMPLEMENT RESTORATIVE JUSTICE AND RESTORATIVE PRACTICES IN THE MEXICAN EDUCATION SYSTEM? FEASIBILITY ANALYSIS

DISSERTATION SUBMITTED FOR THE DEGREE OF MA IN DISPUTE RESOLUTION

"Is it possible to implement Restorative Justice and Restorative Practices in the Mexican Education System? Feasibility Analysis"

By

Alma Delia Sánchez Sánchez

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Acknowledgements

Abstract

Given the growth of bullying cases in Mexico and the lack of effective instruments to address the situation, the possibility of implementing restorative justice and restorative practices at primary and secondary school levels in Mexico was raised.

Using the primary resources was found that restorative processes are being applied informally at some educational levels but without any legal system that recognizes and empowers the application of this matter.

Additionally, stakeholders involved in the school sphere are allowed to notice the contextual barriers that exist for the implementation, highlighting among them the cultural and economic ones, since Mexico is a country with clearly punitive roots "of imposing punishments"; and lacking material and human resources to support implementation.

At the same time, the brief study of other countries that have applied restorative justice permits us to identify some essential elements for its development and appreciate the importance of applying this subject as philosophy inside and outside the school.

This work constitutes the first step to identifying the current contextual conditions of restorative justice through the voice of those already involved in such processes.

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INTRODUCTION

I had no idea how to start this research; I found on social media a video that impressed me a lot. I could not believe what was happening. The title is "Fight between students and Cetis Teacher investigated in Tepic, Nayarit". You see two students (a girl and a boy) that are hitting each other and an adult recording with a cellphone; the bizarre part becomes when the boy takes the girl to her head and does a judo movement, and falls her to the ground. Immediately, the girl stands up and faces the guy again, trying to attack him. As a response, he pushes her to the ground and says, "You never touch me again". At the same time, the teacher focuses on recording each detail and tries to hug the girl saying, "we want to help you, but you don´t want" finding a response from the girl, a hair pulling, and the teacher saying to the class, "recorded what is happening".

For me, that was shocking, but it was worst when I read all the comments from Mexican people; they say the girl deserves it, the boy does the right thing, and the teacher too; all these new generations do not have any remedy, since the human rights protect kids is a problem, they need that their parents him them and correct their attitude. I read the news, and it says that this girl is suffering some mental issues, and it appears that she has been doing this behaviour since secondary school.

This example shows the situation in Mexican Schools; there is no preparation for teachers to deal with this kind of case and no support from any medical team who helps the girl manage her condition and continues with her right to education. At the same time, no tool supports the scholarly community in dealing with the conflict because the other guys in the school (including the boy) need to know what to do in these circumstances.

Unfortunately, everybody is a victim of violence in the country. The context is now inside the school, and nobody can do anything because we are not ready for that. It is essential for the sense of community that parents, kids, schools, society and government get involved in reducing this kind of case and practice prevention daily.

The golden question is …how to do that? During this research, it was identified that teachers have some tools (mostly some protocols) which permit them to face bullying cases; others apply mediation, and others ignore the problem. However, all of those are not enough; that is why I asked a few months ago if there is any chance to implement Restorative Practice and Restorative Practices at a primary and secondary level.

The first chapter of the Literature Review provides the restorative framework like concepts of restorative justice, restorative practices, the difference between them, and the essential elements that are important in the process. Additionally, some characteristics of restorative justice and practices in schools, the experience of the restorative subjects in other countries and some limitations in its development in the scholarly field.

The second chapter of Research Methodology and Methods describes the approach that was selected and the sources that were chosen to demonstrate the feasibility of applying the subject in the Mexican context, who the participants were and their background related to the subject and a description of the process to achieve the information.

The third chapter of the Data Analysis and Findings shows the findings and provides which is the current situation of restorative justice, which are the barriers to getting the implementation and other information that provides a general view about scholar violence.

The fourth and last chapter analyse and summarise the information provided in the previous chapters and marks some other essential elements for answering the research question.

CHAPTER ONE

REVIEW OF THE LITERATURE

Before entering into the feasibility analysis that will answer the study question, it is necessary to know the theoretical framework of restorative justice. This includes knowing its concept, the basis for its operation, and how it is applied through restorative practices to observe how this philosophy is applied in the school environment.

A fundamental point of this research is the observation of the application of both concepts in contexts such as Australia, Ireland and Colombia, which have practised this type of justice in recent years.

Additionally, knowing the bullying situation in Mexico and the lack of instruments to resolve the problem is an important observation. It allows us to see if the information to be outlined could be developed in the same direction as these restorative processes.

1. Restorative Justice and Restoratives Practices theoretical framework

Restorative justice has been practised for some time now. It was first practised on indigenous groups in the United States of America and Canada, and then it developed a good application in the criminal area. However, with the adoption of the Declaration of the Principles of Restorative Justice in 2002, its application was extended to other spheres of human coexistence, among others, to educational centres, where the foundations for the development of people are forged.

For the above reasons, a brief outline of the background of this subject is included.

1.1 Timeline

Katherine Evans and Dorothy Vaandering (2016) propose the most representative events of Restorative Justice:

- ✓ Navajo people
- ✓ Maori tribes in New Zealand. The communities practised sentencing and family group conferences.
- ✓ The Elmira case (1974). In this case, it identified the application of restorative justice principles and Victim-Offender Reconciliation Programmes (VORP).
- ✓ Elkhart – Indiana, USA, applied Victim-Offender Reconciliation Programmes (VORP) too.
- ✓ Mid – 70 Howard Zehr led the restorative justice movement.
- ✓ Restorative justice was recognised by the American Bar Association and the United Nations.

- ✓ Most relevant documents issued on the subject:
  - 1999 Resolution on "*Development and Implementation of Mediation and Restorative Justice Measures in Criminal Justice".* Urges the formulation of standards in the field of mediation and restorative justice.
  - 2002 The Economic and Social Council adopted the "*Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters".* Changes the paradigm of restorative justice.
  - 2002 "*Declaration of Restorative Justice Principles".* This document derives from an exercise undertaken by the Restorative Justice Consortium (comprising organisations representing victims, offenders, mediators and practitioners). It lays the foundations that will enable the development of restorative justice programmes in various settings, i.e. in addition to criminal justice, in educational institutions, workplaces, etc.

1.2 What is restorative justice?

Howard Zehr, who is considered the father of this subject, defines it as *a process to involve, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right possible.* (Zehr, 2002, p. 37).

From the elements that comprise the definition provided, the analysis of some points emerges; the participation of the subjects involved in the process and the collective attention to harm, needs and obligations.

1.2.1 Subjects

According to the author, the intervention of the stakeholders in the process is essential because they are part of it and interact in different ways.

In this sense, the primary stakeholders are the victim and the offender; those who are involved and impacted by the conflict and are legitimised to intervene in the situation. The community could be integrated into the category (Zehr, 2002, p. 28), and they are identified by answering two key questions:

a) *Who in the community cares about these people or this offence?*
b) *How can we involve them in the process?*

According to the Cambridge dictionary definition, the community is people living in a particular area, or people who are part of a unit because they share interests, are part of a social group or have the same nationality.

At the same time, the offender's and victim´s families and friends of these parties are involucrate in the process too.

The secondary stakeholders include those who belong to educational, religious, social and commercial organisations and whose area of responsibility and involvement covers the people affected by the incident. The whole society could be included in this group that government officials represent. They are not directly involved in the conflict but are more supportive of the general, restorative process. (Mc Cold et al., 2016)

The role of these subjects is resumed in the following table.

	Harm	Needs	Responses
PRIMARY STAKEHOLDERS			
Victim(s)	direct	specific	active
Offender(s)	direct	specific	active
Families+	direct	specific	active
SECONDARY STAKEHOLDERS			
Neighbors+	vicarious	aggregate	supportive
Officials	vicarious	aggregate	supportive

Figure 1. Stakeholders Roles (Mc Cold et al., 2016)

Finally, it is essential to note that the intervention of the stakeholders determines different levels of restoration (Watchel, 2016, p.4):

- Fully restorative; Three stakeholders are involved in the process; offender, victim, and community.
- Mostly restorative; Two stakeholders participate in the process; offender and victim, with the community, excluded.
- Partly restorative; Just a group participated, for example, the community one, without the offender and the victim's participation.

1.2.2 Harm at the heart of restorative justice

The difference in this process is that it focuses on addressing not only the harm suffered by the victim but also his or her needs. It is so inclusive that it even includes the needs of the offender and the affected community. In general, this justice attempts to repair the harm and address the needs of all involved.

For this reason, it is fundamental to know the causes that originated the conflict and to have a complete vision of what has happened, constantly analysing the social, economic and cultural context that facilitates the understanding of the conflict and the action or omission of the offender.

1.2.3. Obligations arising from offences

In retributive justice systems, the main objective is that the offender who caused the harm is punished as a consequence. In contrast, restorative justice, by focusing on the harm, focuses its attention on the perpetrator, who becomes aware of the wrongs he or she inflicted on the victim (and even on the community), and thus gives rise to his or her direct obligation to repair the harm directly or symbolically.

Again Zehr (2002, p. 28) points out that the community can also be involved in this reparation, fulfilling obligations that should benefit both victims and offenders. An example of this would be when a government fails to implement educational policies with efficient training that provide staff with the necessary tools to prevent bullying in school. When faced with a high rate of aggression and even the commission of crimes, it is necessary to provide psychological, medical and legal assistance to those affected (child victims and child offenders, students of the school itself, school staff, and parents). It is even obliged to propose measures that promote a culture of peace and school coexistence.

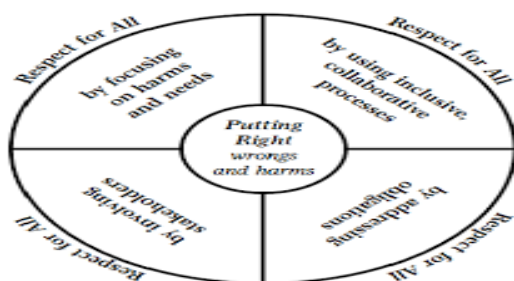The following diagram represents all of the points mentioned above.

Figure 2. Restorative Justice Wheel (Zehr, 2002, p. 33)

The essence of Restorative Justice is to solve problems collaboratively, providing an opportunity for people who have been affected by a problem to come together to share their feelings, describe how they have been affected and develop a plan to repair the harm done

or prevent it from happening again. The aim is for the person who committed the offence to rectify it and not be labelled as a criminal. (Mc Cold et al., 2016).

It is essential to say that restorative justice promotes values and principles that encourage people to deal with conflict.

1.3. What are restorative practices?

It is a social science that studies building social capital and active social discipline through participatory learning and decision-making (Watchel, 2016, p. 1).

Social capital is defined as the connections among individuals (Putman, quoted Watchel, 2016, p. 1) *and the trust, mutual understanding, shared values and behaviours that bind us together and make cooperative action possible* (Cohen&Prusak, quoted Watchel, 2016, p.1).

To clarify this concept, Berkovitz (2020, p.3) points out that a system of principles and processes that builds and sustains *a culture of respect, responsibility and accountability. This is achieved through emphasising the importance of trusting relationships as central to building community and repairing relationships when harm has occurred.*

Relationship Based Principles

Building/Sustaining Trusting Relationships   **Repairing Relationships & Restoring Community**

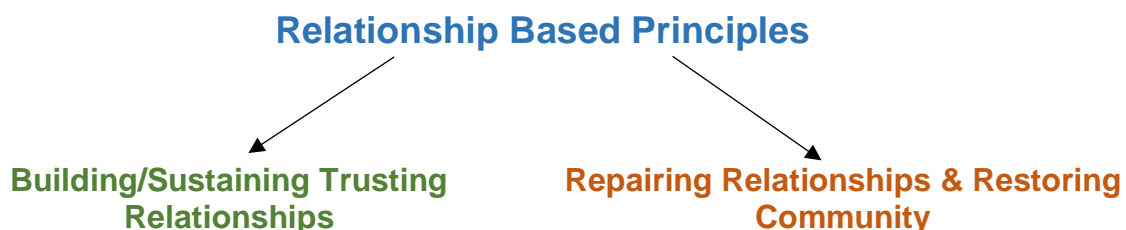Figure 3. Representation of the Restorative Practices concept. (Berkovitz, 2020,p.3)

Thus, restorative practices aim to develop a sense of community and manage conflict by seeking to repair harm and build relationships.

From the above, two approaches emerge; on the one hand, fostering relationships and developing community; on the other hand, repairing the harm done and restoring relationships.

1.3.1 Types of Restorative Practices

Zehr (2002, p.44) says that three models tend to be more common in the restorative justice field: Victim offender conferences, Family group conferences, and Circle approaches.

It is possible to identify formal and informal processes. The formal ones implementing restorative practices are Restorative Conference, Circles, Family Group Conferences (FGC) and Family Group Decision Making (FGDM). The informal could be integrated by Affective Statements or some Affective Questions that permit people to reflex on their behaviour (Watchel, 2016, p. 4).

The diagram called Restorative Justice Tipology identifies some of the most common practices and the restoration level that permit us to understand in which way this science proceeds against the wrongdoing and, at the same time, builds relationships and a sense of community to prevent conflict.

Figure 4. Restorative Justice Typology (International Institute of Restorative Practices, 2011)

The existence of various practices can be seen. However, it is considered essential to highlight the features of conferences, circles, and victim-offender mediation, which are also used for conflict resolution. It should also be noted that these processes are the most common in the educational sphere.

- ✓ Restorative Conferences. *It is a structured meeting between offenders, victims, and both parties, family and friends, in which they deal with the consequences of the crime or wrongdoing and decide how best to repair the harm. It is a victim–sensitive, straightforward problem–solving method that demonstrates how citizens can resolve*

their problems when provided with a constructive forum to do so. (O´Connell quoted in Watchel, 2016, p. 6).

It is a voluntary process that is conducted by a facilitator, who uses some specific and open questions that helps the parties to reflex on the situation:

→ For the offender:

1. *What happened?*
2. *What were you thinking of at the time?*
3. *What have you thought about since?*
4. *Who has been affected by what you have done?*
5. *What do you think you need to do to make things right?*

→ For the victim:

1. *What did you think when you realised what happened?*
2. *What impact has the incident had on you and others?*
3. *What has been the hardest thing for you?*
4. *What do you think needs to happen to make things right?*

✓ Circles

According to Pranis, this practice *allows people to speak and listen to one another in an atmosphere of safety, decorum and equality and allows people to tell their stories and offer their own perspectives.* (Watchel, 2016, p. 7)

The circles are an adaptation of indigenous practices that emphasise repair and learning through a group and collective process instead of punishment.

They involved all parties in a conflict in a peaceful and non-adversarial way to discuss the issue and address possible solutions through restorative actions and questions. All the actors involved (victim-offender – families – community) can participate in these meetings. They are designed primarily to restore relationships between people within the community rather than impose punishment, although the process may include restitution for the harm caused. This tool attempts to reach an agreement and design a strategy that allows the development of a coexistence plan in society.

Costello (quoted in Watchel, 2016, p.8) explains how the meeting works, saying that it is a sequential formal in which *one person speaks at a time, and the opportunity to speak moves in one direction around the circle. Each person must wait to speak until his or her turn, and no one may interrupt. Optionally, a talking piece – a small object that is easily*

held and passed from person to person –may be used to facilitate this process. Only the person holding the talking piece has the right to speak. The questions and the topics arise during the meeting, and the facilitator proposes them.

✓ Victim - Offender Mediation (VOM)

This method seeks reconciliation between the parties, in which it is necessary that both the offender and the victim acknowledge their roles in the offence and voluntarily come to the process.

Pre-sessions, led by a trained mediator, are held with the victim and offender to assess the issues discussed during the session. The parties meet in a safe and structured environment to discuss what happened. The victim will have the opportunity to express how what happened affected him/her and how he/she experienced it. In turn, the offender has the opportunity to tell his or her version of events, as well as to give his or her circumstances. This process allows the offender to know how his or her actions impacted the victim. This way, both parties work out a mutually acceptable plan to repair the harm caused. (United Nations, 2016, p. 11)

1.4 Graphical difference of the concepts

Restorative Justice provides tertiary prevention, introduced after the problem has occurred, to avoid recurrence. Restorative practices expand the effort with primary prevention, introduced before the problem had occurred. (Watchel, 2016, p. 1)
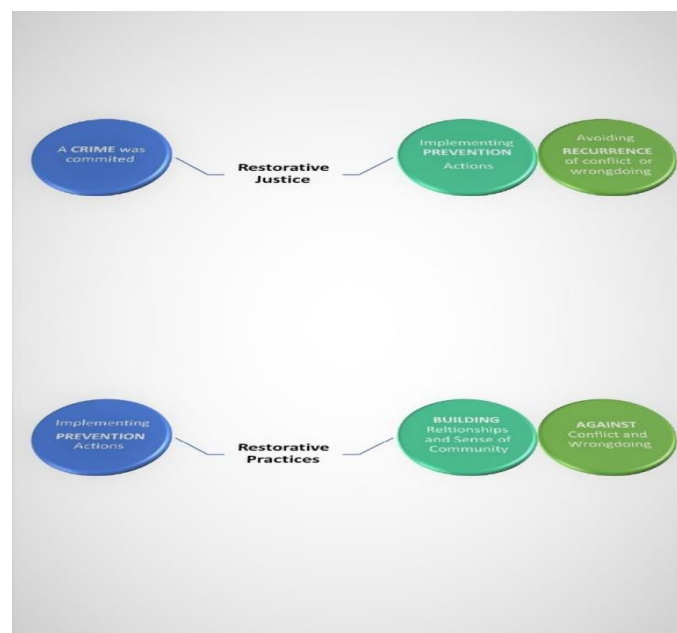

Figure 5. Restorative Justice and Restorative Practice concepts. Own elaboration

2.   Restorative Justice and Restorative Practices in schools.

Incorporating the restorative approach in the school environment implies a change of positioning and individual and institutional mentality about managing relationships and conflict management.

It incorporates concepts such as respect, recognising responsibility when harming others and its reparation, and cooperative resolution, which must undoubtedly be taught and practised daily in all educational centres.

2.1 Timeline

The background of school justice is recent and started with good development in Australia, New Zealand, Canada, the United States of America and The United Kingdom; however, there are several successful examples of its application around the world. Following the same scheme and based on the information provided by Katherine Evans and Dorothy Vaandering (2016), the most relevant actions are included:

- ✓ British Colombia, Canada, between the Community Justice Initiatives Association and the Langley School District, bringing the practices of Restorative Justice into the schools.
- ✓ It started to apply in other places like Pennsylvania and Colorado (USA), Queensland (Australia), Oxfordshire (England) and Wellington (New Zealand).
- ✓ The author, Wendy Drewery in New Zealand and Margaret Thorsborne in Australia built indigenous Mauri practices and led the way to implement family group conferences in school.
- ✓ Singapore and other countries in Asia started to implement peer mediation programs to resolve bullying programs.
- ✓ Mid-1990: The United Kingdom developed some initiatives in school by Belinda Hopkins.
- ✓ Between 1998 – 2001, Minnesota's Department of Children's Families and Learning began to work with schools with excellent results.
- ✓ Mid-2000s Several districts in Ontario, Canada, began hiring people to oversee the implementation of restorative practices in schools.
- ✓ The International Institute of Restorative Practices (IIRP) developed the first graduate program exclusively to target teaching restorative practices.

2.2 Restorative process as changing of paradigm

In addition, most doctrinaires propose a paradigm shift and the abolition of the punitive system, incorporating new classroom methodologies focused on developing, maintaining and repairing relationships in a restorative way. (Stutzman et.al, 2015; Hopkins, 2002; Thorsbone et.al. 2013 and Berkowitz, 2020)

Old Paradigm – Retributive Justice		New Paradigm – Restorative Justice
Misbehaviour is defined as breaking school rules or letting the school down.	1	Misbehaviour is harm (emotional/mental/physical) done to one person or group by another.
Focus on establishing blame or guilt on the past (what happened? did he/she do it?).	2	Focus on problem–solving by expressing feelings and needs and exploring how to meet them in the future.
Adversarial relationship and process – an authority figure with the power to decide on a penalty in conflict with the wrongdoer.	3	Dialogue and negotiation – everyone involved in communicating and cooperating with each other.
Imposition of pain or unpleasantness to punish and deter/prevent.	4	Restitution as a means of restoring both parties, the goal being reconciliation and acknowledging responsibility for choices.
Attention to rules and adherence to due process – "we must be consistent and observe the rules".	5	Attention to relationships and achievement of the mutually desired outcome.
Conflict/wrongdoing is represented as impersonal and abstract individual versus school.	6	Conflict/wrongdoing is recognised as interpersonal conflicts with opportunities for learning.
One social injury is replaced by another.	7	Focus on repairing social injury/damage.
School community as spectators, represented by a member of staff dealing with the situation, those affected are not involved and may feel powerless.	8	The school community facilitates restoration; those affected are considered for empowerment.
Accountability is defined in terms of receiving punishment.	9	Accountability is defined as understanding the impact of actions, taking responsibility for choices and suggesting ways to repair the harm.

Table 1 Retributive and Restorative Justice in school (Hopkins, 2002, p. 145)

The educational model has followed the retributive philosophy in which the reaction to bad behaviour is always the imposition of punishment; however, at this point, the benefits of both restorative justice and its practices in the school environment can be appreciated.

The practice of both concepts allows not only to analyse of the causes of the conflict but also for all the parties involved in the process to enter into a dialogue that allows them to express their feelings about the situation, working to find the best solution to repair the

damage, through the assumption of responsibility by the person who caused the circumstances.

Establishing practices that allow for understanding how one's behaviour impacts the lives of others is something that can be worked on daily with children and adolescents and become a culture that will permeate their future lives.

2.3 Restorative Justice in Schools

The foundations of restorative justice and restorative practices in schools have their origin and are developed according to the theoretical framework described above; however, some points of distinction determine their operation and are considered in their development.

From this point, restorative justice applied in the school setting translates into an approach that recognises the needs and purpose or causes behind the misbehaviour, also focusing on the needs of those harmed (Stutzman et al., 2005, p. 22).

The same author (Stutzman et al., 2005, p. 22) points out the characteristics of this process:

- *recognises the purposes of misbehaviour*
- *addresses the needs of those harmed*
- *works to put right the harm*
- *aims to improve the future*
- *seeks the heal*
- *uses collaborative processes*

Restorative processes in schools are inclusive since, as mentioned above, the intervention of stakeholders is fundamental, as this will determine the full restorative and, as a result, resolve the conflict.

The idea of *restorative justice 1. Focuses on harms* and consequent needs (the victims´, as well as the communities´ and the offenders´); *2. Addresses obligations resulting from harms (the offenders´, but also communities´ and the society´s)* (Stutzman et al., 2005, p. 25).

Therefore, in schools, the following must be involved in restoration: the students involved in the conflict, as victim and offender; the school staff, including principals, teachers, as well as anyone else involved in the operation of the school; parents; governments and even local communities in which the school itself is located.

Bradford and Lesal (2021, p.45) point out five fundamental pillars that would enable any school to achieve restorative justice:

- o *Acknowledge and confront conflict. Teach young people and adults to engage with conflict in a healthy and sustainable manner.*
- o *Engage all stakeholders. Everyone who has an interest in the conflict is welcomed to the process.*
- o *Empower the author and the victim. Give voice and input to those most directly connected.*
- o *Value empathy. Using vulnerability to move the conflict away from shame towards empathy.*
- o *Develop agency. Encourage youth to create their internal locus of control and define their needs or wants.*

The use of these concepts in the school environment has become recurrent, as they are seen as helping to resolve conflicts and building healthy interactions in the student community. Berkowitz (2020, p.4) indicates some positive points in this sense:

- o Improves attitudes and relationships in the school community
- o Increases engagement and learning
- o Problem-solving skills are developed in both students and adults in the school community
- o Creates calm environments with less disruption and more teaching time
- o Reduces the number of school suspensions
- o Reduces absenteeism in class
- o Radically reduces the imposition of practices that promote a culture of punishment

In order to appreciate the benefits of restorative justice and restorative practices, some examples of their operation are given.

3. Experience in implementing Restorative Justice and Restorative Practices in other jurisdictions.

It was noted during the analysis that three factors had determined the good development of restorative processes, such as being recognised in a legal ordinance, constantly applying restorative practices as part of the culture of the schools, fostering the training of teachers and staff and other stakeholders involved, as well as the collective work and interest among all members of the community.

3.1. Australia

The Department of Justice in Queensland, Australia, in the early 1990s, was looking for a proposal that could be applied in schools against bullying. The idea was to find an approach to deal with less severe problems of school violence and then, with the experience gained, solve more serious problems in this area.

A restorative practice called Community Restorative Conferencing was implemented in response to this need. The police in New South Wales began to try to keep young people away from court, resulting in positive results for the parties involved and the community. These practices were implemented because of the Young Offenders Act in 1998.

The community conferences evaluated the model referred to until they were adopted in the school and organisational area of discipline and informal restorative practices in daily interactions. (Watchel y McCold, 2000)

Applying Australian restorative practices has gone beyond repairing harm and reaching agreements between the parties involved, focusing primarily on fostering the value of personal relationships.

The consistency in developing these concepts has led to their successful application at the educational level. Such is the case of forty-five schools in the Adelaide Metropolitan Education District that in 2004 began to successfully apply restorative practices, resulting in the following advances:

Reduction in suspension rates; building of inclusive pedagogical practices improved problem-solving and conflict resolution skills among students; the shift from punitive to a relational approach and focus on relationships and the harm that occurs through inappropriate behaviour. (Lou, n.d., p.12)

The author (n.d., p.11), compiling the opinions of various authors, suggests a four-group classification of strategies that should be implemented in order to achieve successful restorative processes:

First group:

- Leadership engagement and commitment to RP implementation, including RP training (formal and informal practices)
- A combination of external and internal professional development

- Circles and classroom management
- Incorporation into school-wide policies, such as complaint procedures
- Welfare policy, peer mediation and the annual school report

Second group:

- The development of localized expertise and support networks, which implies: RP training (formal and informal practices)
- Workshop for the whole school/group
- Regular forums (networking/updating school staff)

Third group:

- The density of quality PR in schools incorporates the development of support staff expertise in the range of restorative strategies

Fourth group:

- Whole school/group workshops (strengthening connections between schools)

Although no statistics were available to demonstrate the success of restorative justice in this country, it is also true that several authors recognize it as a pioneer of these practices and their good application for some time now.

3.2 Ireland

This country also has a provision in the Children Act 2001 that allows the application of restorative practices in young people, achieving positive results.

One of the most representative examples it has realised by the Childhood Development Initiatives (CDI), which was created in 2010 it has been carrying out various restorative practices in which there is a joint work of all the stakeholders involved in the restorative processes.

The CDI develops a Restorative Practice Strategic Forum (RPSF) that aims *to promote and support the use of RP across the schools, communities and services, both locally and regionally, throughout the island of Ireland.* (Fives et al, 2013, p.13)

This organization has carried out a number of restorative processes in Tallaght West, with good results one year after its creation (Irish Youth Justice Service quoted Casey, 2014, p. 23).

79% reduction in class disruption; 92% reduction in exclusion from breaks

81% reduction in days lost from fixed-term exclusion

79% reduction in repeated verbal abuse to staff

80% reduction in pupil-to-pupil physical abuse

82% reduction in incidents at lunch

92% reduction in reports to the Principal or senior staff

Talking about training between 2010 and September 2013, 971 people from Tallaght West and other communities participated, including 109 young people; for example, *people aged 14 to 20 years and 14 people living or working were accredited as RP trainers as part of building capacity to sustain the programme to develop RP approaches in Ireland* (Casey, 2014, p.23).

At the same time, 87% of the people who received training started to change their way of dealing with conflict (Fives et al, 2013, p.24)

Refection Statements from schools (Lavelle, 2019)

- ✓ *There has been a noticeable change in attitudes away from very traditional "let´s sanction the student" to "let´s listen to the student". It has opened up staff-room discussion on how we interact as a school community. It has been a very positive and worthwhile experience for us as a school. (School I)*
- ✓ *The fact that RP is so effective with adults also is a huge benefit to the school as we, as a staff, have a process that we can use to address conflict with a view to resolving it. (School II)*

The most common practices that have been developed are restorative circles, restorative meetings, restorative conferences, restorative practices skills for positive classrooms and school norms (summer courses) and the Department of Education and Science offers many courses to teachers around the country (Fives et al, 2013, p. 44).

It is worth mentioning that in this country training is essential to maintain good restorative practices in the classroom, which is evidenced by several evaluations in its delivery, as well as multiple guides for the implementation of this type of process (O´Dwyer, 2021, Casey, 2014).

3.3. Colombia

The evolution of restorative justice in Latin American countries has been slower than in other countries; however, this country has made good progress in the implementation of restorative practices.

With the regulation of Law 1620 in 2003, the National System of School Coexistence was created, and therefore a restorative approach was adopted, which has been key to addressing conflict situations.

There are some projects that have applied restorative principles in schools developed by the Chamber of Commerce of Bogota and the Javeriana University of Cali and an example that points out the way to use this restoration (España et al., 2020, p.134, 135).

The latter project has been being managed at the Bolivar School in Valle del Cauca and "constitutes an IAP model that tries to understand the nature of conflict in educational the nature of the conflict in the educational institutions, as well as to investigate the subjective, structural, social and social subjective, structural, social and cultural causes that generate it, in order to subsequently develop an intervention proposal".

It is important to note that restorative justice began to be implemented in this country as a measure to try to reduce the rates of school violence.

*The Municipal Secretariat of Cali, for example, revealed in a survey of 12,754 students in the city that 35% of students from third to eleventh grade had been the object of aggression by their classmates (*Benjumea and Pinheiro, quoted Gutiérrez, 2011, p. 191*).*

In the same way, some projects are identified that tend to promote the training of people involved in restorative processes, but it is not a trend like the one seen in the previous example.

Finally, the practice of circles, restorative meetings and mediation are identified.

4. Limits of Restorative Process at School

So far we have been able to appreciate the advantages of the application of restorative justice and the wide exercise of its practices; nevertheless, it is necessary to talk about some limitations that complicate the implementation of these practices in schools.

According to Valerie L. Marsh (2017, p. 5, 6), there are some points to consider:

- *Change takes time.* Understanding a restorative approach could take a long–term and change the mentality of all the stakeholders too.
- *Resistant teachers and administrators to content with these barriers.* The author recommends *focusing on the relationships with the students as a primary.*
- *- Changing school culture is difficult.* It is necessary to mark a philosophical shift in culture.
- *Sustaining Restorative Practices.* Financial support is essential to implement an effective approach.

Following Hopkins (2002, p. 147), there are some negative points which may not allow the development of these processes:

- The resistance to participating (lack of intention). All the stakeholders have to get involved.
- There are two main problems *the shortage of time in relation to the time available in the school day for dealing with issues in a restorative manner as well as the time available for training, support and review of practice.*
- External support to mediate or do some restorative practices because some teachers feel that they do not have the ability to develop this task. In *extreme situations where staff welcome outside to support the risk then is that they feel disempowered and are left thinking that the skills of a mediator or a conference facilitator are too difficult for them to use themselves.* Hopkins (2002, p. 148)
- *Ensure that ethos and principle of restorative justice are embraced at every stage in the process.* Sometimes participants deal with facilitators who try to impose their views or be threatened by them.

Finally, Stutzman et al. (2015, p.79) point out that *we are all on a continuum in life with what we see and what we believe. It is the same with restorative justice approaches within schools. The idea of working on a total-school approach, one that includes awareness, education, structural changes and ethos-building, may seem overwhelming to educators.*

5. Scholar violence in Mexico (Bullying). Overview of primary and secondary schools.

It is a fundamental point of this work to analyse the situation of school violence in Mexico in order to understand why the application of restorative justice and the practice of its processes is proposed in this context.

According to Article 3 of the Constitution, all persons residing in the territory have the right to education. Furthermore, Article 5 of the General Law of Education indicates that education is a means to acquire, update, complete and expand knowledge, skills, abilities and aptitudes that allow for personal and professional development, thus contributing to the well-being, transformation and improvement of society.

It also indicates that the exercise of this right initiates a permanent process focused on student learning, which contributes to their integral human development and the transformation of society. It is recognisable that education is a determining factor for the acquisition of significant knowledge and the integral formation of the life of people with social belonging based on respect for diversity, being also a fundamental means for the construction of an equitable and solidarity society.

Seeing this statement immediately becomes a reality in schools, which are living violence daily, and it does not contribute to the described ideal in the law. To clarify this idea, reviewing some statistics about the topic is essential.

According to a report during 2020/2021 (International NGO Bullying Without Borders, no date), Mexico occupied the first position in bullying and cyberbullying with 180,000 cases, where 7 out of 10 children and teenagers are suffering these problems daily.

Violence is happening in many spaces; however, it is developing in elementary school too (primary and secondary), where children and youth would receive the tools to grow healthy and feel safe and supported.

During the search, it was impossible to get information about the last few years; however, some formal resources permit the identification of the situation.

In 2007 a representative study was elaborated by the *National Institute for the Evaluation of Education* that includes a transversal perspective in elementary schools in Mexico and includes urban, rural, community, private and public schools. The results included

percentages of students who participated in acts of violence and who were victims of violence in schools in Mexico. The following results were obtained:
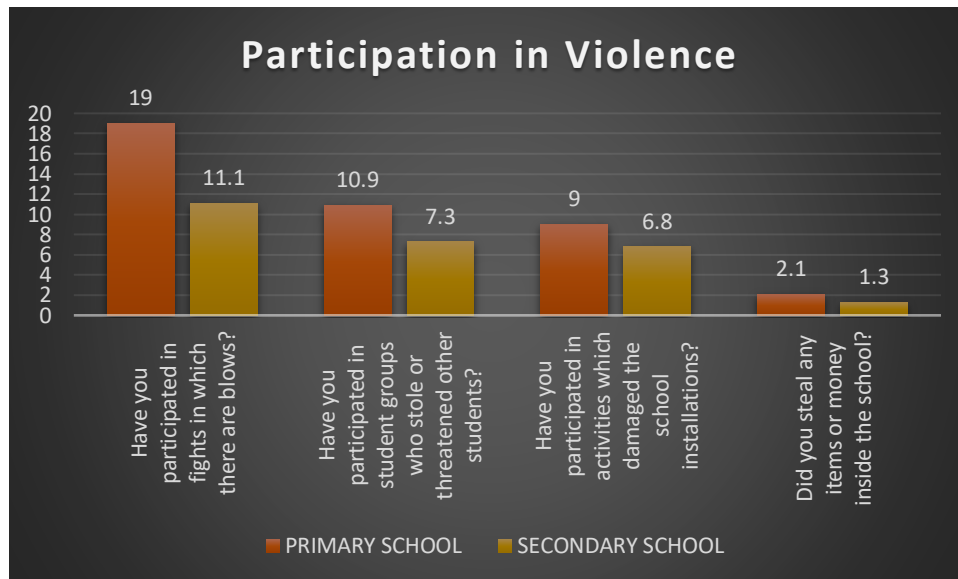
Figures 5 & 6. Comparisons based on the National Institute for the Evaluation of Bullying Cases (Abundez, 2008, p.1202)
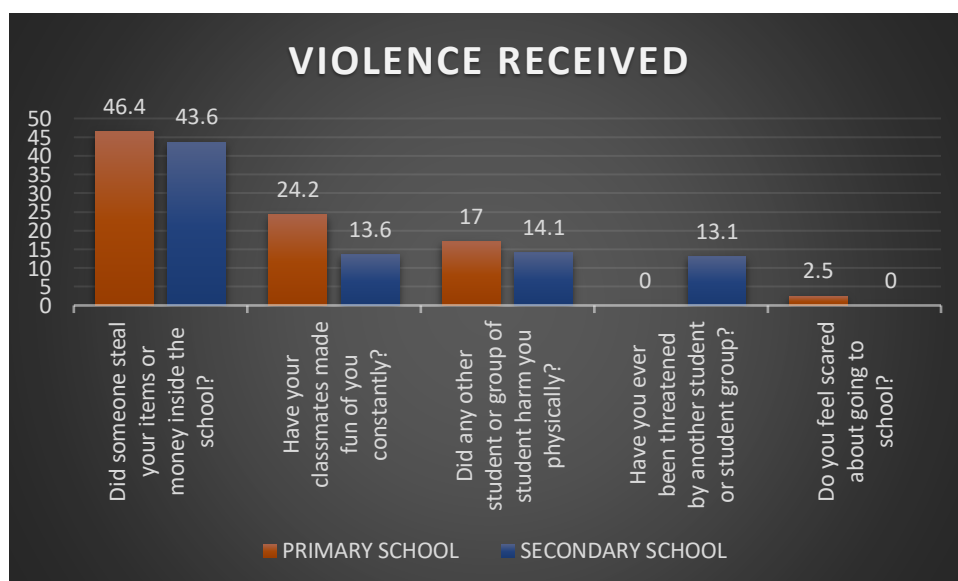
All this information confirms that children in elementary school suffer threats, robberies, beatings and insults, reflecting the insertion and bullying in Mexico.

These results are limited because they do not show the prevalence of violence in the scholarly field, and it is not easy to get current statistics that include primary and secondary school levels. Nevertheless, in August 2015, the National Institute of Statistics and Geography (INEGI) released the main results of the Social Cohesion Survey for the

Prevention of Violence and Crime (ECOPRED) 2014 whose objective was to identify the relationship and perception that young people have concerning their most immediate contexts. This includes the school's responsibility to generate measures and policies to detect, correct and prevent those elements and dynamics that negatively affect the development of young people in Mexico.

Type of crime or mistreatment	Population between 12 to 29	Total Victims	The total prevalence rate of delinquency and/or mistreatment.
Mexico	**9 662 872**	**4 486 082**	**46 426**
Robbery without violence		2 240 977	23 192
Harassment by attributes of the young person (including bullying)[1]		2 035 548	21 066
Harassment through the youth's belongings (including bullying)[2]		1 294 667	13 398
Robbery with violence		855 067	8 849
Physical abuse[3]		725 672	7 510
Threats		610 608	6 319
Sexual harassment[4]		538 079	5 569
Defamation by electronic means (including cyberbullying)[5]		194 977	2 018
Extortion		173 377	1 794

Table 2. Bullying Prevalence in Mexico (Gamboa, 2016, p.32)

At the same time, it is essential to analyse the statistics about cyberbullying that it has been presented at both school levels.

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[1] It includes teasing, hurtful name-calling, spreading rumors or lies, exclusion based on taste, physical appearance or the use of certain clothing.

[2] Includes intentionally damaging or hiding personal items such as backpacks, bicycles, clothing, electronic items, work tools, etc.

[3] Includes physical abuse generated with bad intentions through hair pulling, pushing, pinching, hitting, among others, which causes physical pain, bruises, cuts, burns or fractures.

[4] Includes grooming, offensive touching, statutory rape and sexual violence.

[5] Includes the distribution of text messages, images or videos without consent for the purpose of blackmail, harassment or humiliation.

According to the 2020 Cyberbullying Module, 21% of the population aged 12 and over who are internet users were victims of cyberbullying in the period October 2019 and November 2020 (National Institute of Statistics and Geography, 2020)

A study conducted by the Ministry of Public Education concluded that at least 90% of students have been witnesses, actors or victims of this practice (Chamber of Deputies, 2011, p.23).

Cyberbullying involves taunting through mobile phones, impersonation of minors in chats, threats received through MSN messenger, the dissemination of videos via email that compromise their image, the publication of indiscreet photos, which are published on the internet without consent, as well as the spreading of rumours and falsehoods on social networks.

From reading the Cyberbullying Module, it is clear that during 2020, adolescents were one of the main targets of this violence, reporting the following statistics:

Cyberbullying is more frequent against women and is carried out through sexual advances or propositions, constituting 35.9%, within which 29.2% of women aged 12-19 years expressed having ever experienced it (National Institute of Statistics and Geography, 2020).

These figures undoubtedly reflect the fact that this group includes adolescents in secondary school.

No up-to-date statistics were found on any of the official government sites, nor were there any numbers indicating whether any percentage of students at the primary level are being subjected to this type of violence.

This is how the situation of school violence in Mexico can be appreciated, which is even crueller when it is experienced on a daily basis by children and adolescents in Mexico, becoming a culture that all of us at some point in school have experienced or that someone close to us has experienced.

It is interesting to make a brief outline of the tools that the current government uses to confront this problem.

→ Legal framework

  ✓ Federal regulation promoting the human rights of Mexicans, including minors:

- Constitution of the United Mexican States

- General Law on Women's Access to a Life Free from Violence

- General Law on Equality between Women and Men

- General Law for the Prevention and Elimination of Discrimination

   ✓ Specific legislation that establishes the protection of children and adolescents, as well as regulating measures to prevent and combat bullying:

- General Law on Education

- Law for the Protection of the Rights of Children and Adolescents.

The same regulation is established locally in each of the 32 states that make up Mexico. In addition, seven of these states have regulated an additional led that promotes safety, attention, prevention and eradication of school violence in their environments.

It is important to mention that article 57 of the Law for the Protection of the Rights of Children and Adolescents establishes the obligation of the authorities of the three levels of government to:

a) Implement mechanisms for the attention, channelling and follow-up of the causes that constitute violations of the rights to education of children and adolescents.

b) Promote harmonious school coexistence and the generation of mechanisms for the discussion, debate and peaceful resolution of conflicts. Article 59 recognises the application of mediation in which the parents or guardians of minors are also involved.

c) Develop protocols for action in bullying or school violence situations for staff and those exercising parental authority, guardianship, custody and guardianship.

In this regard, in 2017, the Mexican government implemented the National School Coexistence Programme, which aims to facilitate the establishment of healthy and peaceful school environments that help prevent bullying situations.

On the official website of the Mexican government https://www.gob.mx/conapo/articulos/programa-nacional-de-convivencia-escolar-105980?idiom=es, you can find various informative materials on the subject; however, it was last updated in 2017.

It can be seen then that a conflict resolution mechanism regulated by Mexican law is a mediation process, although few states have been developing programmes and promoting this alternative conflict resolution in this area. The work of Coahuila, Mexico City, Oaxaca, Nuevo León and the State of Mexico is thus recognised (Vázquez, 2012, p.57).

Due to alarming rates of school violence in primary and secondary schools and the lack of development of conflict resolution mechanisms, the concern to apply restorative processes in the aforementioned area was born.

CHAPTER TWO

RESEARCH METHODOLOGY AND METHODS

According to Cambridge Dictionary online, a research method is a particular way of studying something to discover or understand new information.

The way to get the information and answer the research question is by adopting "The Research Onion Model".
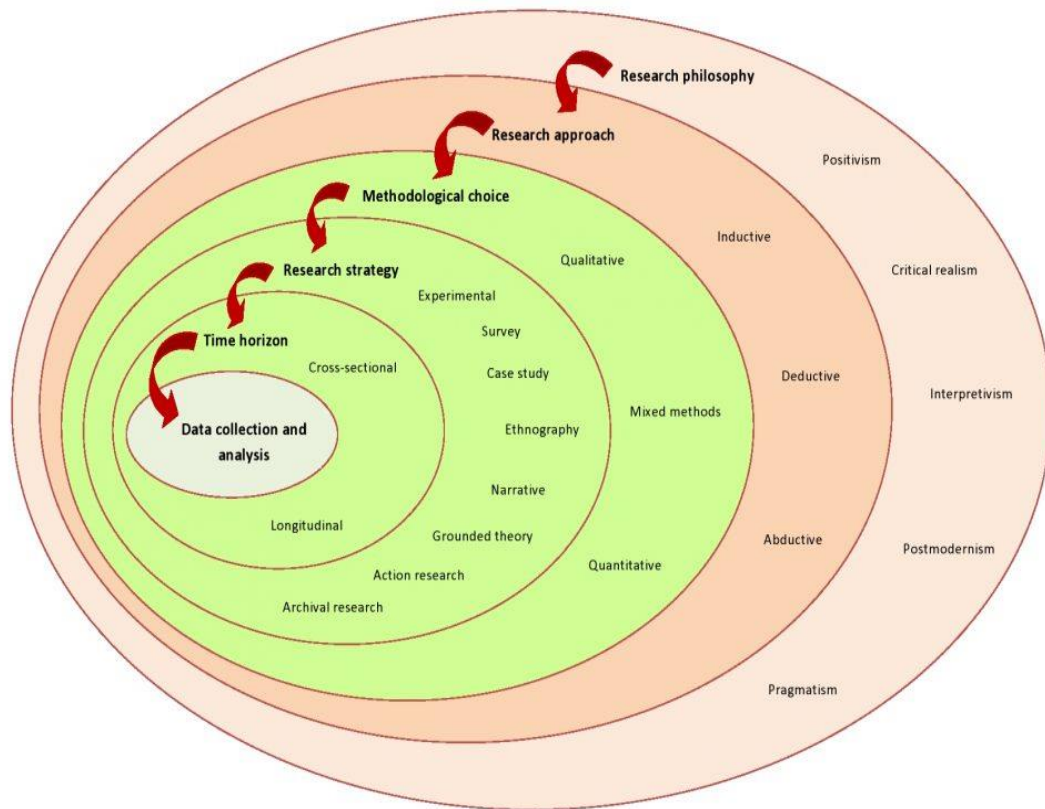
Figure 7. Research Onion. (Aesa, no date)

This model permits the identification of the major decisions a researcher must make during the investigation. *The research onion provides a rather exhausting description of the main layers or stages to be accomplished to formulate an effective methodology.* (Raitha quoted in Melnikovas, 2018).

The first onion layer determines the philosophy according to which the research will be developed. This point refers to the definition of the beliefs on which the study will be based. It will also have to describe whether it is an epistemological, ontological or axiological perspective.

The second layer refers to the method adopted in the research, i.e. deductive, inductive or abductive. This is a fundamental point since the research objectives are identified because it will determine how the information will be collected and its analysis.

The third layer refers to the option for developing the methodology, referring to the type of data to be used (quantitative or qualitative) and whether the choice will be mono, mixed or multi-method.

The fourth layer provides the list of options that the researcher has to achieve the answer to the research question, which may include a survey, case study, ethnography, narrative inquiry, ground theory and so on.

The fifth layer includes only the determination of the time frame in which the research will be conducted, comprising cross-sectional or longitudinal.

Moreover, finally, the last layer describes the practical and actual aspects of the research and according to which decisions are made regarding specific techniques and procedures, i.e. whether to conduct surveys, interviews, materials, and the operative way to practice them.

This research has been carried out by this model so that the following was obtained from the monitoring of the described layers and according to the titles of Aleksandras Melnikovas suggestions:

- **Research Philosophy**

This piece follows pragmatism. Some characteristics that the research follows are (Saunders):

- ✓ *It considers theories, concepts, ideas, hypotheses and research findings not in an abstract form but in terms of the roles they play as instruments of thought and action and their practical consequences in specific contexts.*
- ✓ *The research starts with a problem and aims to contribute practical solutions that inform future practice.*
- ✓ *During pragmatic research, the most important thing is the problem that would try to address and the research question.*
- ✓ *For this philosophy is easy to work with different knowledge and methods.*

The feasibility of such a circumstance is measured with the existing literature on the subject, which has already been studied in the previous chapter, but also through the comparison made with three countries, all from different continents, with varying conditions of social, economic and cultural development. In other words, analysing the theoretical framework on the subject and the daily practice in the international sphere will give the first feasibility vision.

The idea of this research is to show that the application of universally accepted restorative principles has helped to manage conflict scenarios in school environments, besides being a guideline for other possible studies that will allow contributions to be made to the Mexican educational system in the future.

Identifying the positive and negative elements of its possible implementation, through the opinion of teachers and specialists in the field, will allow us to answer the research question of this investigation.

- **Approach to theory development**

A deductive approach is developed in this job. Saunders (2019, p. 801) defines it as an *approach to theory development involving the testing of a theoretical proposition by the employment of a research strategy specifically designed for the purpose of its testing.*

There is a wide range of theoretical frameworks that allow understanding of the concepts under study, the operation of their essential elements, and their application in school settings in different parts of the world.

The study of such information and a brief review of the application of restorative justice and its practices in some other countries allows us to see the necessary conditions for its development.

In this sense, the feasibility of its application in Mexico as a way to prevent and solve the problem of school violence will be analysed, verifying the current contextual conditions, and listening to the opinion of stakeholders involved in teaching and applying it restorative processes.

- **Research Strategy**
  It can be referred to as a general way that helps the researcher choose the primary data collection methods to answer the research question and meet research objectives. (Melnikovas, 2018, p. 39)

In this case, it follows the qualitative approach; *the researcher´s goal is to collect the understanding of human behaviour and the result that leads to such a particular behaviour. In other words, the qualitative research method examines and answers the question of how, where, what, when and why a person would act in a certain way toward a specific matter.* (Oun, 2014, p. 253)

The most important procedures of this approach are data collection and data analysis.
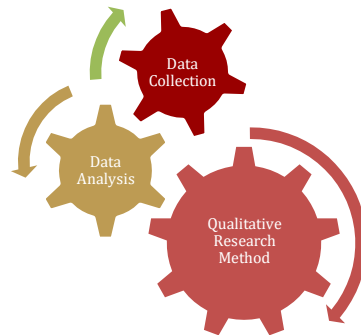
Figure 8. Qualitative Research Method Model (Oun, 2014, p. 253)

- Data Collection Process

There are many options to get the task, like grounded theory, practice, shadowing, storytelling, ethnography, etc. (Oun, 2014)

According to the author cited above, the approach is separated into two sections:

a) Direct interaction with participants in one-on-one confrontation (individual interviews, group discussions, observation and action research).
b) Direct interaction with a group of participants.

The individual interview is the tool that was selected to develop the research. There is a range of international information about the topic; however, the only way to know the possibility of applying this knowledge is by talking with people involved in the process.

In restorative, as we studied, the stakeholders involved in the process are essential (Victim – Offender – Community); in the scholarly field, teachers, directors, members of the staff and even local and federal government are necessary to implement these practices in any particular context.

Because of this circumstance, it is essential to consider the opinion and experiences of those who are part of the process. In this sense, the research aims to get some teacher interviews from primary and secondary schools and other people involved in the subject and live situations of scholarly violence.

There are three types of interviews: 1. In-depth; 2. Semi-structured; and 3. Structured style (Saunders, 2019).

The selected interview is Semi-structured, which has essential characteristics for the research (Oun, 2014):

- ✓ *All the questions are more open-ended questions*
- ✓ *These questions are broad, and the interviewer can push and encourage the interviewee toward the point needed once the researcher´s interest is high*
- ✓ *Provides an opportunity to have a discussion in detail with the interviewee but within the boundaries of the topic and allows the researcher to be free to direct the interview on the quality of the answers from the interviewee*

Following these parameters permit us to get a personal view of the stakeholders and which are the elements that are essential for a possible implementation of the concepts and the acceptance of those too.

- Data Collection Analysis Process

Once the task information is obtained, there are different techniques to examine the results, like:

- ✓ Interpretive techniques
- ✓ Recursive Abstraction technique
- ✓ Mechanical Techniques

For the interview case, the technique that this research follows is the recursive abstraction that contains six steps according to the "Six Steps Guide to Using Recursive Abstraction Applied to the Qualitative Analysis Interview Data" from Bournemouth University.

It is a simple method that is mainly based on summarising the data steps. It starts by summarising a set of data, then summarising the summarised portion until we end up with a focused, very compact, accurate, and distinct summary. (Oun, 2014)

The intention of using the process is to have a general idea about teachers' opinions that in addition to the specialist opinion´s it permits could help to answer the research method.

Interviews of **teachers or people involved in the scholarly field** (Feasibility of implementing Restorative Justice and Restorative Practices in primary and secondary schools to prevent and try to resolve Bullying situations)	Overview of the interview´s **experts on the subject** (Restorative Justice and its practices exist in the scholarly field in Mexico? What do we need to implement?)
Positive and Negative points in the Mexican Context **Are there some barriers?**	

- **Methodological choice**

The research is mono-method because the qualitative approach is the only one that will be used according to the previous description.

- **Time horizon**

It refers *to periods to be studied or chronological horizons or varying breadth.* (Melnikovas, 2018). It could be a cross-sectional or short-period realisation or longitudinal that collects information repeatedly for an extended period to compare the data.

The following option is cross-sectional, with the study for a short-term horizon.

- **Techniques and Procedures**

→ **Technique**

As it was mentioned before, the research used interviews and the mentioned features (Saunders, 2019):

- Semi-structured interviews.

There are some characteristics in common for these interviews (Edwards, 2013)

1. *The interactional exchange of dialogue (between two or more participants, in face-to-face or other contexts).*
2. *A thematic, topic-centred, biographical or narrative approach where the researcher has topics, themes or issues they wish to cover, but with a fluid and flexible structure.*

3. A perspective regarding knowledge as situated and contextual requiring the researcher to ensure that relevant contexts are brought into focus so that situated knowledge can be produced. Meanings and understandings are created in an interaction, which is effectively a co-production involving the construction or reconstruction of knowledge. (Mason quoted in Edwards, 2013, p. 3)

The work follows this type of interview because it permits the creation of rapport with the interviewees and simultaneously gets as much information as possible, especially about their experiences in the scholarly field. Maybe some sensitive topics like scholarly violence have the opportunity to reflex if the restorative justice process and its practices are convenient for students and even contribute more knowledge or ideas to the interviewer.

- One–to–one and one-to-many- interviews. It conducts between the interviewer and a single participant; however, because of logistics, an interview was conducted with two people in the same session.
- Telephone and internet-mediated interviews. Because the interviewer lives in Dublin, Ireland, and all the participants are in Mexico, the only way to practice the meetings was by WhatsApp calls and Zoom meetings with 30 to 50 minutes.

→ **Procedure**

- Elaborate on two types of interviews. The first one is to interview teachers from primary and secondary schools and the possibility to include people who are familiar with the scholarly field (Group One). The second one aims to get the opinion of the experts in the field that know the topic and who are doing Restorative Practices or another method of Dispute Resolution (Group Two).
- According to that plan, six participants were chosen; three men and three women with the following background:
    - ✓ Group One
1. María Eugenia Covarrubias Hernández: Psychology with a master's degree in family therapy with a systematic approach; these days, she is doing a doctorate in social sciences, with more than 20 years of experience in psychotherapy and education. She taught at the secondary school level for about five years and high school for about six or seven years. She has been a research professor at the Autonomous University of Mexico City for the last fifteen years.

2. Jorge Gabino Soria Narváez: He holds a degree in Philosophy with a specialisation in ethics, anthropology and religion from the Ateneo Pontificio Regina Apostolorum in Rome, Italy, as well as a degree in Communication Sciences from the Universidad del Valle de México.

   He is the Director of Research and Professionalization Strategies for the central sector of the government of the State of Mexico, involved in the training of teachers (as public servants), teaching various courses, as well as supporting the Commission for Attention to Victims on the attention of the first instance, which incidentally comes to apply restorative justice.

3. Laura Gabriela Batres Ramírez: She is a teacher and graduate of the Technological University of Northern Guanajuato, Mexico. She has taught at the secondary level in the same state for the last eight years.

4. Roberto Moyado Enriquez. He is a teacher and got his Bachelor´s Degree in Physical Education from the Normal Superior of the State of Morelos. He has taught in both primary and secondary schools, but at the moment, he is not practising.

   ✓ Group Two

1. Jesús España Lozano: Doctor in Law specialising in Alternative Dispute Resolution (ADR). Professor of undergraduate, master's and doctorate at the Autonomous University of Nuevo Leon in Monterrey; founding partner of the Center for Legal Specialization and Alternative Justice (CEJAA) and author of several books and publications on restorative justice, mediation and other alternative means of conflict resolution. In collaboration with Rosaura Rojas Monedero, he wrote an article called *Restorative Practices as Conflict Resolution in the classroom.*

2. Ariadna Osorio García: A lawyer with a master´s degree in Criminal Procedural Law at the Institute of Higher Studies in Criminal Law in Mexico City. She worked at the International Institute for Restorative Justice and Law.

Additionally, she worked with adolescents, implementing restorative processes according to the Criminal Law for Adolescents, which was implemented in 2016.

Currently, she works in the Federal Judiciary Council as Deputy Director of Restorative Justice in Mexico City, working in restorative justice with sexual violence and gender violence victims, particularly in the public servant's area.

- It was elaborated on two types of questionnaires that are part of Appendix **I**.

The first one contains twelve open questions aimed to identify if people from Group One had experienced some bullying situations in their work and if they received training to deal with these circumstances. If they knew Restorative Justice and Restorative Practices before the interview, and other points related to the possible implementation.

It must be noted that for this group, it was necessary to elaborate a Powerpoint presentation that included an explanation of the theoretical concepts and a brief explanation of how it works in schools with several videos to clarify the ideas. That presentation was sent previously to the meeting and with enough time for the interviewee's revision. The Powerpoint presentation is part of Appendix **II.**

The second questionnaire contains open questions aimed at getting the specialist's opinion, according to the field practice they have had throughout their careers, which are the advantages and disadvantages of applying the mentioned concepts, and barriers in the scholarly field.

- Once the interviews are done, it is necessary to translate the transcript into Spanish by any available internet service and then translate them to English. All the English transcriptions are integrated as Appendix **III**.
- The Next step is to analyse each interview of "Group One" with the "Six Steps Guide to Using Recursive Abstraction Applied to the Qualitative Analysis Interview Data" from Bournemouth University.
- "Group Two" is integrated with expert opinions; it is relevant to include the main points of their view.

- **Ethics Research**

The present research was elaborated to follow the ethical requirements. All the participants were informed about the purpose of the project and their rights as interviewees through *The Information Form & Consent Sheet* that are part of this research as Appendix **IV**.

Privacy and confidentiality were guaranteed, and the recordings and videos were used for academic purposes too.

Additionally, the interviewees gave their consent for the sessions to be recorded on video or voice recordings. It is possible to see such consent in the transcripts.

CHAPTER THREE

DATA ANALYSIS & FINDINGS

- **Results of Teacher's Interviews**

There are some characteristics that it is important to mark:

- The interviewees are from different parts of Mexico:

  I1 and **I4**. Mexico City

  I2. State of Mexico

  I3. Guanajuato

- Different background:

  I1. Her experience in teaching in secondary school was a few years ago. She has taught in higher education and psychologist with experience in the same field.

  I2. He is not a teacher, but his job is to provide training for teachers. He does not interact with kids on a daily basis.

  I3. She has taught at the secondary school level for the last 8 years, and on the opposite, she interacts with teenagers.

  I4. He is a teacher in both levels of education (primary and secondary); nevertheless, he has not taught in the last few years.

The result of each interview was: [6]

Questions	I1 María Eugenia	I2 Jorge	I3 Gabriela	I4 Roberto
1. During this time, have you experienced any bullying situations, i.e. students bullying or being the bully?	✓	✓	✓	✓
Affirmative Answer				
How did you deal with that?	✓	✓	✓	✓
Was there a specific tool that helped you to manage the situation?	✓	✓	✓	✓
Could you please tell me if the directors or school management, and parents collaborated with you to resolve the problem or if you were the only one responsible for it?	Skipped	Skipped	✓	Skipped
2. Is it common to receive training that helps you to manage this kind of conflict?	Skipped	✓	✓	✓
Affirmative Answer Could you please describe which recommendations you have received or tools that helped you?	Skipped	✓	✓	✓
3. In a bullying case which measures were taken to resolve the situation?	Skipped	✓	✓	✓
4. What actions does the school takes to prevent bullying? Could you please describe them?	Skipped	✓	✓	✓
5. Which kind of violence do you think is more common? *(In this question, I will ask in the school where the interviewer works or according to their experience field)*	✓	✓	✓	✓
6. Have you ever heard about Restorative Justice (RJ) and Restorative Practices (RP)?	✓	✓	✓	✓
7. Do you think RJ and RP could help prevent and resolve this situation with bullying?	✓	✓	✓	✓
8. Do you have any experience already in the use of RJ and RP?	✓	✓	✓	✓
Affirmative Answer - Could you please mention some advantages or disadvantages from your point of view? - Do you like participating in RP and helping kids manage the conflict differently?	✓	✓	✓	Skipped the first question, and he answered the second one
9. In your opinion, at what age range for children is it appropriate to use RJ and RP?	✓	✓	✓	✓
10. What specific issues RJ and RP would be suitable to resolve, and which issues do you think would not be appropriate?	✓	✓	✓	✓
11. What barriers do you think there would be to implementing RJ and RP in Mexican schools?	Technical issues	✓	✓	✓
Others?				

Table 3. Participation "Group One". Own Elaboration

The worksheets that were elaborated to follow the Six Steps Guide to Using Recursive Abstraction Applied to the Qualitative Analysis Interview Data are included as Appendix **V.**

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[6] NOTE: Some questions were adapted according to the interviewees' answers and professional experience in the field of education that is why some questions were skipped.

The summary of the first five steps are:

TOPICS	I1 (María Eugenia)	I2 (Jorge)	I3 (Gabriela)	I4 (Roberto)
Experienced bullying situations at schools	Yes/Indirectly	Yes/Indirectly	Yes/Indirectly	Yes/Indirectly
Manage the bullying situation	Following protocol	Following protocol	Following protocol/Mediation	Following his ethics and logic
Tools to manage bullying situations	None/No training	External stakeholder specialises in Psychology	Mediator intervenes It's a teacher	None Report the situation to the teacher in charge
Support for the scholarly community (the directors or school management and parents)	-	-	Yes/The protocol establishes meetings between the director, student representative, and parent representative. Rarely is their support for all the parents in secondary school.	Technical council integrated by teachers, managers and cleaning staff.
Training for teachers	-	The Unions provided teachers	No for bullying cases	No for bullying cases
Recommendations that were received in the training	-	Nothing specialised in bullying	Nothing apart from the protocol	None/ he uses dialogue
Measures to resolve bullying situations	-	- Separationism/Move the student to another place - Compromises in an agreement - Prohibited expelling students	- Change student to another classroom - Withdrawing the student for a week - In extreme cases, change the school - Prohibited expelling students	With his resources: - Dialogue with students - Resolve conflicts face to face
Measures to prevent bullying	-	None (especially during the pandemic period)	Apply another plan of coexistence in school and sensibilise kids	None
Common violence situations	- Psychological violence -Harassment -Teasing others with specific characteristics: Don´t stand out in any areas - Offence - Theft - Cyberbullying	- Physical violence - Verbal violence - Different cultural contexts in which kids grow create violence and separationism	- Cyberbullying is common in secondary school - Verbal and Physical violence as a consequence of drug consumption.	- Verbal, Physical, and Psychological violence
Knowledge of Restorative Justice (RJ) and Restorative Practices (RP)	Yes/Academic participation	Yes/Criminal law	No	No

RJ and RP as tools for prevention and resolving bullying situations	Yes, bullying can be stopped with acts of reparation for the damage daily	Yes, in minor cases	No, it is a utopia.	Yes, it is better to do something than nothing about it
Experience in the use of RJ and RP	Indirectly	Indirectly	No	No
Advantages and disadvantages of using RJ and RP	- Permanent practice at early age decrease problems - It becomes a cultural practice that permits harmonious coexistence - It works on a preventive level to deal with conflicts - Any disadvantage	-The kids learn that their wrong actions have consequences - Kids receive punishment but have to respond differently, restructuring humanity - These topics can operate when the teachers are seen with dignity	-	-
Participation in applying RP to help kids manage conflicts	She likes to participate indirectly and give classes to others than can promote the subject.	Yes, especially in his current job that provides professionalisation to the teachers	No	Yes
Age range to apply RJ and RP	At the age of six because children can understand and assimilate what is good or not.	Younger, when kids can understand the meaning of the concepts.	Since kindergarten. As soon as possible	In the last and first years of each transition. i.e. from primary to secondary, to cover the previous year in the primary level to the first year in the secondary level
Issues to be appropriate to resolve with RJ and RP and not applicable.	All violent situations in different levels and intensity	No, for extreme cases, especially when feelings are hurt.	In minor cases	The most problematic situations will identify at schools.
Barriers that implementing RJ and RP will face in Mexican schools	-	- Bureaucratic barriers - Cultural barrier - Budgetary issue	- Overcrowding schools - It sounds like impossible to apply these topics in Mexico - Cultural barrier - Bureaucratic barrier - Possible in private schools	-Require permission from the Ministry of Education. On the contrary, schools never develop the project. - Necessary to change the mind of teachers and parents.

Table 4. Comparison in the "Group One"

- In the last step of the process, it is possible to identify some patterns in the answers and according to the results are:

✓ **Experienced bullying situations at schools**

According to the respondents' answers, all have witnessed bullying daily; however, they have not been involved in any action to solve these cases. Also, they recognise different types of violence in primary and secondary classrooms in Mexico.

✓ **Manage bullying situation**

Respondents **I1**, **I2** and **I3** acknowledge the existence of protocols establishing procedures to be followed in a bullying situation.

Interviewee **I4** does not recognise any of them; however, he points out that to interact in this type of situation, he would use his ethics and logic.

✓ **Tools to manage bullying situation**

In some cases, external specialists attend schools; such is the case of the example cited by **I2**, who pointed out that the Institute of Psychology of a university in Mexico was in charge of treating and diagnosing the child who committed bullying.

Additionally, mediation is also an option that is being used as a way to solve such problems. Interviewee **I3** stated that it is the teachers who play the role of mediators according to the guidelines of a protocol.

It should be noted that during the discussion, interviewee **I3** indicated that she felt uncomfortable having to act as a mediator, that she does not like it and that she feels afraid because she does not want to be judged by the children for favouring one side or the other. She said she does not feel qualified to play this role and prefers others, such as psychologists or "prefects", to do it.

✓ **Support for the scholarly community (the directors or school management and parents)**

Although there are recurrent working meetings at the primary and secondary level with some members of the community, such as principals, student representatives, parent representatives and other school staff members, to discuss school operations, problems, and even bullying situations, this work is not sufficient to solve or prevent school violence. This was stated by interviewee **I3** during our discussion.

✓ **Training for teachers/ Recommendations that were received in the training**

Respondents **I3** and **I4**, who are teachers, pointed out that they do not receive any training to help them deal with bullying situations. Respondent **I1,** when asked about dealing with bullying situations, indicated that when she had been a secondary school teacher, she had not been provided with any tools to deal with bullying situations.

All interviewees acknowledged during the talk that training is provided about other topics.

✓ **Measures to resolve bullying situations**

Measures to deal with the problem were entirely punitive, i.e. imposing specific punishments. However, interviewees **I2** and **I3** pointed out that children's right to education is always guaranteed (Art. 3 of the Mexican Constitution), as no child or adolescent can be expelled. Nevertheless, no measures are implemented to solve and prevent this kind of behaviour.

✓ **Measures to prevent bullying**

Interviewee **I3** noted the implementation of a plan that helps to raise awareness among minors; however, **I2** indicated that during the pandemic period, there was none, as bullying did not occur at that time as children were at home.

During our discussion, I asked both of them if they had known of cyberbullying situations during this period, and both said no. However, interviewee **I3** indicated that cyberbullying occurs commonly at the secondary level and gave some examples.

✓ **Common violence situations**

The existence of physical, psychological, and verbal violence at primary and secondary school levels is apparent, according to the comments of all interviewees.

As mentioned, cyberbullying is common at the secondary level but not at the primary level, as interviewee **I2** mentioned that not all children had access to technology in that period.

✓ **Knowledge of Restorative Justice (RJ) and Restorative Practices (RP)**

The knowledge of restorative justice and restorative practices are known at the academic level and in the criminal area, as seen from the discussion with interviewees **I1** and **I2**. This is not the case for interviewees **I3** and **I4,** who work in the school area, and it is the first time they have heard about these topics.

✓ **RJ and RP as tools for prevention and resolving bullying situations**

The interviewees **I1**, **I2** and **I4,** with backgrounds in psychology, skills to implement training for public servants, and teaching at primary and secondary education levels, answered that it is possible to work.

This is not the case for interviewee **I3,** who is currently teaching at the secondary level and applying the protocols and is seeing bullying situations.

✓ **Experience in the use of RJ and RP**

Not many people in Mexico apply restorative justice and lead restorative practices; these are topics that are little known; however, all the interviewees recognise the benefits of these figures, but none have direct experience.

✓ **Advantages and disadvantages of using RJ and RP**

The feasibility of applying the principles of justice in the school sphere is recognised. **I1** and **I2** identify the meaning of the concept and its operation and the benefits it can bring if adopted as part of the school culture. However, **I2** points out the importance of teachers being recognised and respected first, i.e. before any instrument is implemented.

✓ **Participation in applying RP to help kids manage conflicts**

Respondents **I1**, **I2** and **I4,** expressed sympathy for participating directly or indirectly. Nevertheless, respondent **I3** indicated that she does not want to be distracted from her teaching activities and caring for her students, noting that she does not like to deal with conflicts that arise in the school where she works.

✓ **Age range to apply RJ and RP**

Regarding the appropriate age to apply these concepts, respondents **I1**, **I2** and **I3** indicated that the earlier, the better. Interviewee **I1** identified that at the age of 6 years children are able to distinguish what is right or wrong for them and their development.

Respondent **I4** indicated that during transition periods when children are about to change levels or schools, where structures change, is the right time to use them.

✓ **Issues to be appropriate to resolve with RJ and RP and not applicable.**

Regarding the problems that can be addressed through restorative justice, the opinions of the interviewees were divided.

Respondents **I1** and **I4** stated that situations of violence of any kind and the most problematic ones.

On the other hand, respondents **I2** and **I3** indicated only minor violence problems.

✓ **Barriers that implementing RJ and RP will face in Mexican schools**

Interviewees **I2**, **I3** and **I4** pointed out different topics, resulting in bureaucratic, cultural, and budget barriers, non-acceptance of these figures by parents and teachers, and school overcrowding as elements that impede implementation.

- Group Two

The contributions of both specialists enrich this research as they provide essential information on the development of restorative justice and restorative practices in Mexico.

For this reason, this section included the main points of the answers to each of those questions, which focus on how these topics are being implemented and what would be required for their effective implementation.

TOPICS	I1 Jesús España Lozano	I2 Ariadna Osorio García
Experience with Restorative Practices	Teaching mediation and restorative justice for 15 years. Practice several mechanisms; mediation, conciliation, restorative meetings and, among them, restorative circles and victim-offender meetings	Since 2013 to date she has been working in areas of restorative justice. She worked with adolescents and practised different processes contemplated in the Criminal Law for Adolescents, the 2016 law. Practice circles, restorative meetings, family conferences and mediation.
Advantages and disadvantages of applying RJ and RP in Mexico	There are two lines, one for the people who generated the offence and the other for the offender's victims. **Offenders:** *They can listen to the victims to be aware of the magnitude of the harm they committed. This, in turn, will give them responsibility for the crime.* *This awareness will eventually allow them, this will depend on each person, but it will ultimately enable them not to commit the crime again.* **Victims:** *They can express the damage and how it impacted their environment, family, friends, and themselves. But also something significant is that they will have the opportunity to be able to put on the table what reparation for the harm they would like according to their needs, what they would like to*	*Advantages:* *They are much more **inclusive processes in which you give a voice to the people directly involved in the facts**...* *... Normally, **victims in a criminal justice system, specifically in the criminal justice system, are not attended to or listened to…*** *…this advantage for **people who commit this behaviour, which affects or harms people**.* ***Restorative justice seeks to do; that; it seeks to make the person responsible; it is, as they say, "soft on people", but it has to be strict with the consequences.*** *… Fania Davis says that we have to address the underlying causes,*

	receive as reparation for the damage. **No disadvantages to participating**; however, it is essential *to have a proper process… if these processes are not carried out, then they can become... something counterproductive.* *…if a victim has not been well worked with and the essence of this has not been well explained, there could be a process in which the victim is not re-victimised…* *...what I could see are challenges, I could see complications to carry out. For example; one thing we have to understand is restorative justice is that we cannot consider it to be for all people. We have to look at these processes on a one-to-one basis;* **maybe there are people who are not interested at all in talking about what happened…**	*that is, what causes the violence and the damage…* *…And the **third advantage** I see is that it does not only work on an individual level; that is, I am not only going to work with the person who was affected and with the person who affected, but I am also going to encourage the participation of the **community** and not just the participation of people who were related, but the responsibility of the community, the state society, the civil society to help or guarantee, to help guarantee reparation…* *…**Disadvantages**... The only disadvantage that I could perhaps mention that I understand or visualise in this way is that there is no proper training on restorative justice issues, so suddenly, we can see in spaces where they try to apply restorative justice but badly applied it can be **"re victimising".***
The convenience of applying these topics in Mexican schools	*Restorative processes not only resolve conflicts but also prevent them. The fact that, for example, a restorative circle takes place in a primary or secondary school gives the opportunity for a person who has been a victim to express how the bullying they have been subjected to has impacted them. Sometimes we have seen young people who do not realise the level of harm they have caused.* *When they do the restorative circles, then they have the opportunity to listen to a victim, whether it was from this school or another one, but they have the opportunity to listen to how shocking it can be to be a victim of bullying or cyberbullying or whatever.* *…reflection on what is happening, a certain awareness of the harm, of whatever it is, and eventually helps to prevent other acts of this nature.*	*…we all think it is focused on criminal matters; however, restorative justice can operate in any space where there is an affectation. It does not need a criminal offence for restorative justice to come in…* *…Fania David says that restorative justice is not only "reactive"; that is, it is not only possible to use restorative justice when there is already harm or when the system has to give a response, but she says that it is also "proactive", that is, it is preventive, it helps us to build much stronger community spaces…* ***The issue is one; our Education Act does not talk about restorative processes as such. It does not establish that restorative justice can be used, it only talks about the issue of mediation, and that is why it has not been applied so much.*** *They have only applied for these programmes, for example, "Convive". I have had the opportunity, let's say, on a personal level, to observe how conflicts are managed in the school environment and suddenly, they are not restorative practices; on the contrary, they are very punitive…*

Restorative Justice Principles as a tool to prevent and deal with bullying in primary and secondary school.	The answer is in the previous point.	
Appropriate and Non-Appropriate issues are suitable to resolve with RJ and RP in a bullying context.	*That is a good question because also in Mexico, as mediation and restorative justice processes to solve school conflicts are gradually gaining more strength, this has also had some complications because many times, this is being used to avoid major conflicts…* *This is good, but there are also private schools that are using it to keep things out of the public eye. So, this can be a two-edged sword; that is, on the one hand, it is good because everything is kept within the school, resolved and dealt with. That is fine. However, the other possibility of what could happen is that serious situations against minors, primary, secondary, or whatever, are being concealed. So, here the situation has to be very clear. What matters can be dealt with? **Those cases are in the administrative or school, or student line. Anything that crosses that line and becomes a criminal offence, such as harassment, sexual harassment, injuries, etc., will have to be reported in a different way**. That will no longer have to be seen as a mediation process because we are already talking about a crime. If, eventually, there is, let's say, sexual harassment or bullying, whatever, that would no longer have to be dealt with in a school mediation centre.*	*…It is a bit focused because usually **there is an idea or there is a myth that restorative justice is only used or should only be used for behaviours that are not so harmful, for these behaviours, crimes, let's call them "minor" crimes, which are of complaint, patrimonial and violence. And for the "more serious" behaviours, so to speak, that have to do with rape, robbery, abuse, in other words, more severe cases that are more serious, it is thought that restorative justice is not a way, for me, or well, from what we work with, it is a myth**. No, it is not. **Restorative justice can be applied to all cases. I would rather say what is necessary: the person wants to participate in a restorative process. That would be the essential thing.*** *…So, restorative justice also has certain degrees. It can be partially restorative, mostly restorative or fully restorative.*
Economic and cultural factors could affect the implementation of these topics in educational areas.	*There are definitely two very important parts, that is the **economic part**. Yes, because although a large infrastructure is not required to carry out the processes, this is very important; in other words, more than money, **political will is required.** Yes, because mediation can be carried out with children in primary and secondary schools. On the one hand, however, there is also a part that has to do with training. That is where we may eventually clash.*	*Well, it seems that they do. I think that they do have an influence. I believe that this is one of the reasons why I would like to think that, at the moment, there is still no talk **in this space which is the one that has taken the longest to talk about restorative processes, above all I think in the economic part, it seems that in our educational system, and I mean maybe not including public schools**.*

	Yes, we can say hey, but well, who do we pay to go and carry out this training? In mediation and restorative justice, processes can be carried out in the classroom, so we don't need to build a building to make a mediation centre; they can be done right there, in the courtyard, wherever. **But we do need, like that part of the people who are going to train.** *Now, the schools can also approach the municipal mediation centres or the judiciary so that the government can provide them with free training.* *It's just that there it's like... that's why I insist a lot on this political will, it's that the management staff go and propose it and ask for it; they can also acquire it for free.* *The* **cultural issue** *is another issue. That's a separate issue. Talking about culture is something almost bordering on the subjective, isn't it? Because we have to start from what is culture? There are many variables that we can adapt to culture, but it seems to me that we should begin to understand that conflict resolution in school matters has to do with, or* **it is very important that the people involved participate, that is to say, the teachers, the teachers, and also the students themselves, so that from there we begin to generate a, I don't want to say culture, but rather a...** …**Willingness or need for them to participate.** *No? Because eventually making a cultural change I think it would take us, I don't know how many years* …*So, leaving it to society or the community or the population to seek mediation or restorative justice on their own, that is hardly going to happen…*	**Culturally, where we are in a completely punitive vision, in general, we are all moving towards the point where we are going to punish.** *We will make a decision that stigmatises, alienates, and harms, right? So one, it seems that changing these ideas is complicated; it is tricky because we see them all the time. But one issue would be to start changing the way how we see people who commit acts, offences, who cause harm to people; we see them as "the bad guys", as "monsters", and we say it and repeat it because we see it in the media itself, not when we hear the news, of a person who is said to have murdered or raped, it is said, "the monster from I don't know where".* *So all this dehumanises the people who commit offences, and in the end, they are still people, they are still human beings, and so they have to be treated as people; above all, we have to understand that whatever action they have committed, they are not being justified, but what are we going to do to change this with this person?*
Other barriers to implementing RJ and RP in the educational field	… *a* **lack of protocols related to the implementation of mediation**… …*In other words, even if the teaching staff wants to intervene, to say or warn, listen, I would like to solve this or try to talk to the students, I don't have a basis to say, well, I have to do these processes.* **So I think that there is a barrier that could be the lack of**	…*it is also something that culturally, we have to change this chip from a punitive approach to a restorative approach because I also think it is something that we have to consider. But the other part that seems to be a significant barrier is our regulations because they don't exist…*

	specific protocols to be able to carry out a mediation or a restorative judicial process within the school. *… The training has to go not only to the teaching staff, who could eventually participate as mediators but also to the target group of students, be it primary or secondary; they all have to be aware of how there are new ways or different ways of resolving conflicts, how they could approach where they could knock on the door to talk about a problem that has happened to them, what could happen? Are they going to run the person off or not? In other words, they have to be well informed through training about the possibilities that exist, what are the advantages, and what are the requirements to participate in this process. Is everyone in the room going to participate, or just a few? All of this has to do with training.*	*… for example, when they have put it in the National Law of Alternative Mechanisms that they can hold meetings, it tells us that the State itself is obliged to have certified facilitators, etcetera, and to train from the juvenile justice part. The obligation is there, but in other areas, this obligation does not exist. It is like some people, some institutions have implemented it, let's say, thinking it has excellent results. Still, I think that another of the big barriers is that it does not exist in the law and so, as it does not exist in the law, it is not something that the authorities consider obligatory, and so no action is taken in this respect...*
Contributions to the implementation of RJ and RP	He has been involved in the implementation of the mediation model, especially in a high school. *… So the whole procedural part, let's say, is very important to be able to lay the foundations of how students can approach these mechanisms…*	She did some circles in primary school. *… At some point in this volunteering, I worked on a restorative process with a professor, a university professor who at some point was involved in these "Me too" issues of harassment cases, and he got the information that restorative justice exists. So we started to work with him in a restorative process"…*

Table 4. The intervention of "Group Two"

- Some limitations

While the necessary information was obtained to answer the research question, it is true that more stakeholders need to be interviewed to identify whether only these variables exist or whether other variables exist. For example, interviewing school management and staff and public officials in the education area who would also be operators of this process.

Additionally, in order to complete a feasibility study, it is essential to know the opinion of Mexican children and adolescents to know how they handle the conflict, and this tool could help them to deal with bullying situations.

Time and obtaining permission to carry out the above became decisive in this research, which is why it was planned with the number of participants included and with those who had the will and patience to participate in this research within the established timeframe.

CHAPTER FOUR

DISCUSSION

In this chapter, it is up to us to respond to the research and to the objectives initially set out.

Is it possible to implement Restorative Justice and Restorative Practices in the Mexican Education System?

- ✓ Feasibility of implementing Restorative Justice and Restorative Practices in primary and secondary schools to prevent and try to resolve bullying situations.
- ✓ Analyse if restorative justice and its practices exist in the scholarly field in Mexico? What does Mexico need to implement?
- ✓ In general, identify the barriers to implementing it in the Mexican context.

- What motivated the research?

As a Mexican, to speak of violence is to think of all the events of aggression experienced daily in different contexts, from the family to those experienced in the streets between rival groups of drug cartels.

It is easy and even depressing to notice the physical violence; it is enough to be connected to social networks or turn on the television to hear that women have disappeared and were found raped and dead, or the discovery of dismembered bodies in any part of the country, armed robberies, kidnappings, infighting between drug traffickers to achieve more territorial control.

To understand the origin of this type of violence could take us enough time to analyse the causes that have given rise to the decomposition of our society; however, it is not the object of this study, but it is important to note that this environment undoubtedly influences children in Mexico, who in turn also suffer in the classroom not only physical violence but also verbal psychological and any other manifestations of violence.

According to the statistics showed, it is a fact that bullying has been presented in schools at the primary and secondary level, and it was confirmed during the interviews with participants of "Group One". During the analysis, it was clear to identify that there are not many instruments which help manage the situation. On the other side, other options like restorative justice and restorative practices have gotten excellent outcomes and have been applied in other countries. Some of these experiences were successful, like the cases included in this research.

To understand how it is possible to implement restorative justice and its practices, it is essential to analyse the current conditions in Mexico.

- o *Feasibility of implementing Restorative Justice and Restorative Practices in primary and secondary schools to prevent and try to resolve bullying situations*

During the "Group One" interviews, two participants responded to know the concepts in the criminal area. On 18 June 2008, a constitutional reform on security and justice was published, which included among its axes the implementation of a "National Public Security System" and many other changes in laws, among which restorative justice was included as an alternative means of dispute resolution in criminal matters.

During the discussion with the participants themselves, who work in academic and administrative areas, it was noted that they had approached restorative justice by virtue of projects in which lawyers are necessarily involved.

This was confirmed by the participation of the participants of "Group Two", who are lawyers with experience in the field for more than 10 years.

Therefore, one can think of the feasibility of developing both restorative justice and restorative practices since there are people with expertise in the field, without forgetting that there is no impediment to applying the theoretical bases of restorative processes to various subjects, including school.

The participants of "Group Two" pointed out that this restorative philosophy can be applied in cases of school violence, which is one of the urgent needs to be solved in Mexico, because precisely in the current context, it is necessary to attend to the needs of victims, offenders and the community.

It was noted that the figures being studied have great merits, but it is the context in which they are applied that needs to be analysed. This could be seen when interviewing the participants of "Group One", who, after understanding the operation of both concepts, considered them difficult to implement in Mexico, although most of them showed openness to learn about their application in schools.

As could be seen in the development of the theoretical framework, restorative justice and the implementation of restorative practices are not topics that can be easily understood by all people, so when thinking about implementation in schools, it leads to thinking about a joint work in which not only lawyers are involved, but also psychologists, sociologists, social

workers, local federal governments, external and even international organisations with experience in the operationalisation of the subjects studied. This is in order to create a support network that facilitates the understanding of this framework and translates it into more playful issues that children and adolescents can understand and assimilate.

A fundamental point for the application of restorative justice is the openness of the subjects involved in participating in the process; therefore, in order to achieve the viability and good operability of this, it is essential to create a culture of the subject in primary and secondary schools.

Finally, according to the comment of one of the specialists, for restorative justice and its practices to operate in Mexico, it is indispensable that it is recognised in a legal system because, unlike Australia, Ireland and Colombia, there is no law that imposes its adoption and continuous practice in the scholarly field.

- o *Analyse if restorative justice and its practices exist in the scholarly field in Mexico? What does Mexico need to implement?*

That is to say, restorative justice and restorative practices it is not formally recognised to be carried out in schools, although the participants of "Group Two" carry out vacancies in an informal way.

Following the example of the countries included in the literature chapter, three indispensable elements are identified in order to implement restorative processes:

- To have the concepts recognised in a legal system and to implement the necessary basis for their development.

- The implementation of continuous training systems for the operating parties.

- There must be interest and commitment of the members of the community to develop restorative justice as a philosophy.

As it could be observed, there is an opening in Mexico to apply other alternative means of dispute resolution, such as mediation, which, as was studied, is being applied precisely as a tool for the solution of cases of school violence, but without having effective achievements, since it is enough to look at the statistics and observe that Mexico is leading the list of countries that suffer and exercise bullying.

The participants of "Group Two" confirmed this position by pointing out that what is needed is the willingness of the parties to engage in these processes, as this is the essential element for them to take place because although they are not regulated in the Mexican legal system, they are formally put into practice when there is such a willingness and commitment on the part of the parties.

The experience of the participants of "Group Two" shows the practice of mediation and holding circles at different educational levels.

Additionally, in "Group One", one of the participants, who is currently teaching in secondary school, also indicated the use of mediation in the school where she works but that she was unaware of the existence and operation of restorative processes.

- o *In general, identify the barriers to implementing it in the Mexican context.*

Different types were noted in both groups, which were also consistent with those mentioned in the Limits of Restorative Process at School section, which are summarised as follows:

- Lack of dissemination of the subject, as only a few lawyers are aware of the subject and its operation.

- Mexico has a highly punitive and litigious culture, so massive and organised actions are required to change this paradigm. This is a major limitation that was mentioned in the referred section and was mentioned by one of the participants of "Group One", who pointed out that one of the big obstacles in the implementation of any instrument is the teachers themselves, as they continue with this culture, recognising that it is easier to work with children and therefore it is important to focus on them.

- There are no adequate programmes and training to enable teachers to manage conflicts in the classroom and even to act as facilitators.

Although there are protocols for action at the federal level, it is also true that they only propose mediation as an alternative solution, and in the face of problems such as bullying, comprehensive instruments are required that address the needs of all stakeholders, repair the damage and act on the righteousness on which the community should develop.

This was confirmed by the opinions expressed in both groups.

- There are not enough human and material elements to be able to develop restorative processes in an effective manner. On this point, the interviewees from both groups

spoke about the bureaucratic limitations of the educational authorities, the lack of budget, and even the overcrowding of the public educational system in which it is impossible for teachers to exercise their daily functions and additionally that of facilitators.

The aforementioned elements undoubtedly allow us to answer the question mentioned at the beginning, but it is in the conclusions section that we will go into more detail on this issue.

CONCLUSIONS

The analysis of the theoretical framework and the primary resources allows us to affirm that there is no legal impediment to the implementation of restorative justice and restorative practices, so much so that it is already operating informally in some educational centres, as well as there are important efforts in the academic sphere to make these concepts known (just look at the social networks of the participants of "Group Two" for the dissemination work they carry out, as well as their direct involvement in various restorative practices).

Nevertheless, it is necessary to have certain elements in place to enable their development as in other countries.

The first step is to promote the recognition of these concepts in the legal system in order to achieve their development and even to allocate a budget for their operation.

A second step will consist of adopting restorative justice as part of the school culture, but this adoption should be organic and not imposed as has happened with mediation.

The third step will be to analyse the context of the educational system and implement restorative justice according to the age and needs of the student community, but also the needs of teachers, school management and operational staff, as they will be the ones who must have the necessary tools to perform well.

This would lead to the imperative implementation of constant training in restorative justice for teachers, management and operational staff, and even for the same public officials who make up the Ministry of Public Education in Mexico, as they will also be involved in the process.

As can be seen, there are several elements that need to be reviewed before a uniform implementation, but it is not impossible to do so, even less so when Mexico started this

process of opting for alternative means of conflict resolution recognised at the constitutional level in 2018.

I refuse to think that it is a "utopia", as one of the participants said, I believe that a lot of work needs to be done to establish the foundations, but it can be done, especially when there are proven cases of success in the world.

REFLECTION

I am very satisfied with the information obtained; it was a complex but very formative process; I did not expect to find such valuable opinions and even less to meet two professionals who made restorative justice their way of life; knowing that they are worthy representatives of this philosophy filled me with pride and motivated me to continue writing in relation to this subject.

Thanks to the legal framework and learning about the real needs of the education system and how teachers deal with issues such as bullying made me appreciate how useful alternative means of dispute resolution can be in any context.

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