Restoring Yarra: an experiment in linking restorative and deliberative practices to address urban contestation and social inequality

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Abstract

Contestation resulting from (and further embedding) spatial and social injustice in cities is one of the most intractable issues facing theorists and practitioners in contemporary cities. Approaching contestation via retributive, procedural or distributive justice lenses alone have led to different urban solutions but also failed to redress social and spatial injustice in sustainable ways for communities.

Restorative justice, driven by principles of repairing relationships in cases where injustices have been experienced and shared decision-making responsibility for solutions, has become a new focus for researchers, theorists and practitioners within the fields of law and criminal justice (Rosenblatt 2015; Hopkins 2015) and has distinct parallels with the ‘deliberative’ and ‘communicative’ turn in urban planning (Healey 2012; Healey 2006; Forester 2009). Experimenting with restorative justice principles in place-based, transdisciplinary and embedded ways ‘on the ground’, however, remains rare, particularly with respect to broader community-wide settings and with respect to urban space (rather than legal) contestation.

This paper presents the preliminary findings of such experimentation, drawing on the 2017 action research activities of ‘Restorative Yarra’ and its key partners: the University of Melbourne (THRIVE research hub), the City of Yarra and the Neighbourhood Justice Centre. The paper explores the ‘in situ’ challenges and opportunities of multiple agencies working together to embed more restorative approaches to the social/spatial justice issues facing Yarra and assesses how a ‘Restorative Yarra’ approach might better problem-solve and deliberate across difference, account for power and focus on healing and repair of relationships.

Key words: urban planning; justice; contestation; restorative practices; deliberative practices.

Introducing the Restorative Yarra terrain

Contestation in cities is a stubborn and complex problem that both reflects and impacts upon planning and on the lives of those in neighbourhoods. Because “land is central in shaping relations between municipal representatives and citizens” (Hagberg & Körling 2016: 295), contestations over urban territories not only structure and restructure spatial relationships, they also bring people into social conflict with others in community and with government decision-makers and systems.

This social conflict is experienced in an “intricate space of obligations, duties, entitlements, prohibitions, debts, affectations, insults, allies, contracts, enemies, infatuations, compromises, mutual love, legitimate expectations, and collective ideals” (Churchland 2007: 123) and managed by a network of “hierarchically ordered institutions, of laws and conventions” (Lefebvre 2009: 224). This produces a complex amalgam of spatial and social spaces managed by an intricate system of expressed and implied rules, mores and expectations. Such intricacies have prompted many to theorise about the ‘insanity of place’ that is provoked by the various kinds of discordance in this complex web of people acting upon place... and vice versa (Laing 1967; Lacan & Fink 2002).

Critically, power and power imbalance are a feature of conflict and social justice in our cities. Contestation “is not about equally strong bodies on a flat ontology but about unequal bodies on a tilted surface” (Philippopoulos-Mihalopoulos 2015: 5) and unequal bodies often experience the outcomes of justice in different ways. This is particularly true given the status quo system of conflict resolution -- a retributive and antagonistic system -- draws on competitive models of justice that focus on argumentation, maintaining social distance between actors, enforcing procedural formality and relying on outcome-oriented rules and systems. Some actors, particularly those with resources and those who are confident in navigating legal
and quasi-legal (e.g. planning) systems, have advantages in the contestations over urban space while others are routinely silenced, displaced and marginalised through such processes (Taylor 2013).

Not only do these approaches to justice create winners and losers, they also, in the view of observers like Wachtel, constitute a sort of ‘theft’ of interpersonal and community conflict resolution (and, indeed, the conflict itself) by courts and other legal and institutional systems (Wachtel 2015: 7). The system we apply to conflict “not only leads to spatial transformations but also to social transformations” (Hagberg & Körling 2016: 302),

Is there a way to be more relational and restorative in our problem-solving around urban issues and urban contestation? Using the foundations of restorative justice practices and deliberative community engagement – the space “where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm” (Braithwaite, cited in Lambert 2015: 297) – the Restorative Yarra research\(^1\) explores this question in an applied, action-learning and ethnographic manner.

The research brings together the City of Yarra (CoY), the Neighbourhood Justice Centre (NJC) and the University of Melbourne (UoM) in a year-long inquiry that seeks to reflect on and synergise restorative and deliberative principles across practice networks and to experiment with restorative processes that address social inequity in ways that affirm difference, account for power and focus on the healing and repair of relationships (Hopkins 2015) (Figure 1).

This paper discusses the preliminary findings of the Restorative Yarra research, focusing on the challenges faced by (and learnings made by) multiple agencies working together to understand and co-create new, restorative/deliberative approaches to persistent socio-spatial issues in a local area case study.

**The Victoria Street case study**

The Restorative Yarra project is using the Victoria Street precinct in the Richmond/Abbotsford area of inner city Melbourne as a case study. The case study is one of both spatial and social geographies. The physical geography of the case study aligns with the physical boundaries defined for the area in the Victoria Street Structure Plan, 2010 (see Figure 2 and Figure 4). The sub-precincts west of Church Street are a particular focus.

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\(^1\) The Restorative Yarra research is funded by the Graham Treloar Early Career Research Fellowship and a Faculty of Architecture, Building and Planning Early Career Research Grant as well as in-kind resourcing by partners.
The social geographies of diverse residents, visitors, workers, businesses and services create a precinct with multiple (and often conflicting) social identities. For example, the precinct is an area associated with income and housing inequality. Areas 4 and 5 in Figure 2 (and pictured in Figure 3) are home to over 2,000 public housing units while surrounding streets in Richmond and Abbotsford are gentrifying with higher-than-metropolitan-average private rents and housing price medians.

**Figure 3: Victoria Street, looking south from Nicholson Street Abbotsford**
(source: photo by author, 12 July 2017)
More than one in five residents in North Richmond are social housing tenants and almost 11% of residents in the City of Yarra as a whole live in social housing. This compares to an average of 2.9% across Greater Melbourne. In addition, a high percentage of people renting in the private market (33.3% in North Richmond as compared to 23.1% across Greater Melbourne, according to ABS 2011 census data). Rental stress\(^2\) affects a significant number of people in Yarra but particularly in certain areas within the municipality like North Richmond (where 20.9% of residents were experiencing rental stress in 2011 as compared to 8.7% of residents in nearby Cremorne and Burnley). Rents in Yarra rose 46% between the 2006 and 2011 censuses, “making it much harder for households to make ends meet, and putting them at risk of homelessness” (Council for Homeless Persons 2012: n.p.). Indeed, Yarra had the fifth highest number of people experiencing homelessness in the state in 2011: 849 people, estimated by the ABS in the 2011 census (Council for Homeless Persons, 2012) with concerns that this number has burgeoned in the intervening years. Visible homelessness has increased across inner Melbourne, including Yarra.

The suburb level Socio-Economic Indexes for Areas (SEIFA) captures this range of different experiences of living in Yarra. The SEIFA index ranges from a low of 436 in the high rise public housing area of the precinct to 1050 in the gentrified area of private housing immediately west of the high-rise towers in North Richmond. Such a variety of SEIFA scores indicates a high degree of socio-economic variability within the precinct (see Figure 4), reflecting growing issues with rising costs, gentrification, social isolation and differing health and wellbeing outcomes.

**Figure 4: Victoria Street precinct & surrounds SEIFA index by small area, 2011**

With respect to ethno-cultural difference, the precinct is home to a vibrantly multicultural community with a sizeable population claiming Vietnamese and Chinese ancestry (see Table 1). Victoria Street itself is known, colloquially, as ‘Little Saigon’ in reference to the concentration of businesses run by post-war refugees and migrants from Vietnam. Aboriginal and Torres Strait Islander residents represent approximately 0.4% of the precinct community in 2011 (Profile i.d. 2016), though connection to country in and around the precinct for indigenous people are strong and bring Aboriginal people from across the metropolitan area, the state and inter-state to access sites of significance (e.g. along the Yarra River), to locate kin and to access services.

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\(^2\) Defined as “households in the lowest 40% of incomes, who are paying more than 30% of their usual gross weekly income on rent” (Profile i.d., 2016: n.p.)
Table 1: Ancestry of North Richmond residents  
(source: 2011 Census and Profile i.d. 2016)

<table>
<thead>
<tr>
<th>Ancestry</th>
<th>N Richmond</th>
<th>Greater Melbourne</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>21.3%</td>
<td>26.9%</td>
</tr>
<tr>
<td>Australian</td>
<td>18.5%</td>
<td>26.4%</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>13.3%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Chinese</td>
<td>13.1%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Irish</td>
<td>9.8%</td>
<td>8.8%</td>
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</tbody>
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Finally, the precinct is an area with significant difference in respect to health and wellbeing, safety and perception of safety experiences. Much of this difference is associated with a high-profile drug trade and use (of heroin and methamphetamine, predominantly) in Victoria Street. Between 2009 and 2016, 158 people have died of drug overdose in the City of Yarra (Coroners Court of Victoria 2017) with broader findings related to a study of all overdose deaths in Victoria between 2013 and 2016 showing that “49.6% of deceased had both clinically documented drug dependence and a diagnosed mental illness (other than a mental illness relating to substance misuse)” (Coroners Court of Victoria 2017: iii and 44). Additionally, significantly higher percentages people in Yarra report behaviour that puts them at risk of short-term harm from alcohol (51.6% as compared to 29.4% across the state) (VicHealth 2015).

Yarra reports generally high levels of self-reported health and wellbeing with the notable exception of social capital measures, captured in people’s agreement with statements such as:

- ‘people are willing to help each other in the neighbourhood’ (in Yarra, 64.2% agree with this statement as compared to 74.1% across the state)
- ‘this is a close-knit neighbourhood’ (46.5% agree in Yarra, compared to 61.0% in Victoria)
- ‘people can be trusted in this neighbourhood’ (59.2% agree in Yarra as compared to 71.9% across the state)

(VicHealth 2015)

In terms of safety, both crimes against the person and crimes against property occur at above average rates. In the case of crimes against property, the rates are more than double the state average between 2012 and 2014 (9760.4 versus 4758.7 crimes per 100,000 people) while crimes against the persona are roughly 20% higher (1251.3 versus 1043.8 crimes per 100,000 people). Perceptions of safety in Yarra, however, are similar to the state averages. In 2015 community indicator surveying. 91.6% of Yarra residents felt safe walking around the area alone during the day and 56.0% felt safe walking around alone at night (compared to the state averages of 92.5% and 55.1% respectively) (VicHealth 2015).

Finally, a contestation of primary interest to this paper and to the Restorative Yarra research is the contestation present in the representational and discursive space that attitudes such as perceptions of safety reflect. These abstractions interact with and produce the concrete and the social spaces of locales such as the Victoria Street precinct. In urban planning parlance, this is the deliberative space that is at once social and engaging of difference but also “a concrete abstraction, full of symbols, the source of an intense circulation of information and messages, ‘spiritual’ exchanges, representations, ideology, knowledge bound up with power” (Lefebvre 2009: 224).

Practice and community networks work with and act upon these messy ‘mental spaces’ in ways that both promote and inhibit experimentation with ideas such as ‘restorative cities’, as the first six months of this research has illustrated. While the partners’ research goal is to reflect on and experiment with restorative principles and practices (e.g. are current practices restorative and/or deliberative? Could they be?) in collaboration with others in the practice network, the work has been diverted in different ways as the following section will discuss.
The Restorative Yarra journey, so far

The most compelling narrative to convey at this juncture (six months into a twelve-month research project, at the time of writing) is why there isn’t more of a story to tell... at least in terms of ‘findings’, outcomes, data and so on.

As the development of the project has been characterised by a collective ‘mental space’ that has slowed and challenged the practice network’s abilities to reflect and experiment, the story told in this paper will sort through the epistemological, ‘territoriality’, risk aversion and time poverty narratives that affect this (and many, we’d suggest) collaborations.

The following sub-sections explore the key ‘mental space’ struggles of the Restorative Yarra practice networks in the first six months of this research before looking at the path forward.

‘I don’t think this is my area...’

The first challenge regarding the ‘mental space’ of Restorative Yarra has been keeping people engaged in the space. As happens in many projects, the actors involved have varying commitments to the research and the bodies present from one conversation to the next have differed. None of the actors who initially collaborated on the funding proposal for the research in November 2016 were present at the first industry partner meeting in February 2017, for example. Subsequently, there have been further changes in the core group responsible for co-designing and co-managing the research.

Some people have moved on, professionally. Some are too busy to participate the way they would like. And some have felt that the research project is ‘not their area’.

In a way, though, this research project is not anyone’s ‘area’ as it seeks to do collaborative restorative/deliberative work in a practice network and at a scale that the partners have not done before. Their difficulties in embedding such practices (logistically, politically and epistemologically) are not unique. The burgeoning interest in the principles and practices of restorative justice and deliberative and participatory/democratic planning still struggle with realising the goal of having networks “recognize and consider the legitimacy of differing frames of reference” (Schively 2007: 261).

Both restorative justice and deliberative and participatory/democratic planning processes are relatively new in their respective fields and the discursive, mental space where these two approaches meet – their nexus, especially as applied to a live project – is largely untested practice terrain. There is some guidance from communities such as Kingston-Upon-Hull in the UK where restorative justice principles developed in the courts have been brought out to wider setting, mainly the education sector and in relation to a community-based response to student behaviour and discipline (Lambert 2015; Abramson & Moore 2015). The full potential for ‘restorative cities’ as applied to broader social and spatial justice issues across cities, however, has not yet been fully realised and “the role of community in restorative justice remains an under-researched topic, both theoretically and empirically” (Rosenblatt 2015: 41).

In this respect, the practice network is working ‘at the edge’ in establishing a Restorative Yarra and this sort of knowledge entrepreneurialism is not everyone’s area of comfort (Sarkissian et. al. 2010). It has taken time for people to acknowledge, let alone work through, their discomfort with this insecurity of practice.

‘The one versus the many...’

Working to a neighbourhood scale in restorative/deliberative practices represents a shift in the justice lens, it could be argued, which may explain the gap in practice/theory. Rather than dealing with the justice outcomes for individuals in relation to a specific event, the scope of justice shifts to larger questions of social and spatial justice across a city, where “…different groups dwell in the city alongside one another, of necessity interacting in city spaces” (Young 1990: 227), where actors are not a single ‘community’ with shared values or experiences and where power structures can reinforce spatial and social injustices through exclusion, displacement or marginalisation.

“The archetypal restorative scene involves reconciliation between two individuals, one of whom has harmed the other” (Abramson & Moore 2014: 3) whereas the restorative city draws on the collectivist features of
social science methodologies such as deliberative planning, community conferencing, co-design and participatory democracy. The common approach to all these techniques is the gathering of a group to reach collective agreement.

While the ideas associated with collective action are hardly novel, this scale can nonetheless be challenging to our (often) atomistic view of community and of the organisations and groups that form the practice networks serving community. This has been a barrier in this research as well, with complaints heard that local collaborations in the Victoria Street precinct are not really practice networks so much as communication networks. In other words, there is some frustration that the organisations hear about each other’s activities in the precinct but there is still don’t genuinely share in designing and implementing collective action. This research project offers an explicit opportunity to do just that but there are difficulties enacting collaborative action.

‘What’s mine is mine…and what’s yours is yours…’

A contributor to this expressed collaboration paralysis is organisational territory. While “people manage and develop places in all kinds of ways as they try to improve the environment in which they live” and generally do so with a strength of conviction that they are improving their environments, a truth of public life is that “one person’s initiative can easily get in the way of another’s” (Healey 2010: 49).

Within the core partners who have invested in the research and in the task of working together towards a more restorative, deliberative and collaborative approach to problem-solving in Victoria Street, territoriality is an issue. Territoriality here refers to a practice territory and a sense of ‘ownership’ over programs, approaches, initiatives, outcomes and policy.

This has been manifest over questions of what ‘restorative’ is, for example, and a resistance to seeing it as a set of general rather than specific principles and practices ‘owned’ by justice. It is also manifest in the territories of practice that have built up in the Victoria Street precinct and that see different groups take leadership on particular aspects of “the problem”. Finally, it refers to ownership tensions over the accolades for programs, policies and processes that have worked well and the (largely unexpressed but evident) resentments over perceived appropriations of ‘good’ work/outcomes/processes and delegations of ‘poor' work/outcomes/processes. The historical legacies of interpersonal exchange are a part of this research practice and affect it.

Figure 5: Newspaper imagery of the illicit drug issues in the Victoria Street precinct

Organisational ‘territory’ is also epistemological and political. How individual actors are able to express divergent ideas in relation to the contestations of Victoria Street (for example, the rhetoric regarding safer injecting facilities [SIFs] in the street, as illustrated in Figure 5) is mediated by the positions that groups and organisations take on such matters. The result can be networks that are more embroiled in the adversarial...
debate regarding which perspectives will lead and what intervention will be ‘done’ to the precinct (and in Victoria Street, such debates are occurring over SIFs and CCTV cameras, over the ‘determinism’ of urban design or community development work, etc.) as opposed to co-producing new approaches with new and ‘joined-up’ epistemological perspectives.

‘If you always do what you’ve always done…’

To begin with, there must be a certain openness… a willingness to be disturbed in order to set the process in motion; and there has to be an active network of communication… to amplify the triggering event. The next stage is the point of instability, which may be experienced as tension, chaos or crisis. At this stage, the system may either break down or it may break through to a new state of order, which is characterized by novelty…


Epistemological ‘status quo’ thinking is a final barrier to the Restorative Yarra progress. As Healey suggests, “our lives are shaped by practices and beliefs that we mostly take for granted as we go about the flow of life… we need to engage in ‘archaeological’ or ‘genealogical’ work to bring these assumptions to the surface and critically evaluate their dynamics” (Healey 2010: 55). This may be written about daily life more generally but this is certainly an issue for practice networks in the Restorative Yarra research. The organisations in the practice networks are as varied as the most different people in community might be, from the Victoria Police to drug reform activists and from public housing tenants’ representatives to technocratic government officers working in large hierarchically ordered departments.

The early stages of this Restorative Yarra research, for all the reasons raised in the previous sub-sections, reflect Capra’s ‘disturbance’ The story to date paints a picture of instability and uncertainty within the practice networks and the various publics associated with Victoria Street. These are philosophical, political and practical uncertainties and instability and, while an ‘active network of communication’ exists via local collaborations such as the Victoria Street Working Group, it is yet to be seen whether the ‘tension, chaos and crisis’ being experienced both within the practice networks and external to them will lead the Victoria Street precinct to a point of break down or break through.

Where to from here (or, ‘finding the path to break through…’)  
This is the juncture in the research project where the practice networks need to forge on and shift from thinking exclusively about Restorative Yarra as a philosophical abstraction to something to manifest, describe and experiment with.

At the core of community planning and community justice alike is a problem-solving approach aimed at preventing harms -- crime, ill-health, social injustice, displacement/exclusion – and repairing communities through citizen participation in process (Clear & Karp 2000; Kurki 2000; Forester 2009; Umbreit & Peterson Armour 2011; Sarkissian et. al. 2010; Healey 2006).

The experimentation aspect of the Restorative Yarra applied research, in the latter half of 2017, are critical and offer the opportunity to bridge the gap between the abstract and the practical and applied to practice some problem-solving. They also offer the opportunity for those in the practice networks to unpack and resolve some of the issues described in the previous section and to imagine how restorative principles and practices can recondition their own social and mental spaces in Victoria Street.

The following are some ideas that have emerged from the research in terms of facilitating that ‘break through’.

‘Work with the willing…’

In the words of one actor in the practice network, it may be time (in the research but in relation to restorative practices in Victoria Street more broadly) to ‘work with the willing’. While it is important to reflect on who else should be at the table or why people have joined and then walked away from the table, these questions shouldn’t paralyse the group. There is always another person/practice that should be part of this work.
Some of the ‘territory’ issues described in the previous section may only be circumnavigated, in the short term at least, by working with those who are committed to the experiment and to the reflection on the experiment.

As Landry (2000: 41) notes, urban change is often characterised by “formulaic responses [that] thoughtlessly repeat what has gone before”. The sort of action learning demanded of Restorative Yarra often requires an epistemological shift as well as some deep reflection on what ‘learning’ really is. Dewey observes that “in a few people, intellectual curiosity is so insatiable that nothing will discourage it but in most its edge is easily dulled and blunted” (Dewey 1910: 33) and Forester exhorts planners to learn “about detail, not doctrine” (Forester 2009: 107). These are reminders that the ‘breakthrough’ into new spaces requires people to shift their practices away from the formulaic and from the traps that “public propaganda” can lay for planning and policymaking.

‘Practice what you preach…’
On several occasions, practice network people have brought up the idea of actively applying restorative/deliberative methods to the way that the networks operate. This could involve:

- having external facilitation in network meetings to free partners up to work in the ‘mental space’ of their task
- more actively deliberating on their own conceptual, practice and relational differences and how they contribute to problem-solving discords
- use methods such as ‘conferencing circle’ or ‘deliberative planning’-style sessions more regularly

Part of being ‘restorative’ is focusing not just on the problems but also on the strengths, opportunities and successes of people in a neighbourhood. Restorative and deliberative practices, for example, extends to teaching others and a success of this research thus far is the ways in which it experiments with experiential learning, particularly with students. There has been a mentoring ethos in the project that has seen Masters and PhD students attending parts of the research process. This will extend and become more formalised in the second half of the Restorative Yarra project with a University of Melbourne Masters studio working in with the practice networks in the Victoria Street precinct.

This approach uses ‘experiential learning’ in ways that mentor and teach others (students but also practice networks) in interesting ways and provides new theoretical synthesis possibilities where Restorative Yarra is a learning/teaching as well as a healing and problem-solving space.

‘The journey is as important as the outcome…’
Restorative practice “promises a non-authoritarian response” (Abramson & Moore 2014: 3) and suggests a set of participatory and collaborative processes and principles (as opposed to being simply about outcomes like reduced inequity or improved health and safety). This research team, then, must defend its interest in the abstract as well as the concrete and in the journey as well as the destination.

Research on planning efficacy (Hoch 1994) is least optimistic about the consequences of ambitious ‘major project’ style plans but more positive/optimistic about the ways practitioners can affect modest and incremental changes through morally engaged, politically astute and/or theoretically sound practice. While there are persistent challenges to any practice network to ‘do something’ and act upon outcomes, it must also be recognised that the state of the physical and the social space in Victoria Street is the culmination of decades of patterns of behaviour, contestation, action and reaction. At this stage, many actors are ready to see relationship building, mediation of difference and empowerment (not of ‘the community’ but of ‘multiple communities’) as actions in their own right.

This practice network has, in its collective skill set, capacity to reflect on process, to learn from challenges and to unpack the ‘mental space’ of the Victoria Street precinct. Indeed, some have spoken of needing a ‘new way forward’ but not understanding quite what that direction is. This is as concrete an expression of the ‘disturbance’ that Capra describes and of a group being ready for a ‘breakthrough’. That breakthrough may lie in the effect that engaged, politically astute and theoretically sound practice can have on space.
Conclusions
Practice networks, like those operating in the Victoria Street precinct in Melbourne, are not immune to the sorts of representations, the judgements, the cross-cultural environments and the inter-personal relationship conflicts that affect the wider community and social space. In fact, one of our key learnings in Restorative Yarra is that networks reflect and reproduce those differences and challenges. For example, the practice networks and wider community both produce and respond to the narrative generated in Figure 5 and the media article attached to the images.

This is the ‘mental space’ of Victoria Street and an important finding in this research, so far, is the extent to which practice networks are a part of producing conflict and territory and epistemological difference in this space.

‘Restorative’ work concerns creating conditions “where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm” (Braithwai
teste, cited in Lambert 2015: 297). Restorative Yarra will be about applying these principles and practices to professional stakeholder networks alongside the layperson, community networks if the experimentations and reflections are to be truly transformative.

References
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