



Restorative Justice and the EAP

Part II

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Restorative Justice

Today's Goals:

1. Consider the place of restorative justice in the EAP setting through:

the application of restorative justice to clinical issues.

the application of restorative justice to work place issues.

Learning Objectives

Learning Objectives:

Review the principals of restorative justice

Identify specific presenting concerns that would be conducive to the process of restorative justice.

Develop session plans to address those presenting concerns through the use of restorative justice principles.

Identify specific workplace concerns that would be conducive to the process of restorative justice.

Develop plans to address those workplace concerns through the use of restorative justice principles.

Restorative Justice

A definition:

“Restorative justice is a process whereby the parties with a stake in a particular ‘concern’ come together to resolve collectively to deal with the aftermath of ‘that concern’ and its implications for the future.”

~Tony Marshall~

Even the UNITED NATIONS adopted this definition of restorative justice

Stakeholders

- Victim
- Offender
- Family
- Community



Five R's of Restorative Justice

- Relationship
- Respect
- Responsibility
- Repair
- Reintegration

Current workplace resolution process:

- Seeks to come to one 'truth' as the result of an investigation
- Although the 'dispute' might be settled, interpersonal conflict can be the byproduct
- Doesn't consider human relationship
- Seeks to administer 'consequences'

Restorative Process in the workplace...

- Workplace as community
 - Factual information can be shared
 - Bring office staff together to gain perspective and share impact
 - Responsibility for harm is accepted
 - Work place – community agrees on repair
 - Review of environmental contributors with a view toward prevention
 - Follow up

Restorative Workplace...

- When there is significant *conflict* associated with a *harmful* act about which there is *no dispute*; &/or *many* poorly resolved *disputes* between *individuals*, &/or *groups*.
- **Then Conferencing:**
 - brings together everyone affected and *helps participants transform conflict into cooperation* by considering:
 - what happened;
 - how people have been affected;
 - how best to improve the situation.



Restorative Process

- Ground Rules
- Participants:
 - Victim, offender, community member, facilitator
- Overview of the process
- Recounts of the event:
 - responsibility, relationship, learning
- Impact is named and acknowledged
- Repair is agreed upon
- Reintegration

Restorative Workplace Issues...

- Employee misconduct
- Workplace bullying
- Sexual harassment
- High level conflict among staff
- Performance issues
- Discrimination

Restorative Process...

Keep in mind that restorative processes are not programs.

Restorative thinking is a philosophy. An approach to life.





I have a question...

Restorative Justice in the EAP Office...

- **Current EAP model;**
 - 1-3 (or more) sessions
 - Assessment
 - Brief Counseling
 - Referral
 - Follow up

Restorative Justice in the EAP Office..

- Current EAP intervention strategies :
 - Solution focused
 - Goal based
 - Strength based

These all have elements of restorative justice!

Restorative Justice in the EAP Office..

- Presenting issues that might be appropriate:
 - Marital
 - Family
 - Youth
 - Work Performance Concerns



Restorative justice in the EAP office...

Example presenting concerns:

Student with THC at school

Employee with poor attendance

A couple with relationship concerns

Resources:

<http://www.restorativejustice.info>

<http://www.efr.org/community/restorative-justice-programs>

http://en.wikipedia.org/wiki/Restorative_justice#History

<http://www.illinoisattorneygeneral.gov/communities/youthadvocacy/restore.pdf>

<http://www.homeoffice.gov.uk/rds/pdfs/occ-resjus.pdf>

<http://www.restorativejustice.org/articlesdb/articles/83>

www.efr.org

[The Little Book of Restorative Justice by Howard Zehr](#)

<http://www.restorativesolutions.us/organizations.html>

<http://www.restorativejustice.org/other/outside-the-criminal-justice-system>

Restorative Justice

- Questions
- Discussion
- Summary
- Aha moments
- Evaluations