

“Restorative Justice Extending Empathy”

Restorative Justice – Empathy – Rehabilitation: Globally

Canterbury Christ Church University

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Outline

1. Why empathy and restorative justice?
 - What is rehabilitation?
 - What is empathy?
 - What is restorative justice?
1. Where are we with empathy and restorative justice?
 1. A normative and practical gap
 1. Where are we with restorative justice globally?
 1. Reflections from a sceptic and a researcher

Rehabilitation: Two basic components

- **Value concept:** refers to the overall aims, values, principles, and etiological assumptions that should be used to guide the treatment of offenders
- **Practice concept:** it translates how these principles should be to guide therapy (Ward and Mann 2007: 89).

Empathy: Two basic components

- **Cognitive empathy:** the understanding of another's psychological state. It subsumes, therefore, that the individual switches his attention from the self to the other, in order to take his perspective (Baron-Cohen & Wheelwright, 2004).
- **Affective empathy:** the reaction to this knowledge; the consequent experience of a vicarious response to the affective state of another (Dziobek et al., 2008).

Restorative Justice: Two basic components

- **Ethos & principles:** dialogue and equality, empowerment and responsibility taking, respect, restoring and future focused
- **Practice:** mediation (direct and indirect), conferencing (various models), circles, sentencing and healing boards

Why Empathy

- Empathy is the ability to understand the internal affective state of another and respond appropriately (Batson, 2009).
- “One of the most essential elements of social perception and interaction” (Batson, 2009).
- Empathy allows individuals to effectively interact with others in a social context (Baron-Cohen & Wheelwright, 2004).
- Emotional awareness: The ability to recognize and describe emotions in oneself and in others (Lane & Schwartz, 1987). It constitutes a cognitive skill ... then can it be taught?

The perfect tool for the restorative justice dialogue?

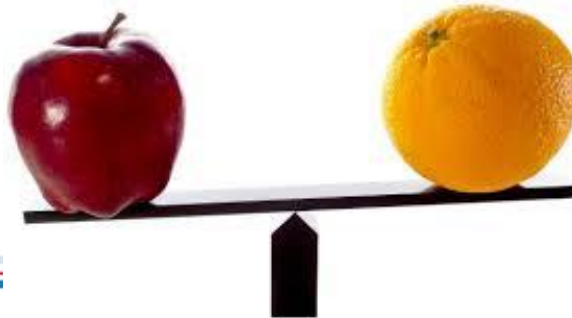
Empathy and restorative justice

- Rich literature on empathy
- Unprecedented literature on restorative justice (especially in relation to its “superiority”)
- Scarce literature on restorative justice and empathy
- Attempts to link empathy and restorative justice:
 - Psychology and Positive psychology
 - Affect Script Psychology
 - Neuroscience
 - Sociology of emotions
 - Art

A normative and practical gap

- Pilots (psychology/ neurology) with restorative justice?
- Normative understanding of restorative justice theory and applied sciences such as psychology?

Are we comparing apples with oranges?



Where are we with restorative justice?

- A global hysteria
- Institutionalisation and legalisation
- Top down structures and control
- Professionalisation, registration and accreditation
- Moral justification?
- The battles within.....

Raising the mirror of responsibility: Reflections

- Address the normative gap in restorative justice
- Address the evidence gap in restorative justice
- Express the restorative justice values and practice through art
- Address the power structures and battles both within and outside the restorative justice movement
- Address the inferiority complex of restorative justice trying to prove what is not
- Address the reality (complexity of emotions and human nature, funding and social restrictions, the existing operational framework).

Bridging the gap in restorative justice, psychology and rehabilitation

Offenders No More: New Offender Rehabilitation Theory and Practice

Gavrielides, T. (2015). *Offenders No More: New Offender Rehabilitation Theory and Practice*, New York: Nova Science Publishers

Editor: Theo Gavrielides | Publisher: Nova Science Publishers | Chapter Submission Deadline to the Editor: 1 April 2015 | Publication Date: Autumn 2015 | Style: Peer Reviewed

Book Description: "Offender rehabilitation" theory and practice have traditionally focused on curing "offenders" of their deviant tendencies by changing their habits, opportunities, personality and life outlook. Consequently, a number of interventions have been developed within the criminal justice system that are said to involve helping offenders (e.g. by offering counseling, psychological assistance, training, a job, victim and cultural awareness courses). Success is measured by recidivism rates. Has the offender been induced to desist? To this end, rehabilitation has become an impenetrable wall that be in the form of incarceration, community or monetary penalties.



The Psychology of Restorative Justice

Gavrielides, T. (2015). *The Psychology of Restorative Justice*. Farnham: Ashgate Publishing

Editor: Professor Dr. Theo Gavrielides | Publisher: Ashgate | ISBN 978-1-4724-5530-7 | Chapter Submission Deadline to the Editor: 1 February 2015 | Publication Date: Summer 2015 | Style: Peer Reviewed

Book Description: Research with "offenders" is still relatively new and in much needed development. The initial approach was dominated by psychiatrists and psychologists who created the belief that the only viable approach when investigating offenders is one that is based on "scientific principles" that allow the systematic comparison between samples of "offenders" and "non-offenders". Modern criminological research has progressed into what is now called a sociological approach looking at other factors beyond the individual pathology of "offenders". Sociologists now structure their research in a way that allows them to study the lives, attitudes and behaviour of "offenders".



In the pursuit of understanding restorative justice and its effectiveness, where do social sciences and positivist approaches meet?

Restorative Justice for All

www.rj4all.info

The screenshot shows the homepage of the Restorative Justice for All website. At the top, there is a navigation menu with the following items: Home, About RJ4All, Free Resources, International Symposia, Internet Journal of RJ, Projects, RJ in Europe, and Suggestions. The main content area features a large heading "welcome to... Restorative Justice for All" with "welcome to..." in a script font and "Restorative Justice for All" in a bold sans-serif font. Below this, it says "Sign up for free and receive:" followed by a list of benefits: ACCESS TO THE E-LIBRARY, VIDEOS AND AUDIO, PEER-REVIEWED E-JOURNAL, and WIKI AND MUCH, MUCH MORE. A dark blue banner contains the text "Join the international institute" and "Research | Expert advice | Education | Networking". Below the banner, there are three columns of content. The left column has a headline "RJ4All presented at the 2nd Conference on Forensic Psychiatry" and a photo of a conference room. The middle column has a headline "Latest tweets on restorative justice" and a "Donate" button. The right column has a headline "Latest RJ4All resources" and a book cover image.

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RJ4All presented at the 2nd Conference on Forensic Psychiatry

Restorative Justice For All Institute (RJ4All) was presented to a wide audience in Greece, including professionals from various scientific

Latest tweets on restorative justice

Tweets from @RJRNetwork/rj4all

Help us keep RJ4All alive!

Donate

Available December 2013:
Reconstructing Restorative Justice Philosophy
edited by Theo Gavrielides and Vasso Artinopoulou

Latest RJ4All resources

Repairing our schools through

Thank you!

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