



**Fraser-Burrard Community Justice Society
Community Youth Justice Program**

**Annual Activity and Performance Report
January – December 2007**

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Overview for 2007:

Draft CYJP Annual Report
January – December 2007

- ◆ Our annual report is in two major parts: a “Detailed statistical information” section which expands on the information issued quarterly in our program “Activity Reports”, and a “Participant feedback” section summarizing the results of evaluation questionnaires completed by program participants. A brief preface describes the work of the Community Youth Justice Program and some core values of restorative justice, around which the “Participant feedback” section is organized.
- ◆ The CYJP finished the year 2007 with 37 referrals, the second highest annual number (after last year’s 51) since the program’s inception in 2000. Of these, 29 came from police sources: the Coquitlam Detachment of the RCMP, the Port Moody Police Department and the New Westminster Police Service. The CYJP is an option available to officers as a community referral under the extrajudicial measures provisions of the federal Youth Criminal Justice Act. Seven referrals were from the Crown Counsel offices that serve the Tri-Cities and New Westminster; after a six month pilot, the CYJP was authorized in November of 2006 by the provincial Ministry of the Attorney General to receive youth referrals from Crown under the extrajudicial sanctions provisions of the YCJA. The final referral was from a similar program in another municipality, of a youth who acknowledged doing some tagging there, but who lived in our service area and thus was not eligible for the local program.
- ◆ Crown referrals were primarily theft files involving retail outlets or mischief incidents; in the former, about half were resolved with direct participation of store staff and half through indirect processes in which the facilitators conveyed information from store staff to the youth, and took the youth’s response and proposed agreement terms back to the harmed parties and to Crown. Police referrals consisted primarily of break and enters (schools, businesses and private dwellings), mischief incidents, and various forms of theft and fraud (each of these three categories making up approximately 27% of all potential charges referred), with the next largest category being assault (14% of all charges referred). Assaults ranged from minor to two quite serious incidents in which the harmed parties were hospitalized for their injuries. Many police referrals involved parties who were known to each other (conflicts within families, among friends, between students and school staff, between employees and employers), suggesting that referring officers are finding the CYJP an appropriate resource for files in which coming to a resolution will involve a process of airing and discussing longer term issues requiring more time than officers can devote, and for which the more adversarial court system seems unlikely to repair or strengthen the relationships. We continue to provide orientation to the program to new police recruits and youth Crown Counselors, and remind officers of how to make referrals by speaking at watch briefings as often as possible.
- ◆
- ◆ Our average time between receipt of a referral and completing a restorative process was eleven weeks in 2007, reduced from twelve weeks previously but still slower than our goal of six weeks. Some conferences involved large numbers of participants – as many as thirteen, not including the co-facilitators – and took some time to arrange (for example,

one file involved a harmed party who found it necessary to complete a course in therapy around trauma recovery prior to feeling able to benefit from a meeting with the assailant, coming to conference five months after the referral date; in another case a youth spent six months in a residential drug treatment program before being able to participate positively in a meeting with the person harmed). We recognize the value to all parties involved in a criminal incident to be able to deal with the matter as quickly as possible and continue to streamline our process so as to move from referral acceptance to conference in as timely a manner as the real needs and constraints of participants allow.

- ◆ Thirty processes were conducted in 2007, eighteen face to face conferences and twelve processes involving indirect communication between the youth and the harmed party. Police officers participated directly in four conferences. Twenty six files were fully closed with completion of agreements within the calendar year. The vast majority of youth participants (97%) continue to fulfill the obligations they enter into in the resolution conference agreements, this year completing a variety of conditions including apology letters, financial restitution, unpaid service work in the community and referrals to counseling. Participants in general express a high level of satisfaction with the process and the outcomes, and with the work of our facilitators who volunteer their time and skills to guide them to resolution.
- ◆ We were ably assisted through the winter and spring by a practicum student from the Adler School of Psychotherapy, completing a field placement in not-for-profit operations, and in the fall by a practicum student from the SFU School of Criminology who was able to participate in our facilitator training and work directly with process participants.
- ◆ Our Empowering YOUth pilot project continues in partnership with School District 43, offering training and support to peer mediators at Centennial Secondary and Como Lake Middle Schools. A refresher training was held for these students and their support staff in the fall, with another scheduled for next spring. As well, an orientation to restorative action was held with staff of Porter Street Elementary, whose students largely go on to the two schools we are already working with, in preparation to training a group of grade four and five students as a schoolyard “Peace Squad” early in the coming year.
- ◆ We continue to rely on the skilled and dedicated work of our community volunteers: 32 trained facilitators, including 10 who completed our most recent 62 hour training program in May, and the 11 elected members of our Board of Directors. We are making plans for another recruitment and training of facilitators in the fall of 2008 in order to maintain a high quality of service in response to the sustained increase in referral rates; with nineteen referrals accepted in the last quarter, we have ended 2007 on a high level of activity! Our main current operational challenge is to continue to maintain timely service and validate the level of confidence in restorative approaches and in our service that our police and Crown partners have demonstrated this year by continued use of the program.

Preface

The Fraser-Burrard Community Justice Society is a not-for-profit organization serving the Tri-Cities area of Anmore, Belcarra, Coquitlam, Port Coquitlam and Port Moody since 1999, and New Westminster since September of 2004. During this time it has operated the Community Youth Justice Program (CYJP), a community-based restorative justice program for youth. Referrals to the program are made primarily by officers from the three police forces serving the Tri-Cities and New Westminster, in cases where a youth has admitted committing a chargeable offence and the persons harmed are willing to consider a restorative justice process as an alternative to the traditional court system.

Restorative justice is fundamentally different from retributive justice. It focuses on the harm done, rather than on the laws that have been broken. The victim, the offender and the community are invited to participate in a respectful and guided dialogue. The primary practice model of the CYJP is a resolution conference facilitated by trained community volunteers, bringing together the youths potentially facing criminal charges, the persons harmed by their acts, and supporters (such as parents, friends, or neighbours) for each. Together, they talk about the impact of the crime on each of them. They try to determine what needs to be healed, what needs to be restored and what needs to be learned from the crime. The intended results are a mutually satisfactory agreement and a healthy and transformed relationship between the participants. Completion of the terms of the agreement, monitored by the CYJP, results in closure for the participants. The harms done have been addressed in ways which have direct relevance and meaning to the persons experiencing the harm. The youths have been able to make good on an opportunity to face up to and correct the harms they have done, without taking on the stigma of a criminal record. If the parties have any contact with each other in the future, they are much more likely to be able to see each other as “people I had some trouble with, which we resolved together” than as “offenders” and “victims”.

In working towards this end result, restorative justice, and more particularly the CYJP, is guided by a number of principles¹:

1. Invite full participation and consensus.
2. Seek full and direct accountability.
3. Reunite what has been divided.
4. Heal what has been broken.
5. Strengthen the community, to prevent further harms.
6. Provide an effective alternative to the traditional justice system.

This report provides detailed statistical information on the CYJP’s activities in 2007 and documents participants’ feedback about the effectiveness of the program this year in terms of these principles.

¹ Susan Sharpe, *Restorative justice: a vision for healing and change*, Edmonton, Edmonton Victim Offender Mediation Society, 1998, 108.

Part 1: Detailed statistical information

a) Referrals

From receipt of the first referral in January 2000 to date, 259 files have been referred to the Fraser-Burrard Community Youth Justice Program. Some of these files involve multiple persons harmed, and several involve multiple accused youth. Some cases are more complex than others and require the use of more than one resolution conference. In some cases a conference has been held, but the case is still considered to be “ongoing” because an additional conference is required and has yet to be held.

Completed Conferences²:

	This year³	Program to date⁴
# of people involved in a resolution conference, including persons harmed, youth accused, and support people	106	749
# of persons harmed served ⁵	32	218
# of youth accused who have attended and completed conferences ⁶	37	250

Progress of cases:

	This year	Program to date
# of cases (incidents) referred	37	259
- # of cases returned	18	82
- # of conferences held	30	165
- # of cases ongoing ⁷	12	12

- ◆ The twelve ongoing cases together involve a total of 18 youth potentially facing charges and 15 persons harmed. These individuals are not counted in the above table showing the numbers of youth and persons harmed who have completed conferences.

² On occasion, participants deem it inappropriate to meet in person but are willing to develop an agreement and come to resolution through an indirect process such as an exchange of written information through the facilitators. Resolutions reached in this manner and the participants in these processes are included in the numbers for completed conferences.

³ “This year” column numbers are included in numbers in the “Program to date” columns.

⁴ Throughout this report, “program to date” refers to totals since the program’s first case referral in January 2000. Totals in the “program to date” column for # of cases returned, conferences held and cases ongoing will add up to the total # of cases referred. Totals in the “this year” columns will not add up to the total number of cases referred. Some case returns, conferences and ongoing work occurring in the current year are for cases originally referred during the previous year.

⁵ Persons harmed are here defined as persons who attend a resolution conference either having suffered direct personal harm from the accused youth’s actions, or representing an institution or agency, e.g. a municipality, that has suffered direct harm.

⁶ Accused youth are sometimes referred together, i.e. sometimes more than one youth is involved in an offence, but only one conference is held to resolve the conflict.

⁷ Ongoing cases are also those in which volunteer facilitators are conducting or have completed preliminary meetings with all parties who would participate in a conference, but for which no conference has yet taken place.

Reasons for returning cases to the referral source:

	This year	Program to date
Youth does not take responsibility for the offence	7	26
Persons harmed unwilling to participate	1	21
Youth moved out of area between time of incident and receipt of referral	7	17
Alternate resolution was found informally	3	13
Referral did not meet FBCJS acceptance criteria (not otherwise chargeable)	0	5

Referral Sources:

	This year	Program to date
RCMP (not including Schools Liaison Unit)	21	114
RCMP Schools Liaison Unit	2	34
Port Moody Police	4	61
New Westminster Police Service	2	17
Crown – Tri-Cities	5	21
Crown – New Westminster	2	3
Other Community Program	1	6
Self referrals	0	2
Alternative measures (probation)	0	1

Ages of youth referred (program to date) :

Of 62 youth referred in 2007, 50 were male and 12 were female. Five self-identified as being of first nations backgrounds.

- ◆ Total number of youth referred (including returned cases): 419
- ◆ Age range: 10 (self referral) to 26⁸ Average age: 15 Median age: 15
- ◆ Ages of youth (e.g.): 37 youth = 13 years 86 youth = 14 years
- 104 youth = 15 years 81 youth = 16 years 63 youth = 17 years

⁸ Although the age referral criteria for the CYJP is 17 years old or younger (Canadian youth criminal justice legislation applies to 12 to 17 year olds), we have on six occasions worked with young adults between the ages of 18 and 26, most often when they have been part of a larger group of youth referred, each of whom have admitted responsibility for a single incident in which all participated.

Of the 242 youth who have upheld their agreements:

- Total # of youth to date who have fulfilled all conditions within agreed-upon time frames.....236
- # of these 236, youth whose agreement deadline occurred in the past year and who fulfilled all conditions within agreed-upon time frames.....35
 - # of youth whose agreement is ongoing (i.e., who are progressing within agreed-upon time frames but whose deadlines have not yet passed).....6

Resolution Conference Agreements have included* (update):

	This year	Program to date
Verbal apology	17	127
Written apology	15	86
Financial restitution	10	51
Community service work	7	44
Interaction agreements	0	38
Counseling/anger mgmt/D&A prgm	5	25
Personal service work for person harmed	2	11
Remain in school	1	9
Visit to person harmed's workplace ¹¹	0	5
Social interaction with person harmed	0	3
Get a job	0	3
Remain drug free	0	3
Other ¹²	6	23

(*Agreements can, and generally do, include more than one condition.)

returned after a youth did not follow through on a commitment without providing any explanation or responding to facilitators' attempts to contact them.

¹¹ To appreciate at first hand the impact of behaviours such as vandalism. While such agreements are being negotiated, the conference facilitators are careful to make explicit a common understanding between all parties that such visits are intended as genuine learning opportunities for the youth, as opposed to occasions for shaming them in front of others.

¹² Other agreements have included essays indicating what the youth has learned from the experience (3 in 2007), public apologies, attending short term educational programs about topics such as the impact of graffiti or fire safety with agencies such as local fire departments, and drawing a poster illustrating the youth's goals in life and ways of overcoming the barriers to achieving them.

Time to complete agreement (program to date):

- ◆ Range: 0 days (completed at conference) to 1 year
- ◆ For the majority of youths involved in conferences, the agreement¹³ is completed within 2 months of conferencing (112 of the 165 agreements to date, or 68%, meet this guideline). The large majority of agreements (158 of 165, or 96%) are completed within 6 months. Generally, the earlier the completion date is set by participants, the greater the likelihood of completion. Also, the 6 month statute of limitations to send a file back to the police and subsequently to court (in the rare event of non-compliance) suggests an agreement completion date is best set before 6 months (from the date of the offence) are up. Facilitators generally encourage conference participants to consider these realities, and to set their completion dates within three months after the conference.

c) Offence Types

The cases that have been completed by the Fraser-Burrard Community Youth Justice Program have all involved offences that could have otherwise been charged and processed through the criminal justice system/youth courts, with the exception of two self referred cases, one of which involved a young person under 12 years of age and the other of which involved an adult. The following chart includes all referrals made to the CYJP, including those 64 files returned to the referral source, in order to give a complete picture of the range of offences our police partners have been willing to refer. The most prevalent offence types are mischief causing damage to property (22% of the total potential charges), assault (typically between youth) (19%), and theft under \$5000 (19%). All offences involving theft together make up 31% of the potential charges referred.

¹³ A single conference may involve more than one youth facing charges; most often, all will come to a common agreement with the person(s) harmed and supporters. To date, a total of 250 youth have entered into a total of 165 agreements.

Types of offences (# of counts)¹⁴:

	This year	Program to date
Mischief under \$5000 / attempted mischief	18	106
Assault	7	92
Theft under \$5000	11	91
Break and enter / attempted break and enter	21	61
Threats / harassment	2	20
Arson	0	18
Fraud	0	17
Possession of stolen property	2	14
Robbery	3	11
Assault with weapon	3	8
Possession of marijuana/controlled substance	1	6
Theft of vehicle	0	4
Firearms and other offensive weapons	0	3
Attempted theft from auto	0	3
Take vehicle without owner's consent	0	3
Assault police officer	0	2
Theft of mail	0	2
Uttering counterfeit bills	0	2
False police report	0	2
Hit and run ¹⁵	0	2
Possession of a break and enter instrument	0	2
Obstructing a police officer	0	2
Uttering forged document	1	1
Theft over \$5000	0	1
Drug trafficking	0	1
Driving while impaired	0	1
Attempted auto theft	0	1
Attempted armed robbery	0	1
Attempted assault	0	1
Sexual touching	0	1

¹⁴ This is not the number of youths committing offences, nor the number of referrals or active files. Some referrals include potential charges for more than one offence arising out of the same incident. For example, in one case completed this quarter, one youth was accused of two potential charges in total, but only a single conference was needed to involve all parties and resolve the incident. In another, two youths faced a total of three potential charges that were resolved in one conference.

¹⁵ Hit and run cases involve vehicles, not persons.

d) Municipalities affected (for cases referred to FBCYJP):

The files referred to our program cannot effectively be categorized as affecting one municipality or another, due to the complexities inherent in the incidents referred to us. The following breakdown reflects the municipalities that have been served through our program in one way or another, and does not include the 82 files ultimately returned to the police without resolution through the CYJP.

Municipality where the offence occurred:

	This year	Program to date¹⁶
Coquitlam	18	81
Port Moody	4	41
Port Coquitlam	10	36
New Westminster	4	14
Maple Ridge	0	2
Burnaby	1	2
Anmore	0	1

Municipality where the person harmed resides:

	This year	Program to date
Coquitlam	16	90
Port Coquitlam	18	53
Port Moody	3	46
New Westminster	3	12
N/A (Corporation, e.g., transit)	4	11
Maple Ridge	0	7
Burnaby	0	4
Pitt Meadows	0	2
Vancouver	0	2
Abbotsford	0	2
Other BC (outside Lower Mainland)	0	1
Other Canada	0	1
Surrey	0	1
Belcarra	0	1

¹⁶ Figures in the program to date columns are the totals for completed files, and non-returned files that are still in progress.

Municipality where the youth accused resides:

	This year	Program to date
Coquitlam	21	102
Port Coquitlam	14	63
Port Moody	6	51
New Westminster	6	28
Maple Ridge	0	8
Burnaby	1	7
Agassiz	0	2
Belcarra	0	2
North Vancouver	0	2
Mission	0	1
Pitt Meadows	0	1
Abbotsford	0	1

Part II: Participant feedback

A preliminary note about the 2007 data

All results in this section are based on anonymous evaluation surveys completed by the participants at the end of each resolution conference. (Sample copies of the surveys used are available upon request at the Society office.) In 2007, out of a total of 106 process participants, 44 completed surveys and granted permission for their responses to be used for public information or educational purposes (a 42% response rate).

This return rate is similar to that of the last two years but low compared to the first four years of program operation during which an average of 64% typically completed the surveys. Reviewing the files suggests that this is primarily due to instances in which processes were completed indirectly. Of the thirty restorative processes that took place in 2007, 12 (40%) were indirect processes in which for various reasons (concerns for personal safety, time pressures on owners of affected businesses) it made more sense to the parties to proceed by exchange of written information or by communication through the facilitators than by a face-to-face meeting. These 12 files involved a total of 27 participants, and as no formal resolution conferences took place, no evaluation forms were distributed.

Taking this into account, of 106 process participants there were a total of 79 who were asked to fill out evaluation forms, 44 of whom did so, for a response rate of 56%.

In several instances of face-to-face conferences, participants chose to take the evaluation forms home with self addressed stamped envelopes and return them later, rather than complete them at the time. This is an understandable choice, as at the end of a conference people often would like to take some time to reflect on and critically consider their experience rather than fill out an evaluation on the spot, when they are often quite tired. However, even with a gentle reminder by phone a week following the conference requesting that the forms be completed and returned, we estimate that only about a quarter of these participants do so.

We hope to achieve a better response rate in the future by modifying our evaluation forms to include questions relevant to other processes than face-to-face conferences, and distributing these in person, by mail or by email to all participants whatever process is used in their specific case.

Performance results January – December 2007

1. Invite full participation and consensus

A restorative justice approach is essentially inclusive: it seeks to involve all those who have been harmed or who have caused harm as full participants in its process. The core of this process is a dialogue in which everyone has the opportunity to talk about what happened and how it affected them. Together, having identified the harms done, they then come to a fair and reasonable, mutually satisfying agreement on how these can be repaired.

At the CYJP, inclusiveness of all parties is reached in a number of ways:

a. Voluntary participation. Participation with the CYJP is voluntary. A forced participant can never be a truly full partner in the dialogue. According to our survey:

Participants who felt they had a choice to participate:	100% (n=44)
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Participants named various reasons for their decision to take part in the program. Many saw the program as a learning experience, or a way to deal with a criminal incident in a more personal way than going to court. One harmed party wrote that they chose to participate “to ensure the accused understood the seriousness of their actions”. One was “curious about the offender’s motivation”. Accused youths often welcomed the program as such an opportunity to make things right. One wrote that he agreed to participate “to learn from my mistake.” A third of the accused youth openly expressed that they participated “to avoid a criminal record”. Others wrote about wanting “to deal with the people directly affected” and “to make amends”. Another simply said “Concern for the future.” A support person who responded hoped that the process would be “for the good of all parties concerned”. Supporters, most often parents or guardians of the accused youth, typically responded that they participated in order to help the youth learn through accepting responsibility. Two wrote that they wanted to understand restorative process”.

b. Open communication. The CYJP gives equal attention to the experiences of the persons harmed, the youths accused, and their respective support groups. According to our survey:

Participants who felt they could speak openly	98% (n=44)
Participants who felt others were interested in what they had to say	93% (n=44)
Youth who felt they were being understood	80% (n=15)

The CYJP helps to break down stereotypes and promotes understanding. Learning about the youth’s background and meeting their supporters often provided vital information and a larger perspective for the person harmed. “Facing the offenders and hearing their perspectives” were held to be valuable by harmed persons completing the evaluation. Another found it satisfying

to “express my feelings and be heard”. The youths as well often welcomed the opportunity to talk about the offence and to show the person harmed their regret for their actions. One youth appreciated that “my thoughts, feelings and opinions were heard”. One support person was “very pleased that (the referring police officer) was present and meaningfully contributed to the perspectives”. Four police officers attended conferences during 2007, often speaking to community safety concerns, and their hopes that the youth learns to make better choices; we hope that more will take part in the future.

c. Flexibility in process. Our facilitators work with all parties involved in a file to design a restorative process which will meet their needs. Most often, but not always, this will be a face-to-face resolution conference. In cases where this is not the most appropriate option, written exchanges of information or use of the facilitators to convey information between the parties verbally are possible, and 40% of the restorative processes which took place through the CYJP in 2007 were of this nature.

Although timely case processing is a constant concern for program staff and volunteers, taking the needs of all participants into account sometimes requires flexibility in this regard as well. Although on average since the CYJP began in 2000 it has taken 11 weeks to move from receipt of referral to a conference, on occasion other considerations in the lives of the participants can extend this period significantly. In 2007 the longest time to conference was 32 weeks, due to the youth having been admitted to a six month residential drug and alcohol treatment program just after the referral was made. When this conference did take place, at a stage in the youth’s recovery considered appropriate by his program supervisor, the participants were satisfied with the outcome, which included a written apology and a commitment to continue with counseling following the program’s completion.

2. Seek full and direct accountability

The traditional criminal justice system does not require a youth accused to take responsibility for his or her actions. In fact, it encourages an accused to remain silent and deny all charges, unless there is compelling evidence against him or her. A restorative justice approach sees this as a missed opportunity. For both the person harmed and the youth accused, an acceptance of responsibility could mean a sense of closure and a possibility for personal growth. Furthermore, fostering accountability for behaviour promotes feelings of self-worth and increases self-esteem for many youth in conflict with the law.

The CYJP encourages offenders to take responsibility:

a. Encouraging accountability. At the CYJP, cases are only accepted when the youth accused takes responsibility for the offence and all its related aspects. In 2007, seven cases were returned because the youth accused refused to take full responsibility.

In preliminary meetings with the youth accused, the CYJP emphasizes the great importance of an admission of responsibility to the person harmed. By doing this, the risk of secondary

victimization – making the person harmed feel re-victimized through an insensitive response to a crime – is reduced. Questions about what it might mean to make things right are discussed with the youth accused in individual meetings before a conference is held. A closed-ended question in our survey showed:

Youth accused who felt they had taken responsibility and apologized	100% (n=15)
Persons harmed who felt that the youth accused had taken responsibility and apologized	100% (n=8)
Support people who felt that the youth accused had taken responsibility and apologized	100% (n=21)

The CYJP recognizes the importance an apology can hold for both the person harmed and the youth accused. Many persons harmed indicated that their expectation that the youth accused would accept responsibility for what happened and apologize was met during the conference. One person harmed wrote that the most satisfying part of the conference experience was “the offender coming clean”. For the youth, too, this is often important: “Expressing remorse” was typical of youth responses to open questions asking what they found satisfying about the process.

3. Reunite what has been divided

Crime often leaves behind an “us – them” mentality. Some persons harmed feel like they forever lost trust and faith, and now have to face a world where people are out to hurt them. Offenders feel mistreated by the system, and thus focus on their own feelings of victimization. A restorative justice response aims to tackle these misconceptions and wishes to heal the broken relationships.

The CYJP aims to reunite people through building:

- a. Understanding.** By allowing each participant to share his or her story, the CYJP promotes understanding and, sometimes, forgiveness. Through closed-ended questions in our survey, we found that:

Youth accused who said the conference helped to build understanding	100% (n=15)
Persons harmed who said the conference helped to build understanding	100% (n=8)
Support people for youth accused who said the conference helped to build understanding	100% (n=20)

For many participants, seeing the other parties and hearing them talk about what happened provides a better understanding of the crime. One youth stated that he now “understood the damage.” A parent participating in another conference stated that “her daughter understood the severity of her actions”.

b. Empathy. Through a better understanding of the crime, empathy is built and both parties are given a sense of closure. A support person wrote that they found it satisfying “having the youth say what actually happened”. A youth stated he now could understand “the personal feelings of the harmed party and his family.” Closed-ended questions showed that:

Youth accused who felt the conference helped them regain the trust and respect of their family and friends	79% (n=14)
Youth accused who felt the conference made them feel better about themselves	100% (n=15)
Persons harmed and support people who felt something positive was accomplished	97% (n=29)

c. Relationships. Both for the person harmed and the youth accused, meeting the other party can be emotionally difficult. Much effort, therefore, is put into carefully preparing all participants of a resolution conference. Through the guidance of trained volunteers, the resolution conference proceeds in a respectful and safe manner. Closed-ended questions in our survey showed that:

Persons harmed who felt meeting the youth accused was difficult	13% (n=8)
Youth accused who felt meeting the victim was difficult	47% (n=15)
Youth accused who felt having family and friends present made the conference more difficult	29% (n=14)

The thorough preparation by the volunteers often makes the atmosphere at the resolution conference much more relaxed than the participants initially anticipate. Almost half of the youth who responded nonetheless expressed that they found it difficult to meet the person harmed. A face-to-face encounter with a person one has harmed is not a soft option! Almost one-third of the youth found it challenging to have support people present at the conference, which speaks to the double role that parents often find themselves in, wishing to support the youth in taking responsibility, yet also needing to express the impact on them personally of what the youth has done. For 71% of the youth who responded, however, the presence of family or friends did not make the experience more difficult.

Open-ended questions in our survey found that the chance to build or restore healthy relationships is seen as one of the most appreciated outcomes of the conference:

Persons harmed named as most satisfying:

1. seeing the youth take responsibility
2. hearing the youth’s perspective
3. meeting the youth’s parents
4. having their questions answered
5. expressing the impact

Other satisfying aspects included a sense of closure “for both parties”, “putting faces to what was an anonymous crime”, “educating the parents of the offender”, “leaving with the feeling

that growth had occurred” and the “chance to support a young person in the community to avoid a criminal record”.

Youth accused named as most satisfying:

1. meeting the harmed party
2. being heard
3. taking responsibility for their actions
4. feeling better
5. feeling safe during the process

Other satisfying aspects included “realizing the people harmed were not mean and accusing”, “expressing remorse” and “realizing how comfortable I was speaking in a group after a while”.

Support people named as most satisfying:

1. expressing their perspectives
2. hearing the other parties’ perspectives
3. hearing the youth acknowledge their actions and express remorse
4. reaching a fair agreement
5. the open atmosphere of the conference

Other satisfying aspects included “having each harm drawn out and resolved individually”, that “the perpetrators were not defensive” and that “a realistic, meaningful plan was reached at the end”.

These results do not correspond with stereotypes of the vengeful victim and the angry offender. On the contrary, both parties seem to prefer the resolution conference precisely for the opportunity to bring people involved together in a positive, problem-solving way.

4. Heal what has been broken

Because a restorative response focuses on the harm done, it defines crime as an action that hurts people, with painful and often lasting human consequences. A central objective of all restorative justice processes, therefore, is to find ways to repair this harm. Much attention is given to the needs of the person harmed. The primary harmed party, however, is not the only one who suffers harm. Neighbours, friends and family of the person harmed may be indirectly impacted and feel that their community has become less safe. The youth’s family may also suffer harm as well, by having their son or daughter in conflict and by having to deal with complicating issues. The youth may feel more isolated and vulnerable to negative influences as a result of making wrong choices. In an effective restorative process, the hurts of all parties need to be recognized and addressed.

The CYJP attempts to heal the harm caused by a crime by:

- a. Meaningful resolution.** The CYJP recognizes the importance of achieving a tangible resolution for the person harmed. Of all the cases that have been accepted by the

CYJP, 93% have ended in an agreement (n=177, 7% of accepted cases remaining in process). 95% of the agreements made have been upheld (n=165), with 242 of 250 youth (97%) in full compliance to date.

Persons harmed who felt the conference had resolved the conflict	100% (n=8)
Youth accused who felt the conference had resolved the conflict	100% (n=15)
Support people who felt the conference had resolved the conflict	100% (n=21)

Persons harmed who thought the agreement would significantly repair the harm	100% (n=8)
Youth accused who thought the agreement would significantly repair the harm	87% (n=15)
Support people who thought the agreement would significantly repair the harm	100% (n=19)

Often the underlying conflicts between participants are much broader than the particular incident for which charges could potentially be laid (for example, on-going long-term struggles within a single family). In such cases the volunteer facilitators will make referrals to other community service agencies with the capacity to assist people in longer term work.

b. Flexible, fair agreements. The agreement reached during a resolution conference is carefully constructed. Great emphasis is placed on meeting both the material and emotional needs of the person harmed and providing him or her with a sense of closure. Agreements are never punitive, but often contain restitution, healing and educational components.

Resolution agreements reached during 2007 have included:

Verbal apology	60%
Written apology	50%
Financial restitution	33%
Community service work	23%
Enter counseling	17%
Other (e.g. personal service for harmed party, complete school, remain drug free, complete graffiti education program, essay on lessons learned about impact of actions, etc.)	22%

(n=30, agreements usually include more than one condition)

The resolution conference gives each participant the opportunity to have input in the agreement. 100% of those responding to the survey question felt they had as much input into the resolution agreement as they wanted (n=42). Furthermore, 100% of the participants responding to the question felt their contributions to the agreement were taken seriously (n=43).

Great importance is given to making the agreement fair and feasible for everyone.

Youth accused who thought the agreement was fair for them	100% (n=15)
Youth accused who thought the agreement was fair for the person harmed	100% (n=15)
Persons harmed who thought the agreement was fair for them	88% (n=8)
Persons harmed who thought the agreement was fair for the youth accused	100% (n=8)
Support people who thought the agreement was fair for the youth accused	100% (n=21)
Support people who thought the agreement was fair for the person harmed	100% (n=21)

Persons harmed who believe the youth accused will be able to complete the agreement	100% (n=8)
Support people who believe the youth accused will be able to complete the agreement	100% (n=20)
Youth accused who believe they will be able to complete the agreement	100% (n=15)

The fact that so many participants believe the youth accused will complete the agreement is a good indicator of the quality of the agreement. It means that the agreement is fair, and that the needs, strengths and logistical limitations of the youth accused are taken into account. Persons harmed, youth accused and support people occasionally mentioned in both open- and closed-ended questions that reaching “a fair agreement” was satisfying. Overall, however, comparatively little comment was dedicated to the resolution agreement; participants instead focused on the process, appreciating an opportunity for understanding and closure. (One harmed party approved of the way restorative process encourages the parties “to deal with the issue and solve problems”.) This observation is consistent with what various authors in restorative justice literature have stated¹⁷: emotional healing is often much more needed and appreciated than material or financial restitution.

5. Strengthen the community, to prevent further harms

The community is often a forgotten party in the traditional criminal justice system. Restorative justice approaches, on the other hand, consider that active community participation is essential to creating safe and healthy communities. Community members and agencies have the ability and resources to respond to the harms of much crime and ultimately to restore and re-integrate persons harmed and youth accused into the community.

¹⁷ Lode Walgrave, *Met het oog op herstel: bakens voor een constructief jeugdsanctierecht*, Leuven, Universitaire Pers Leuven, 2000, 178; Mark Umbreit, *Victim impact of restorative justice conferencing with juvenile offenders*, <http://ssw.che.umn.edu/rjp>; Heather Strang, *Restoring persons harmed: an international view*, paper presented at the Restoration for persons harmed of crime conference, Melbourne September 1999.

The CYJP aims to strengthen communities by:

a. Involvement. The CYJP invites all community members involved in and affected by a crime to participate in the resolution conference. Having support people present provides an opportunity to create a sense of community and mutual responsibility.

Persons harmed who felt it was important to have support people at the conference	71% (n=7)
Support people who felt it was important to participate in the conference	95% (n=21)
Support people who valued the opportunity to meet the person harmed or the youth accused	84% (n=19)

b. Prevention. In strengthening the community, the FBCYJP hopes to prevent future harms.

Youth accused who believed the conference experience would stop them from committing future crimes	100% (n=15)
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This year the CYJP has received two repeat referrals. We are due for an updated assessment of revisionism this coming year; when we last did such an assessment in 2005, police records indicated that 85% of youth who had participated in conferences since the start of the program had not re-offended within one year of their conference date. Recidivism statistics, however, are only partially useful as indicators of success, since it is difficult to know whether the youth that took part in our program would have re-offended had there been no intervention, or a criminal conviction and sentence following a guilty plea.

c. Volunteers. Resolution conferences at the CYJP are conducted by volunteer facilitators who take part in a 62 hour training program. We conducted a training program in the spring and graduated ten new facilitators, bringing our roster at year’s end to 32; as the referral volume has more than doubled in the last year and shows signs of continuing at the same rate we anticipate that the next intake and training will be in the fall of 2008. Volunteer facilitators attend ongoing training sessions for continuing education about restorative process and community resources, and for skills practice. In addition, eleven community volunteers with strong administrative, financial and organizational skills make up the Society’s Board of Directors along with representatives from the municipal councils which partially fund the program and the two municipal Family Court and Youth Justice Committees serving the Tri-Cities and New Westminster. By involving volunteers from the communities it serves in the program, the CYJP hopes to involve and empower the community.

Volunteers trained as facilitators who contributed to the CYJP in 2006	28
Participants who felt the facilitators acted neutrally	93% (n=44)

Although one harmed party and one youth each felt the volunteer facilitators they worked with were not neutral, participants were very satisfied overall with their work. The fact that the facilitators limit their personal input in a conference, but instead allow the participants to do

the talking, was especially valued. One support person wrote that the facilitators “showed strong listening skills and asked questions that helped the process move forward”. Three youth commented on the safe environment created for an open discussion to occur: one appreciated that the facilitators “were nice to everyone and listened well to all.” Another described how “all feelings were considered.” One person harmed characterized the facilitators he worked with as “positive, warm, non-judgmental and not afraid to ask hard questions.” A support person was “extremely impressed with their abilities to draw out details dealing with the youth, while being sensitive, positive and direct.”. One support person and one youth each simply wrote “Top notch.”

6. To provide an effective alternative to the traditional justice system

An approach based on restorative justice principles recognizes that not all conflict can be resolved through restorative processes. However, it does imply that an intervention by the traditional criminal justice system should be considered as a last resort rather than the first choice. Where possible, the more constructive approach of restorative justice ought to be taken.

The CYJP provides an effective alternative to the traditional justice system by:

a. Promoting restorative justice. Through its program and through its outreach activities, the CYJP introduces the police, justice professionals, schools and community agencies to a more positive and constructive way of responding to crime.

Number of cases referred to the CYJP	37
Referred cases accepted	78% (n=37)
Average time from referral to conference	11 weeks
Average time to complete resolution agreement	10 weeks

b. Meeting the needs of participants. The CYJP provides participants with a satisfactory experience of justice. Furthermore, it gives them a sense of empowerment in dealing with future conflict.

Persons harmed who were satisfied with the CYJP	100% (n=7)
Youth accused who were satisfied with the CYJP	100% (n=14)
Support people who were satisfied with the CYJP	100% (n=21)

Persons harmed who would recommend the CYJP to others	100% (n=7)
Youth accused who would recommend the CYJP to others	89% (n=14)
Support people who would recommend the CYJP to others	100% (n=19)

Many participants favored the CYJP as either a supplement or an alternative to the traditional criminal justice system. A person harmed wrote “done properly it’s a win-win for everyone,

financially cheap, direct, less bureaucratic and more meaningful than a court experience”. One youth commented that “it deals with crime in a responsible way”; another would recommend the process to “anyone else I know that would run into a similar problem to this, because it helped regain so many positive things”.

Areas for improvement

Thirty-six (82%) of the forty-four participants who completed surveys responded to an open question asking what three things they found most satisfying about the conference experience (see pages 18 and 19 above). Twenty-five (57%) responded to the subsequent survey question asking what three things they found least satisfying about the conference experience. Of these thirty-five respondents, ten wrote “nothing”, “none” or “n/a”.

Of the fifteen participants who responded with substantive comments to this question, three youth felt that the conference itself was too long, two commented on feeling nervous or scared ahead of time (one added “but then the victim was nice and it was okay”). One wrote of feeling embarrassed and one of feeling lonely. One person harmed commented on sensing hostility from one of a group of offenders during the conference, and one was dissatisfied with a decision to publish apology letters from the youth anonymously, understanding a desire not to stigmatize the youth but feeling true accountability would include a more public admission of responsibility. Two felt the meetings themselves took too much time, and one felt that the time taken between the offence and the conference was too long: “decreasing the time delay would be beneficial for parties to recall what they were thinking and feeling at the time of the harm”. Two support people also expressed frustration at the length of time between the offence and the conference, and one found the forum itself too long. One support person for a youth felt that the harmed party had too much “air time” and one support person for a harmed party was disappointed that restitution was not part of the agreement, although they did feel that the agreement reached was achievable and would repair the harm to some extent. One harmed party felt a youth’s parent was “not cooperative.” Two youth, one harmed party and one support person commented that the room in which their conference was held was too hot and stuffy, one further commenting that the chairs were uncomfortable.

The responses to this question focused both on aspects of the experience that participants found difficult, and on critiques of the process or the facilitation. They suggest that participants are in general taking the process seriously and expecting a high quality of guidance and support from the facilitators. They also illustrate how participants recognize that this is challenging work for themselves, and acknowledge that it might not always be possible for their expectations of the other participants to be met. This feedback is valuable to the staff and co-facilitators who meet to debrief after every conference to see what areas of skills or process need improvement and plan accordingly for ongoing training. It is gratifying to see that although the experience of coming together in conference is not an easy one, 100% of respondents rated themselves as “satisfied” with their own experience of the CYJP, and 100% would recommend conferencing to others.

Conclusion

The statistics on program activity and the feedback from process participants together reflect the efforts of a dedicated group of volunteers and staff to deliver a program true to the principles of restorative justice, where participants consider the experience of the process of at least equal importance as the outcome, and where damaged relationships can begin to be transformed into healthy, caring connections. The last words go to a person harmed who stated “we all make mistakes and deserve a second chance”, and to a youth who wrote “I am thankful for a great learning experience”.