

CERA:
COMMUNITIES EMBRACING RESTORATIVE ACTION

CERA PROGRAM EVALUATION REPORT

USING PARTICIPANT FEEDBACK TO ENSURE BEST
PRACTICES, COMMUNITY INVOLVEMENT, AND
OVERALL PARTICIPATION: RECOMMENDATIONS
FOR MOVING FORWARD.

MELISSA ROBERTS, MA, BA CRIMINOLOGY
LAURA-LEE COUCH
COQUITLAM, BC

TABLE OF CONTENTS

TABLE OF CONTENTS -----	2
FUNDING AND RESEARCHERS -----	3
COMMUNITIES EMBRACING RESTORATIVE ACTION (CERA) -----	3
PURPOSE OF RESEARCH -----	3
RESEARCH PROCESS -----	4
DATA COLLECTION-----	4
CONFIDENTIALITY AND ETHICS-----	4
PHONE QUESTIONNAIRE DEVELOPMENT AND ORGANIZATION-----	5
RESEARCH PROCESS-----	6
RESULTS -----	7
SAMPLE INFORMATION-----	7
CERA PARTICIPANT DEMOGRAPHICS AND HISTORY: 2000-2009 – FILE DATA-----	7
QUANTITATIVE INTERVIEW RESULTS-----	11
QUALITATIVE INTERVIEW RESULTS-----	15
RECIDIVISM STUDY-----	16
DISCUSSION AND RECOMMENDATIONS -----	17
APPENDIX A: RAW DATA CHARTS -----	19
APPENDIX B: DETAILED INFORMATION REGARDING CLOSURE AND FOLLOW-UP -----	24
APPENDIX C: CONFIDENTIALITY AGREEMENT -----	26

CERA PROGRAM EVALUATION REPORT

USING PARTICIPANT FEEDBACK TO ENSURE BEST PRACTICES, COMMUNITY INVOLVEMENT, AND OVERALL PARTICIPATION: RECOMENDATIONS FOR MOVING FORWARD.

FUNDING AND RESEARCHERS

Funding for this research and the production of this report was provided by British Columbia Civil Forfeiture Grant through the Victim Services and Crime Prevention Division of the Ministry of Public Safety and Solicitor General.

The evaluation project was jointly conducted and produced by Melissa Roberts (BA, MA), and Laura-Lee Couch, in consultation with CERA.

COMMUNITIES EMBRACING RESTORATIVE ACTION (CERA)

CERA is a non-profit organization in Coquitlam, British Columbia which offers restorative services to Anmore, Belcarra, Coquitlam, New Westminster, Port Coquitlam, and Port Moody. CERA, formerly known as Fraser Burrard Community Justice, was established in 1999 and receives referrals from both local police forces and Crown counsel. CERA uses the group conferencing model of restorative justice to facilitate harms caused by youth referred to the program.

PURPOSE OF RESEARCH

The purpose of this evaluation is fourfold:

- To evaluate immediate satisfaction, short term satisfaction, and durable satisfaction of CERA participants.
- To assess participants feelings regarding their participation in the restorative justice process and how their involvement affected their satisfaction/confidence in the justice system.
- To evaluate CERA's operating practices through participant feedback, and suggest improvements for future practice.
- To establish assessment as a built-in component of the restorative process and make it meaningful and timely for both participants and CERA

Essentially, CERA is at a precipice of change and hearing feedback from participants about what is working and what is not will assist them in making positive and meaningful changes. These four points will be investigated in part through telephone interviews with CERA referrals mediated between 2008 and 2009. The interviews consisted of eleven questions, ten

quantitative-close ended questions and one qualitative-open ended question. The responses will be discussed later in the results section.

RESEARCH PROCESS

This section briefly outlines the research and decision making processes undertaken.

DATA COLLECTION

Participant information and contact particulars were obtained by searching through CERA's files from the years 2000 to 2009. Limited data was extracted from the files as there were varying degrees of record completeness. In other words, some files contained a myriad of detailed facts, whereas others contained scant information. As a result, contact information and a basic overview of the conference itself were missing. A number of archives lacked key information such as: the participant role (harmed party/harming party), whether a case actually went to conference, what the outcome agreement was, and whether the conditions had been satisfied. Further, issues arose with respect to much of the information in the files being handwritten. Some writing was extremely difficult to decipher thereby decreasing the accuracy of information collected. In sum, the scope of the results is restricted by the information abstracted from the files.

Throughout the years, report management appeared to be increasingly chaotic, which made gleaning information difficult and incredibly time consuming. In files from 2000 to 2004, summary sheets were included which condensed all the key specifics about the case. These pages were used as a guideline of what to gather from later files. The length of time to collect data from a single file ranged from ten minutes (in simple cases with organized file-keeping) to two hours (in complex cases with unorganized file-keeping). All information gleaned from the files were entered into an excel spreadsheet for ease of analysis and data maintenance. A total of 154 files were viewed and demographics collected. Phone interviews were only conducted with 2008 and 2009 conferences, a total of 27 mediations.

CONFIDENTIALITY AND ETHICS

This evaluation project was conducted as ethically as humanly possible, keeping in mind confidentiality, anonymity, privacy, preservation and authenticity of data, and well as security of the information itself. Efforts were made to ensure ethical guidelines and practices were followed at all times. The research process was approved by CERA and authorization was granted by the SFU research ethics board.¹ However, confidentiality and access to data posed two problems.

First, files spanned the entire ten years of CERA's practice, yet files are only to be kept for two years, and in the case of alternative measures, three years after the conclusion of the case. Initially, CERA wanted participants to be contacted from each of the ten years. In keeping with the limitation on files, only participants from 2008 and 2009 were contacted for phone

¹ SFU Ethics was required because Laura-Lee is a practicum student with the School of Criminology at SFU. It is imperative that students are not engaging in risky or ethically troubled research and therefore basic approval was needed.

interviews. Initial phone calls sought consent, where participants were told that CERA was undergoing a program evaluation and was seeking feedback to assist in the process. Questions were answered if necessary and verbal permission to contact them a second time was obtained. Once a person consented to participate, they were flagged for second phone calls.

Second, many files contained confidentiality agreements signed by participants. The disclaimer outlined the parameters in which information from the restorative conference could be disclosed. Specifically, disclosure of ongoing physical/sexual abuse or neglect, clear intention to do harm to oneself or others, need of sworn police officers or other law officials, training purposes, basic reporting information disclosed to referring agencies, and anything else specified by the signatories. This agreement prevented two things: one, collecting information from the files, and two, contacting participants for the purpose of research. The first roadblock was resolved by only utilizing non-identifying demographic-like information from files in the analysis, while the second proved much more complicated. In consultation with CERA and professors at Simon Fraser University, it was established that we (the researchers and CERA) could not contact participants from the years 2000 to 2007, since the files should have been destroyed and the organization should no longer possess them. Contacting individuals outside of the two year window could pose numerous issues, namely the “youth” who participated in the conference ten years ago would no longer be a youth, and therefore their young offender file would be closed. Participants from 2008 and 2009 could be contacted, maintaining the confidentiality agreement, by making two phone calls: one to ask individuals if they would be willing to consent to being contacted at a later date for a short phone interview with the intention of providing feedback to the organization on participant satisfaction, and the second to conduct the interview. Only participants that could be contacted and consented to participate in the interview were called a second time.

PHONE QUESTIONNAIRE DEVELOPMENT AND ORGANIZATION

The phone questionnaire was developed with a number of criteria in mind. First, the needs of the organization were considered. CERA was interested in participant satisfaction, including immediate, short-term, and durable satisfaction, and the overall experience of participants in the restorative conference. The funders for the project, a Civil Forfeiture Grant from the Ministry of Public Safety and Solicitor General, prioritized “increasing the ability for victims and community members to fully participate in the justice system (including alternative justice processes – restorative justice)... and to increase the public’s (victim, offender, community) confidence in the justice system.” Finally, with restorative justice values and main tenets in mind, the researchers felt it was important to ask specific questions about preparation, agreements, closure, and whether or not participants felt heard in the process. With these criteria in mind, the participants were asked the following eleven questions.

- **On a scale of 1 through 10, with 10 being very satisfied, how did you feel about the restorative conference?**

- **On a scale of 1 through 10, with 10 being very satisfied, how did you feel about the outcome/agreement?**

- **On a scale of 1 through 10, with 10 being very satisfied, how did you feel about your experience with the facilitators?**
- **On a scale of 1 through 10, with 10 being very well, how well do you feel CERA prepared you for the conference?**
- **Did you feel heard throughout the process?** Yes/no
- **Did you feel closure from your experience in the overall process?** Yes/no
- **Do you feel participating in restorative justice at CERA impacted your confidence in the justice system?** Yes/no
- **If you were given another opportunity to participate in restorative justice, would you choose to do it again?** Yes/no
- **Would you recommend an RJ process to others?** Yes/no
- **Choose the role that best described your participation in the restorative process?** Person harmed/Person who caused harm/Supporter/Neither
- **Do you have any further comments you would like to make?** (qualitative, open-ended)

Initially there were a total of twelve questions included, but one targeting overall experience was deemed redundant and therefore removed from the interview schedule. Throughout the interviews, it was observed that participants had difficulty answering the question regarding confidence in the justice system. This difficulty could have arisen from participants' lack of experience with the justice system as a whole. Initially, CERA had wanted a short quantitative telephone interview, but the first interview conducted indicated a need for the opportunity for participants to expand on thoughts and answers. As a result, the final question was added and any qualitative responses were recorded in addition to the quantitative responses.

RESEARCH PROCESS

Once the interview schedule and scripts were created, telephone calls were made using 2008 and 2009 data. A total of 106 numbers were available spanning 27 individual restorative conferences. Roles ranged from persons who caused harm, persons harmed, and supporters or others. All phone numbers were called, yet very few participants were actually contacted. Fewer still consented to volunteer in the research. Alongside the short two year allowance, difficulties arose in contacting participants. A large portion of contact details did not belong to the named person, they no longer lived there, the number was out of service, it was non-working, it belonged to a company or business, or it was wrong all together.

Of the remaining "correct" numbers, participants were called multiple times, at various times of the day, to obtain voluntary consent. We felt too many phone calls was not appropriate number as to not harass recipients. We did not want to upset or anger anyone causing CERA to look bad. Instead, we wanted to promote a positive experience and a good connotation associated with the organization. The decision to not leave voicemails was made out of respect

and consideration. Calling unexpectedly could cause panic and worry and therefore no messages were left. Interestingly, though no voicemails were left, numerous individuals phoned CERA back after seeing the number on their call display. If participants were reached, they were given the option to contribute or not. Those who declined cited a number of explanations including: they were not interested, it was not a good time, the mediation was stressful and they did not want to revisit it, or they did not know what CERA was or what the process was referring to. In one case, problems arose when the contact information listed for the person who caused harm was incorrect and was the phone number of the estranged father. CERA's program manager took over and spoke to the father.

Those who consented were asked when the best time to reach them again was. Arrangements were made to contact people during their suggested time. Volunteers were called back numerous times until spoken with or, in a number of cases; a message was left to arrange an interview. In this instance, voicemail was deemed appropriate as there was an established relationship and the individuals were expecting the phone calls. Several people who consented to participate were never reached despite best efforts to do so.

In total, 22 interviews were conducted. While 22 participants is considered a small sample and at least 30 participants would have been ideal, the sample is still valid and reliable as there was consistency of feedback from participants through both the quantitative and qualitative responses. Interviews varied in length from five to 45 minutes and duration depended on several factors. Predominantly, how much participants had to say outside of the quantitative questions. Interviews were carried out by the same researcher for consistency, validity, and reliability.

RESULTS

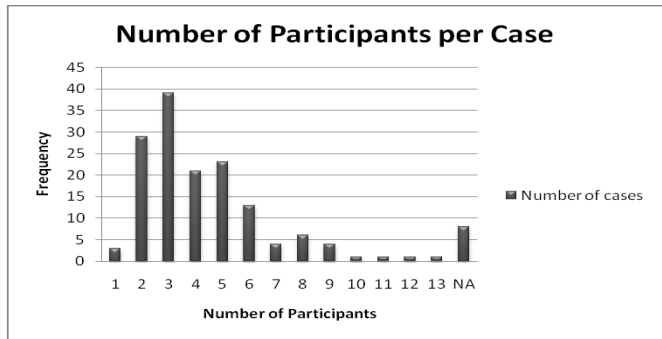
SAMPLE INFORMATION

As discussed above, there were two main sources of data – the CERA files from the years 2000 to 2009 and the interviews done with CERA participants from cases referred between 2008 and 2009.

CERA PARTICIPANT DEMOGRAPHICS AND HISTORY: 2000-2009 – FILE DATA

The ten years of files represented a total of 154 cases or conferences and involved 529 individuals.² The majority of cases had between three and six participants with a few conferences having as high as thirteen participants.

² There were 8 files in which the total number of participants was not clear.



In terms of the persons who caused harm, their ages ranged from 12 years to 23 years with the majority of participants falling in the 14-17 range. Of the total 224 persons who caused harm, 157 (70%) were male and 64 (28.6%) were female.³ The majority of persons who caused harm were referred alone, but some were referred in groups between two and six co-accused. With the exception of three groups, all groups of two or more persons who caused harm were of the same gender. Interestingly, all of the groups with five or six co-accused were all female groups.

Over the span of ten years, CERA facilitated cases with a myriad of offence types as listed in the chart below:

Offence Type	Number of cases referred with this offence
Arson	3
Assault	27
Assault plus another offence (weapon, theft, or mischief)	5
Attempt, Break and enter	1
Attempt, Armed Robbery	1
Break and Enter	7
Drinking and Driving	1
False statement to ICBC	1
Firearm and other offensive weapons	1

³ The small percentage remaining belongs to 3 individuals who were unknown sex.

Fraud	8
Harassment	1
Hit and Run (impaired – 1)	2
Mischief (graffiti, fire, window smashing, attempt theft)	39
Obstruction of police officer	1
Possession of controlled substance (marijuana)	6
Possession of stolen property	5
Posting malicious comments on internet	1
Sexual touching	1
Shooting a vehicle	1
Theft under \$5000 (shoplifting, credit card, mail)	27
Take vehicle without consent	3
Theft, break and enter, possession of stolen property	1
Theft and fraud	2
Theft of vehicle	2
Uttering forged document	1
Uttering counterfeit bill	1
Uttering threats (death, bodily harm, assault, harassment)	5
Total	154

The wide range of offence types speaks to CERA’s capacity to deal with diverse situations and offence types. As most of the “accused” are youth, the most common harms are property or theft related and assault. It is important to note that while these crimes appear to be very serious, most offence labels encompass a spectrum of severity. For example, an assault charge may result from someone pushing another. This is not to downplay the events, but to note that offence labels may not necessarily indicate severity.

During the restorative conference, participants collaboratively determine an agreement for the person who caused harm to complete in order to make things right. For CERA participants, the types of agreements reached were varied and in a number of cases combined several items together. The chart below summarizes the different types of agreements reached over the ten year span of data collection:

Agreement Type (General)	Number of cases with this type of agreement
Agreement of Interaction	1
Anger management	1
Anger management, counselling	1
Apology only (in any form)	35
Apology, addiction services	1
Apology, anger management	1
Apology, community service	11
Apology, community service, conditions	2
Apology, community service, restitution	6
Apology, conditions	9
Apology, conditions, counselling	2
Apology, conduct agreement	1
Apology, counselling	1
Apology, restitution	23
Community service hours	11
Community service hours, conditions	1
Conditions	19
Counselling	2
Counselling, conditions	1

Essay	2
Essay, apology	2
Future actions	2
Letter	1
Not known	5
Referral to resource	1
Restitution	7
Restitution, community hours	3
Restitution, conditions	1
Talk	1
Total	154

Overall, agreements containing apology, conditions, and restitution were the most popular. The agreements listed in the chart refer to the general category of the agreement types and in most cases, there were specific details outlined in the files detailing the parameters of the general category.

QUANTITATIVE INTERVIEW RESULTS

After numerous phone calls were made to participants from 2008 and 2009, a total of 22⁴ people agreed to take part in the telephone interviews. All but one individual answered every question in the interview. This section represents their answers to the quantitative questions. While this sample is quite small and may not be representative⁵ of all CERA participants, there were clear trends in the data which provide CERA with valuable information in improving practice for the future.⁶

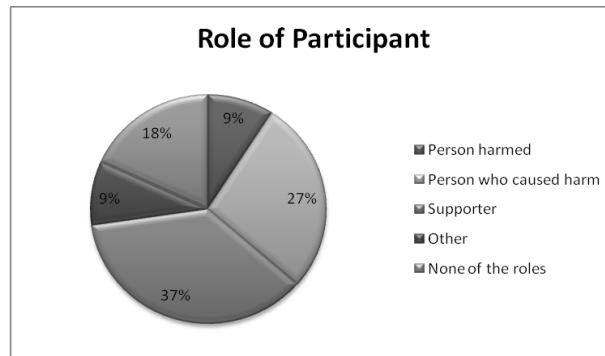
Participants were asked ten quantitative, close ended questions with one of which was a demographic questions regarding their role in the restorative process. Of the 22 people spoken to, participants fell relatively evenly into a number of different roles. There were 2 (9.1%)

⁴ Of the 22 individuals interviewed, at least four stated that they had been part of more than one conference during the 2008-2009 timeframe.

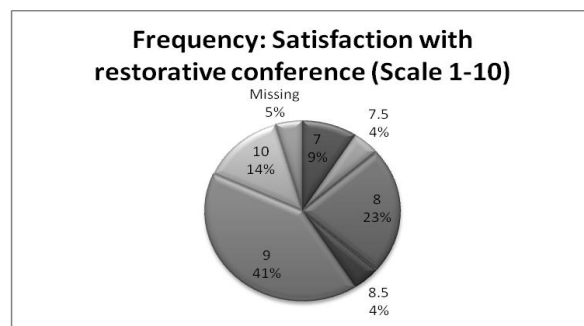
⁵ In terms of representativeness, it is unknown whether the people who agreed to participate are significantly different from those who did not agree. We do not know the participants reasons for consenting. The people who agreed could be dramatically different from those who did not.

⁶ Please see Appendix A for all of the raw data charts.

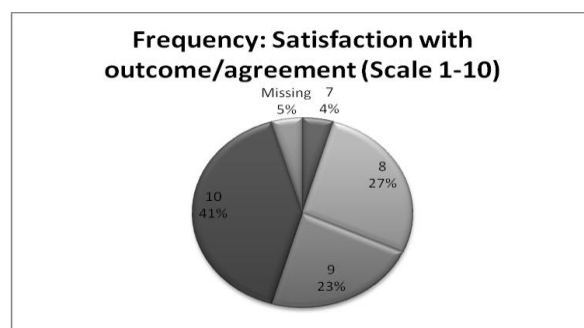
persons harmed, 6 (27.3%) persons who caused harm, 8 (36.4%) supporters, 2 (9.1%) people who felt they were more than one category, and 4 (18.2%) people felt they did not fit into any category. Interestingly, it is the person falling into the traditional “victim” role that is grossly under-represented in this study.



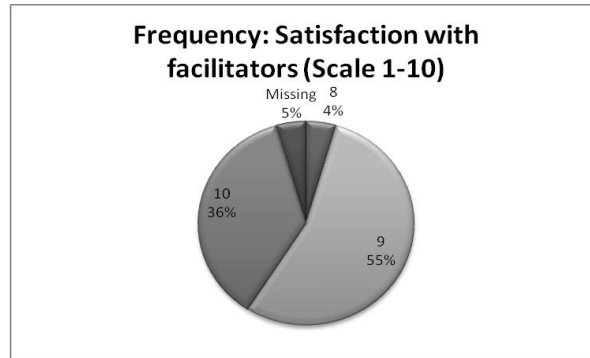
When participants were asked, on a scale of one through 10, how satisfied they felt about the restorative conference, 18 (81.8%) of the 22 participants answered an “8” or above indicating they were satisfied with the process. Of the remaining, no one answered below a “7.”



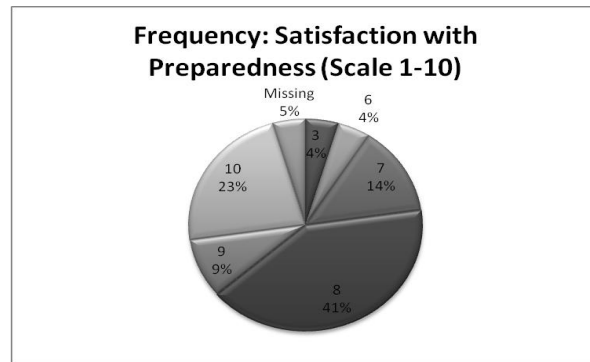
Participants were overwhelmingly satisfied with the outcome and agreement of their restorative process as indicated by 91% (20 people) of participants answering an “8” or higher.



95.5% (21 people) of participants ranked their satisfaction with their facilitators as an “8” or higher. From these results, it is apparent that CERA has well trained and competent facilitators and participants are satisfied with their experiences in the process.



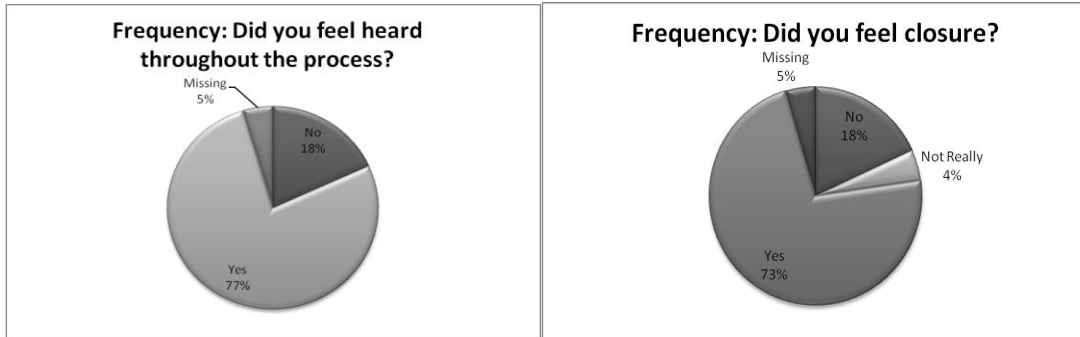
When asked about their preparation for the restorative conference, a wider range of responses were found with 1 person (4.5%) answering below “5” (score of 3), 4 people (18.2%) answering “6&7”, and 16 people (72.7%) answering “8” and above. The reasons for this variability are endless, but it is clear that, while the majority was satisfied with their preparation, there were a number of people who felt they did not receive as much preparation as they would have liked.⁷



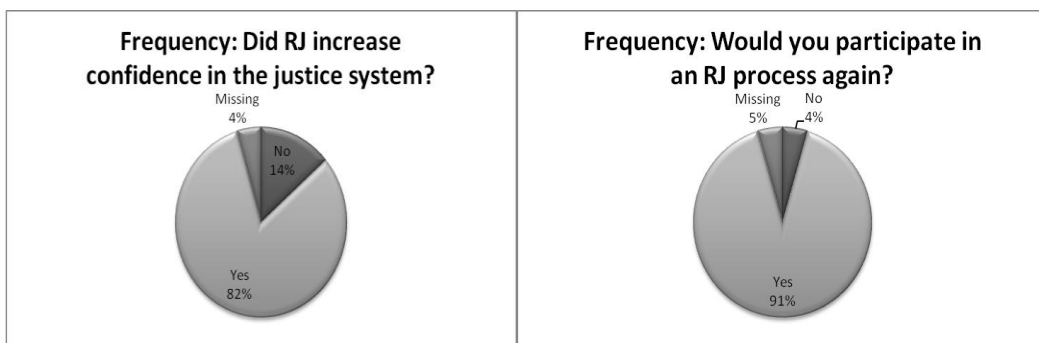
There were a number of yes/no questions asked of participants. First, participants were asked if they felt heard throughout the process. 17 people (77.3%) felt they were heard, while 4 (18.2%) did not. Delving further qualitatively into the “no” responses could have uncovered reasons why participants did not feel heard throughout the process. One of the main tenets of restorative justice is that everyone should feel included and have a chance to “say their piece” during the process. While the majority of respondents felt they were heard, it is important to uncover the reasons why others did not. Whether or not participants felt closure from their

⁷ One of the main reasons for feeling lack of preparation was surrounding misconceptions of the restorative justice process and its similarities (or lack thereof) with the formal justice process. Specifically, this was in terms of punishment, process, and presence of judicial authority.

experience with the overall restorative process was again someone split. 16 participants (72.7%) felt they did feel closure, where 4 (18.2%) felt they did not and 1 (4.5%) didn't really feel closure. Again, it is important to pay special attention to making sure people are satisfied with the outcome and whether the matter is resolved. For some, it may be as simple as having CERA follow-up with them.



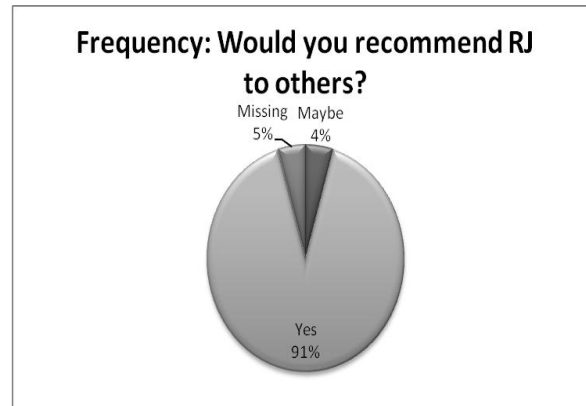
Participants were also asked if participating in restorative justice at CERA impacted their confidence in the justice system. By far, this question posed the most trouble for participants in that they did not know how to answer. This could be due to their lack of experience with the justice system as a whole. Despite their difficulties, 18 participants (81.8%) said that it did impact their confidence in the justice system while 3 (13.6%) said that it did not. Future research should ask a follow up question to determine whether this impact was positive or negative and what the impact was because this question could be interpreted in a number of ways.⁸ Participants were also asked, given the opportunity, if they would participate in restorative justice at CERA again. An overwhelming majority, 90.1% (20 participants) said that they would participate in restorative justice again with only one participant stating they would not.⁹ This positive result speaks to the long-lasting satisfaction even two years after the restorative conference.



⁸ Answering “yes” to this question could mean that it impacted confidence in a positive OR negative way.

⁹ The one individual who responded “no” to this question qualified their answer by stating that they did not want to participate again because that would mean they were in trouble with the law again.

Finally, participants were asked if they would recommend an RJ process to others. Again, most of the participants (90.9% or 20 people) said that they would, while one person said maybe.



Overall, participants were satisfied with their experience with CERA and as the results indicate, for many, it was a positive outcome.

QUALITATIVE INTERVIEW RESULTS

Initially, the interview only contained quantitative, close-ended questions, but after the first interview was done we felt participants needed an opportunity to express thoughts in a qualitative, open-ended fashion. We also determined that this would provide us with a deeper understanding of what was working and what needed improvement. The following section discusses the major themes brought up by participants when asked the question: "do you have any further comments you would like to make?" Participants said the following about their experiences:

- The process was helpful and it was a good experience in a warm and forgiving atmosphere. It was also easy to participate in. The process was handled well, honestly and straightforward.
- It was a positive learning experience that makes people take responsibility for their actions, think consciously about what they have done, and most importantly, allows people to put themselves in the shoes of others which leads to understanding. It is an eye-opening experience and allows people to get closer to one another and promote understanding.
- Allows for forgiveness, apology, restitution, and a place to talk about the problem. However, some participants felt they only spoke about the problem and not the root of the problem.

- Many participants felt a great sense of gratitude for CERA and their work. One participant stated the process made a good impression on the youth involved. In some cases, the youths have not been in trouble since.
- Restorative justice is better than going to court where the punishments are harsher and jail is a possibility. There was an acknowledgement that court could be a lot worse. The restorative justice process is a great option for kids and teens.

Participants also had a number of constructive criticisms and suggestions for improvement to add for a more positive experience:

- Punishments need to be harsher. The process was seen as a “slap on the wrist” and the punishments need to be based on the severity of the crime.
- A tighter timeframe is needed for the process. Some participants felt the mediation took too long to occur thus lessening the learning from the incident, but acknowledged that it was difficult to get people together.
- Special attention should be paid to preparation. A number of respondents felt that they needed more guidance about what to expect when they got to the mediation including explanations of the process, who would be involved, what was going to happen when, how it would work, and possible outcomes. There seemed to be some discontent with the expected outcomes versus the actual agreements reached in the conferences.
- Conversations in the conference should involve discussions of the “why” question. In other words, it is imperative for participants to not only discuss what happened, but why it did. According to restorative justice research, this aids in the closure process.
- Finally, a number of participants felt that the follow-up and closure aspect of the conference was the least well done. In the words of one participant, “[in] the first ninety yards your team did well, but not in the last ninety yards.” Participants felt there needed to be follow up where they were told about the outcome and agreements of the cases. This process should include everyone involved to let them know that agreements were reached and essentially “the score settled.” Participants felt this would aid in closure of the incident and at the very least, phone calls should be made to notify participants. Some participants felt holding a final meeting with everyone involved as a check-in and final report would be the best option.

RECIDIVISM STUDY

While recidivism is not a central measure of success in restorative justice, it is a main tenet of the criminal justice system. In combination with the present program evaluation, a recidivism study was proposed. Names of “persons who caused harm” from conferences conducted in

2008 and 2009 were submitted to the RCMP to see whether or not the individuals had come in contact with the police since the date of their conference. The information received back from the RCMP was not useable in any way because there are limits on what information can be disclosed as a result of the Privacy Act, the Youth Criminal Justice Act, and RCMP protocol. It was anticipated that we would be have meaningful information about the recidivism of CERA participants and this was not the case, therefore no information regarding recidivism is included in this report.

Overall, despite these criticisms, participants still felt their experience with CERA was positive and worthwhile.

DISCUSSION AND RECOMMENDATIONS

Participants that were contacted and consented to participate in the telephone interviews had much to say about their experiences with CERA, both things that were done well and things, in their opinion, that needed improvement. From these suggestions, as discussed in the qualitative interview results section, we suggest the following recommendations to improve CERA's practices moving into the future:

- Build the evaluation process into the restorative conferencing process. Therefore, evaluation becomes part of the organizational practice and makes constant monitoring and accountability possible. Assessment contributes to agency accountability, facilitator growth, and exercising best practices.
- Make follow-up and check-ins with conference members a consistent routine to allow further closure. Completion of the agreement should be monitored and progress relayed to all parties and follow-up should occur once the conditions have been fulfilled. Follow-up should be based on participants' needs and could be a simple phone call or could require a wrap-up meeting.¹⁰ The evaluation component should be conducted in correlation with the follow-up process. There are obviously factors outside of the control of CERA regarding closure, but every effort should be made to ensure this from the organization's side.¹¹
- Modify the participant confidentiality agreement to include "permission for research contact" which could read: *Research is a wonderful tool used to generate information that provides viable feedback on how a program can increase participant satisfaction*

¹⁰ In most cases writing an e-mail to the RCMP indicating the conditions have been met, therefore the matter is closed. CERA does contact people to let them know the matter is closed; however, for whatever reasons people are still not feeling the matter is closed or that they have closure. Perhaps the method in which they contact people needs to be more personal and intimate than an e-mail, so perhaps a phone call or a face to face meeting would meet their needs. Also, perhaps all parties must be informed the matter is closed i.e. the harmed party, the harmer, the supports, and the referring agency. Alternatively, perhaps there must be more than one mode of contact like a phone call, and e-mail, and a face-to-face meeting to create reinforcement. This could be addressed by training facilitators on how to follow through with calls, e-mails, and perhaps an additional face-to-face meeting once the conditions have been met and let all parties involved know personally the matter was resolved.

¹¹ For more detailed information regarding closure, see Appendix B.

and equip staff. Please indicate whether or not you would be willing to be contacted in the future for research purposes.¹²

- During conferences, ensure that participant questions are answered and ensure the “why?” questions are explored.
- On an administrative level, ensure that all information in files is consistent and structured using template forms to attain this and move to computer-generated notes if at all possible. This would make future collection of data from straightforward.
- Keep and store files in accordance with RCMP, Crown, and YCJA guidelines. Access to records and disclosure of records are subject to time limitations. The time periods for access to the records set out in subs. 119(2) and differ according to the way the YP is dealt with by the court and the type of offence. Access to extrajudicial measures such as warnings or cautions can be disclosed ONLY in very limited circumstances set out in subs. 119(4). After the end of the period set out in subs. 119(2), other than the YP and their counsel s.124, no access to the record can be given without a court order under s.123. Destruction of records and disclosure after the access periods have ended are dealt with in s.128 and s.123 respectively. There are special disclosure provisions and time periods for what are considered more serious offences in the schedule attached to YCJA s.120. (YCJA. PP. 56-57)

¹² Please see Appendix C for a copy of the updated Confidentiality agreement

APPENDIX A: RAW DATA CHARTS

This appendix contains charts of all the raw data for the quantitative interview questions.

<i>On a scale of 1-10, with 10 being very satisfied, how did you feel about the restorative conference?</i>		
Response	Frequency	Percent (%)
7.0	2	9.1
7.5	1	4.5
8.0	5	22.7
8.5	1	4.5
9.0	9	40.9
10	3	13.6
Missing	1	4.5
Total	22	100%

<i>On a scale of 1-10, with 10 being very satisfied, how did you feel about the outcome/agreement?</i>		
Response	Frequency	Percent (%)
7.0	1	4.5
8.0	6	27.3
9.0	5	22.7
10	9	40.9
Missing	1	4.5
Total	22	100%

On a scale of 1-10, with 10 being very satisfied, how did you feel about the experience with the facilitators?

Response	Frequency	Percent (%)
8.0	1	4.5
9.0	12	54.5
10	8	36.4
Missing	1	4.5
Total	22	100%

On a scale of 1-10, with 10 being very satisfied, how well do you feel CERA prepared you for the conference?

Response	Frequency	Percent (%)
3	1	4.5
6	1	4.5
7.0	3	13.6
8.0	9	40.9
9.0	2	9.1
10	5	22.7
Missing	1	4.5
Total	22	100%

Did you feel heard throughout the process?

Response	Frequency	Percent (%)
No	4	18.2
Yes	17	77.3
Missing	1	4.5
Total	22	100%

Did you feel closure from your experience with the overall process?

Response	Frequency	Percent (%)
No	4	18.2
Not Really	1	4.5
Yes	16	72.7
Missing	1	4.5
Total	22	100%

Do you feel participating in restorative justice at CERA impacted your confidence in the justice system?

Response	Frequency	Percent (%)
No	3	13.6
Yes	18	81.8
Missing	1	4.5
Total	22	100%

If you were given another opportunity to participate in restorative justice, would you choose to do it again?

Response	Frequency	Percent (%)
No	1	4.5
Yes	20	90.9
Missing	1	4.5
Total	22	100%

Would you recommend an RJ process to others?

Response	Frequency	Percent (%)
No	0	0
Maybe	1	4.5
Yes	20	90.9
Missing	1	4.5
Total	22	100%

Choose the role that best described your participation in the restorative process

Response	Frequency	Percent (%)
Person harmed	2	9.1
Person who caused harm	6	27.3
Supporter	8	36.4
Other	2	9.1
None of the roles	4	18.2
Total	22	100%

APPENDIX B: DETAILED INFORMATION REGARDING CLOSURE AND FOLLOW-UP

- For various reasons those that participated in the mediation conference did not feel overall closure from the event. Specific examples include the following: One Father (accused support) did not feel closure from the event because an outcome agreement was formulated that included the son paying restitution from his own pocket for the damages he created through a garbage can fire. As the son moved away and was not in direct contact with that family member the Father was never made aware if the son followed through with payments or if he was ever held accountable for the conditions agreed upon. One suggestion could include once the payment has been made phone that father and tell him his son paid. Conversely, e-mail the Father that the payment has entered the appropriate hands. Then phone the father and explain the case is now closed. The son expressed to the father he made the payment, but the Father wanted tangible proof that he could see with his own eyes or hear from an authority figure.
- Moreover, the fire chief (representative of harmed party, and there for educational purposes) involved with the same case also did not feel closure from the overall experience because he was never informed if the accused paid the restitution order. The fire chief was very curious if the conditions had been met. In other words, formulating an agreement is the beginning of healing in the eyes of those affected. To let all involved know personally through a face to face meeting, e-mail, and telephone call would increase overall closure levels. Also, this could mean that only specific cases are not feeling closure and this could be a result of a facilitator dropping the ball; therefore, during training lets work more on follow through and teach how to do so.
- Secondly, a family (accused support) did not feel closure or that a mediation had ever occurred because the harm party was not involved in the conference. The conference occurred in 2009 and, in their mind they were still waiting for a phone call from CERA to see what the next step was. The data base indicated the outcome agreement was an apology letter. The individual who was an accused supporter indicated that a letter was being formulated and given to the harmed party (so this part they were aware of). However, because they never heard anything from the harmed party and did not have feedback on how the harmed party responded of felt about the letter they did not feel closure.
- Thirdly, an interviewee (accused support) did not feel closure in the overall process as it took over one year following the incident to conduct a mediation conference. This person claimed that many things can happen to a child in the course of a year and things change over that time frame. Yes, scheduling people together is difficult and finding a facilitator to manage the case may be difficult, so how can we help you alleviate this issue? Perhaps more facilitators require training so we can always have a facilitator ready for a case. Perhaps in the initially scheduling we must give ourselves a specific time frame (i.e. two weeks)

if I do not hear back from this party in two weeks after leaving phone messages and e-mail messages the mediation will occur without this party. Further, this family has a second case referred to CERA and is waiting for a phone call indicating when a mediation will occur. They feel the ball has been dropped and that their son now has the view that breaking the law is “a joke” because there has not been follow-through. This person strongly indicated to please follow through with your cases in order to promote closure. So how can we help you do this? Perhaps stating a specific time line and going ahead with the case after that even if not all parties are involved. This person strongly suggested having a specific time frame outlined for the mediation process to occur.

- Fourthly, another supporter (not specified) felt a medial sense of closure because the accused viewed the consequences as “slack.” This person sensed the accused felt there should be a harsher more tangible punishment. This individual thought this decreased closure. As mentioned by an interviewee a solution for this dilemma may include in the preliminary meeting prior to the conference specifically outline possible outcome agreements. Make the accused very aware of the differences between the court system and restorative justice and the goals of restorative justice. The accused in this case thought the process was better than going to jail, but a stupid process overall. I think they were expecting a harsher punishment. One thing to include in the preliminary meeting is the point of restorative justice is not to punish, but rather heal what has been broken and give an illustration of what that looks like (i.e. spending the next six Saturdays mowing the lawn and spending the afternoon with your Dad to rebuild trust). Also, get the “why” question and go deep. The three accused had been smoking pot and they felt the conference got them talking about what they did, but not why and it appeared that the why needed to be addressed, but had not been and that may have contributed to the inexistence of closure.
- Fascinatingly, one trend that emerged included the majority of those that did not feel closure from the overall experience was the supporter of the accused. Therefore, perhaps this says something about that individual and they have a great need to be informed of the progress of all events. Also, the majority of contact numbers retrieved from files were that of the accused. Therefore, we may also be seeing this trend because we were able to do more interviews with someone in this role.

APPENDIX C: CONFIDENTIALITY AGREEMENT

The following is an updated version of the CERA confidentiality agreement:

Confidentiality Agreement

We, the undersigned, agree to hold all information revealed in the process of the resolution conference in strict confidence. Exceptions to this include the following, as required by law or agreed to by all parties:

- Disclosure of ongoing physical or sexual abuse or neglect.
- Clear intention to do harm to oneself or others.
- The sworn duty of police officers is to uphold the law; any indication of another criminal offence would require any police officer participating in a conference to investigate further.
- Discussion with Case/Volunteer Manager and other facilitators for training purposes. These individuals are also bound to keep information confidential, and information shared with other facilitators will not include identifying information.
- Basic information on the accused is maintained in the records of the referring police agency (the Coquitlam RCMP, Port Moody Police Department, or New Westminster Police Service). This is not a criminal record. CERA: Communities Embracing Restorative Action will only give information about the outcome of the resolution conference to the referring agency (e.g. agreement conditions, and whether or not they were fulfilled).
- Others (as specified by conference participants):

Research Contact (Optional):

Research is a wonderful tool used to generate information that provides viable feedback on how a program can increase participant satisfaction and equip staff. Please indicate whether or not you would be willing to be contacted in the future for research purposes by circling your response.

Would you be willing to consent to future contact for research purposes? Yes No

Research communications will originate in a confidence that will not be disclosed. All information will be kept confidential by not discussing or sharing facts in any form or format (e.g. police reports, facilitator notes, outcome agreements) with anyone other than the organization and fellow researchers. All data will be kept secure and returned to the agency commencing investigative tasks. After consulting with fellow researchers and the society, all records in any form or format regarding the research project that is not returnable to the association will be destroyed (e.g. information stored on a computer hard drive).