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American Humane Association (1999). *1999 family group decision making national roundtable and international evaluation conference: Summary of proceedings*. Seattle, WA: Author.

- USA: In the process of developing and implementing a family group decision-making initiative, the AHA have attempted to facilitate the sharing of information on family conferences through publications, training, research, and roundtables. This roundtable allowed experts the opportunity to present their articles/ideas on family group conferences and family group decision-making including current models and practices in the United States, Canada, and the United Kingdom. Articles address policy issues, evaluation, child welfare, cultural/ethnic aspects, communities and partnerships, and training.

Austin, G. W., Jaffe, P. G., & Hurley, P. M. (1991/1992). Incorporating children's needs and views in alternative dispute resolution approaches. *Canadian Family Law Quarterly*, 8, 70-79.

- CANADA: Describes the use of assessments, arbitration and mediation in child custody and access cases, as an alternative to the adversarial approach.

Bazemore, G. (2000). Community justice and a vision of collective efficacy: The case of restorative conferencing. In J. E. Samuels, E. Jefferis, J. Munsterman, W. Reed, & L. Winterfield (eds.) *Criminal justice 2000: Policies, processes, and decisions of the criminal justice system*, Vol. 3 (pp. 225-297). Washington, DC: The National Institute of Justice, Office of Justice Programs.

- USA: Emphasizes micro and mid-range interventions in considering the potential of restorative conferencing for community-building (i.e., changing the nature and effectiveness of the response to youth crime through citizen involvement, and building collective efficacy to sustain and expand these responses). Discussion of the origins of restorative conferencing; its applicability and generalizability (i.e., appropriateness of conferencing for serious and chronic offenders, and the applicability of conferencing in culturally diverse, low income communities); and the administration and process of four different restorative conferencing models. Four case examples used to provide understanding of the diversity of, and implications for, restorative conferencing. Three core principles of restorative justice presented (Van Ness & Strong, 1997). Exhibit 2 represents a generic theory of conferencing by displaying a three-dimensional focus on the roles and needs of victim, offender, and community. Each of the four models are shaped by four "sensitizing concepts" (i.e., offender accountability, victim empowerment, emphatic messages of disapproval, and challenging the traditional justice process). Community/citizen involvement is

important because it can make a difference for victims, offenders, and supporters for all crimes, and it lowers crime rates and improves safety. Contrast of different theories (i.e., ecological, social control, social learning). Implementation and evaluation challenges: how citizen participation can be engaged and sustained? How justice agency mandates and professional roles can facilitate citizen involvement and community building?

Bazemore, G. & Umbreit, M. (1998). *Conferences, circles, boards and mediations: Restorative justice and citizen involvement to youth crime*. Report prepared for the Balanced and Restorative Justice (BARJ) Project, Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice, 1-35.

- USA: Describes four restorative justice models: circle sentencing, family group conferencing, reparative boards and victim-offender mediation. Descriptions include: who participates, victim's role, gatekeepers, role and relationship to system, preparation, enforcement and monitoring, and primary outcome sought. Describes the primary outcomes, program goals and the lessons learned. Circle sentencing - very little research on the effectiveness of this model (study by Barry Stuart in Canada indicated that fewer offenders who had gone through the circle recidivated than those who did not). Family group conferencing (New Zealand study found that families of young offenders are more actively involved in the justice process when they participate in conferencing, and participants report that the conference process had been helpful; in the USA, preliminary program evaluation indicates high levels of victim satisfaction and high rates of compliance by offenders; reduction in victims' fears also observed). Reparative boards - little qualitative data collected on the effectiveness. Growing concern that evaluations should consider measures besides the standard offender-focused measure of recidivism. Measures should include victim and community responsiveness and satisfaction, as well as community beautification and indicators of healthy citizen relationships. Large, multi-site study by Umbreit (1994) of victim-offender programs with juveniles found 95% of mediation sessions resulted in a successfully negotiated restitution agreement to restore victims' financial losses; victims who met with their offender were more likely to be satisfied (79%) with justice system than similar victims who went through normal court process (57%); after meeting offenders, victims significantly less fearful; offenders who met with victims were far more likely to successfully complete restitution (81%) than similar offenders who did not participate (58%); and fewer offenders who participated in victim-offender mediation recidivated (18%) than similar offenders who did not participate (27%) and subsequent crimes tended to be less serious.

Bazemore, G. & Umbreit, M. (1997). *Balanced and restorative justice for juveniles: A framework for juvenile justice in the 21st century*. Joint project of the Centre for Restorative Justice and Mediation, School of Social Work, University of Minnesota, and Florida Atlantic University. Prepared for the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, 1-60.

- USA: Purpose of article is to develop a strategic approach for using restitution, reparative sanctions and related approaches as "catalysts for change" in juvenile justice systems. Examine traditional responses to criminal offending (retribution, punishment, treatment) and compare these paradigms

with characteristics of restorative justice. Objective outcome measures can be developed to determine the effectiveness of restorative justice approaches. Questions to be asked are "how 'balanced' are we and how 'restorative are we?" The balanced approach mission addresses the public need for (1) sanctioning based on accountability and provide meaningful consequences, (2) offender rehabilitation and reintegration; and (3) enhanced community safety and security. Three system goals directed toward the victim, the offender and the community: accountability, competency development and community protection.

Bazemore, G., & Umbreit, M. (1995). Rethinking the sanctioning function in juvenile court: Retributive or restorative responses to youth crime. *Crime and Delinquency*, 41(3), 296-316.

- USA: Examines the limitations of individual treatment and retributive justice, and discusses implications of restorative justice (RJ) as a framework for a new approach to sanctioning. Retributive punishment may have several counterdeterrent effects on offenders, including stigmatization, humiliation, and isolation, that may minimize prospects for regaining self-respect and the respect of the community. RJ views crime as more than simply lawbreaking - it seeks to respond to crime at the *micro* level by addressing the harm that results when a specific offense is committed, giving first priority to victim reparation, and at the *macro* level by addressing the need to build safer communities. RJ values and assumptions (balance needs of offenders, victims and community). RJ goals (hold offenders accountable for reparation of harm caused to victims by their crimes - how much reparation, resolution and reintegration is achieved) and objectives (behavioural, material, emotional and cognitive outcomes for victims, offenders, and community members; also educative objective). RJ process (relies on informal resolution of underlying problems, conflict resolution through dialogue and mediation, and efforts to achieve mutually satisfactory agreements) and due process (due process protections are also important to RJ advocates). RJ practice and implementation (if motivated by restorative values and viewed as primary sanctions rather than add-ons to other punishments and requirements, reparative sanctions can be effective tools for holding offenders accountable to victims and community).

Bazemore, G., & Umbreit, M. (1994). *Balanced and restorative justice: Program summary*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

- USA: Description of a new project that is developing model systems for community supervision of juvenile offenders based on the balanced approach mission and the restorative justice (RJ) philosophy. Description of the RJ approach: promotes maximum involvement of victim, offender, and community in the justice process and presents a clear alternative to sanctions and intervention based on retributive or traditional treatment assumptions). Balanced approach includes accountability, community protection, competency development and balance. Balanced and RJ project assists jurisdictions by providing funds for training, technical assistance and program development. Appendix - a RJ yardstick: Do victims experience justice? Do offenders experience justice? Is the victim-offender relationship addressed? Are community concerns being taken into account? Is the future addressed? (from Zehr, 1990).

Bertrand, L. D., Paetsch, J. J., Hornick, J. P., Bala, N. C., & Manyguns, L. (1997). *How to set up a youth justice committee: A community resource manual*. Prepared by the Canadian Research Institute for Law and the Family and the Native Counselling Services of Alberta. Prepared for the Department of Justice Canada.

- CANADA: Describes YJCs, benefits to the community, steps on how to set up and maintain a YJC.

Blagg, H. (1997). A just measure of shame? Aboriginal youth and conferencing in Australia. *British Journal of Criminology*, 37(4), 481-506.

- AUSTRALIA: Explores limitations of reintegrative shaming and family group conferencing as practiced in Australia. Current practices represent a shaming ceremony rather than a strategy of empowerment - questions the viability of shaming as a solution to Aboriginal over-representation. Wagga model adopted from Maori experiences imposes a westernized interpretation of Maori justice reform and crime is reduced to a positivistic and behavioural level. Practice of Wagga model has led to increased extension of police powers and discretion over Aboriginal youth. Addresses issue - To what extent can police represent neutral territory to Aboriginals with a history of exclusion and marginalization? Doubtful that Aboriginals are part of the "community" as defined in police-led reintegration ceremonies and Aboriginal cultures may not operate within a shaming paradigm of social control as practiced in conferences. The use of shaming ceremonies as a solution to Aboriginal crime assumes Aboriginal cultures understand the concept of shaming, incorporate social status in their lifestyle, and operate under the same patterns of authority and socialization as practiced in Western/European societies. Shaming ceremonies impose non-indigenous practices on Aboriginal peoples rather than reinforcing universal cultural values. No guarantee that a conference system will reduce recidivism or produce more victim satisfaction. Explains the practice of, and model behind, Juvenile Justice Teams in Western Australia, including difficulties in involving Aboriginal youth and their families in the conference process.

Bonta, J., Wallace-Capretta, S., & Rooney, J. (1998). *Restorative justice: An evaluation of the Restorative Resolutions project*. Report 1998-05. Ottawa, ON: Solicitor General Canada. Catalogue No. JS42-84/1998e.

- CANADA: Evaluation of the Restorative Resolutions (RR) project in Winnipeg (1993-1997). Meta-analysis of 14 evaluations of RJ programs demonstrated 8% decrease in recidivism (but considerable variation among studies and methodological shortcomings). Main purpose of RR was to provide a community-based alternative to incarceration. Two earlier evaluations (Richardson & Galaway, 1995; Bonta & Gray, 1996). Current evaluation results: client target selection (high attrition rate from referral to placement in program; RR was successful in targeting prison-bound offenders); doing restorative justice (RR has been relatively successful in adhering to RJ principles - victims were invited to participate, community service is almost universal feature and restitution much higher than found in probation; RR paid significant attention to meeting the needs of offenders); providing an alternative to incarceration (90% of RR clients were classified as medium

risk or higher suggesting that RR was targeting an appropriate group for diversion from prison); and reducing recidivism (offenders supervised by RR had lower recidivism compared to comparison groups of inmates and probationers). Overall, RR program achieved RJ goals and generally effective in terms of overall RJ programs.

Braithwaite, J. (1989). *Crime, shame and reintegration*. Melbourne, AU: Cambridge University Press.

- AUSTRALIA: Discusses how dominant theories fit within reintegrative shaming theory (labeling, subcultural, control, opportunity, learning) and facts a theory of crime must fit to be credible. Remainder of book describes reintegrative shaming theory (how it works, social conditions, testing the theory, white collar crime). Reintegrative shaming is best reserved for the domain where there is strong consensus, that of predatory crimes (victimization of one party by another). Individuals are more susceptible to shaming when they are enmeshed in multiple relationships of interdependency; societies shame more effectively when they are communitarian.

Braithwaite, J., & Mugford, S. (1994). Conditions of successful reintegration ceremonies: Dealing with juvenile offenders. *British Journal of Criminology*, 34(2), 139-171.

- AUSTRALIA: Advance the idea that reintegrative shaming is no small challenge, but that it is possible to effect, and thereby accomplish reduced recidivism, offender reintegration and victim satisfaction. After discussing the family or community conferencing initiatives in Australia and New Zealand, the authors outline 14 conditions for successful reintegration ceremonies in practice, developing these ideas through the earlier theoretical work of Garfinkle on conditions of successful degradation ceremonies. Several key points include the significance of getting the victim to participate, the importance of the presence of supporters for both victim and offender, the pivotal importance of the facilitator role in drawing out all parties and maintaining support for all persons, designing a plan of action. and monitoring reintegration agreements. They emphasize story-based training methods that focus on a few core principles namely empower the victim, respect and support the offender while condemning his act, engage the offender's supporters, and focus on the problem and the community not the offender and his pathologies.

British Columbia Institute on Family Violence (1996). *A review of the Canim Lake family violence program*. Vancouver, BC: Author.

- CANADA: Canim Lake Family Violence Program (CLFVP) began in 1993-94 to provide innovative assessment, treatment and aftercare services to sexual abuse offenders and victims. Program follows a 7-phase intervention for offenders and victims. Strengths of program: community has taken huge step in facing sexual abuse and providing support and treatment for victims and offenders; use of polygraph; criminal justice system and Canim Lake Band work well together; cognitive-behavioural group model of intervention seems to be theoretically and practically sound. Weaknesses: presence of offenders who have not yet faced their abusive behaviour on council; may be a reluctance to address problems; need strong administrative structure. Recommendations: CLFVP should operate at arms length from Chief and Council;

community oversight committee must be established; need to make reasoned decisions about implementing the Window in Time; important for program to balance dynamic individuals and a strong administrative structure; more staff training; evaluation - internal and external.

Burford, G. & Pennell, J. (1998a). *Family group decision-making: After the conference - Progress in resolving violence and promoting well-being: Outcome report - Volume 1*. St. John's, NF: School of Social Work, Memorial University of Newfoundland.

- CANADA: Follow-up study to assess the ability of family group decision making in reducing the reoccurrence of family violence and in promoting the well-being of child and adult family members. Approach was tested in three provincial regions to evaluate its impact in different cultures and under different socio-economic conditions. Provides overview of family group conferencing including the need for evaluation, model of intervention, implementation findings, and changing provincial context. Summarizes study's design, objectives, measures and procedures, sample, and methodological issues. Describes developments in the project families after the conference was completed (i.e., changes, enactment of the plan, and results of the conference). Examines pre- and post-levels of abuse and/or neglect in the project families according to child welfare, police, and family and compares the child welfare findings to a comparison group. Also examines pre- and post-levels of well-being for the project group by assessing the development of children and young people in seven key areas and compares assessments for the project group with comparison groups. Compares pre- and post-levels of well-being in project and comparison groups by assessing levels of social support for adult and adolescent members. Concludes by summarizing the study's major findings and the implications for policy and practice.

Burford, G., & Pennell, J. (1998b). *Family group decision-making: After the conference - Progress in resolving violence and promoting well-being: Outcome report - Volume 2*. St. John's, NF: School of Social Work, Memorial University of Newfoundland.

- CANADA: Provides the research procedures and evaluation instruments for the outcome report. Includes: chart of researcher's tasks for project family and control group; checklist, consent forms, progress report at six months and one year for the project family; pre and post tests for children's protection services and community control groups; and consent forms and protocols for focus groups and interviews for community consultants.

Burford, G., & Pennell, J. (1995). *Family group decision-making: New roles for old partners in resolving family violence - Implementation report summary*. St. John's, NF: School of Social Work, Memorial University of Newfoundland.

- CANADA: Deals with the application of the principles of New Zealand's family conferencing to cases of family violence, including some sexual abuse cases, in Newfoundland. Program was implemented as a pilot project in 1993 at three sites (Nain, St. John's and Port au Port Peninsula). Report answers numerous questions about the purpose, procedures, and impact of the initiative. Argue that the model is applicable across cultural boundaries providing there is high involvement

of local people in adapting it to their use. Deals with commonly raised questions about objectives and implementation (e.g., typical problems in setting up a family conference, dealing with the possibility of intimidation, costs, family assessments of the experience). Conclude that family group conferencing is an effective way to deal with violence and sexual abuse without discounting the seriousness of these problems.

Burford, G., & Pennell, J. (1994, May). *Family group decision making: An innovation in child and family welfare*. Paper presented at the meeting of National Research and Policy Symposium on Child Welfare, Kananaskis, AB. St. John's, NF: School of Social Work, Memorial University of Newfoundland.

- CANADA: Report on implementation review of the Family Group Decision Making model for family violence and child neglect in Newfoundland and Labrador. Model is based on the philosophy that stopping family violence requires a collaborative effort by families, communities, and public authorities. Approach is based on the New Zealand model of the family group conference which draws upon Aboriginal leadership in rebuilding traditions of "community-mindedness" (the idea of maintain caring by the extended family), feminist teachings can only be protected through their female caregivers, and the growing recognition in the justice system holding offenders accountable may not produce family alienation. Each project site had an advisory committee, community panels, project co-directors, support staff, project team, and a provincial committee. A collaborative action methodology is used to evaluate the project's implementation and outcomes which includes action for positive social change and collaboration among participants from diverse sectors and disciplines. Participant input improves the validity and quality of the data analysis, raises awareness of the situation, and facilitates monitoring of the process and outcomes. Uses a case example to illustrate how the methodology is connected to the intervention. Evaluation is designed to follow and support the conference stages (i.e., referral and preparation, holding conference, follow-up). To assess the impact, two comparison groups are used: 1st control group consists of families in each community not involved with child protection services and 2nd group consists of families involved with child protection services but who do not come to the project. Findings: need for high involvement of regional and local representatives to develop the model for use in a particular community; support of and co-operation by key departments and organizations; requires collaboration at the local and provincial levels for funding; adapting project to local cultures; refinement of the referral process to increase the number of families involved; extending support networks to family, friends, and experts; ensuring adequate and careful preparation; monitoring of referrals to ensure victim safety; addressing abuse by youth and adult perpetrators; and the requests/plans of the families are consistent with the needs of the children.

Burford, G., & Pennell, J. (1994). *Family group decision making project: One-year report*. St. John's, NF: School of Social Work, Memorial University of Newfoundland.

- CANADA: Summarizes first phase of implementation of the Family Group Decision Making Project and identifies areas for further development in the next period of operation. Overviews community involvement, project administration, coordination of sites, policy formulation, research

and evaluation, and dissemination of findings. Two proposals: a six-month extension of the current project on family violence, and a one-year demonstration project for testing Family Group Decision Making with young offenders.

Canadian Foundation for Children, Youth and the Law. (1995). *Setting up student-based peer mediation programs in partnership with the criminal justice system*. Toronto, ON: Author.

- CANADA: Justice for Children and Youth (JFCY) initiated two peer mediation projects operating at Westview Centennial Secondary School (1994) and Emery Collegiate (1995). There are some general benefits of peer mediation programs and there is the need to find alternatives to the current criminal justice system for dealing with school-related disputes. Describes school-based peer mediation in partnership with the youth justice system and includes brief descriptions of the nature of the program, procedures, and legal status. Partners in the program include the school (i.e., staff and students), police, Crown Attorney's office, and the role of justice for children and youth. Concludes with cost analysis. Chart detailing program process and/or steps.

Chatterjee, J. (1999). *A report on the evaluation of RCMP restorative justice initiative: Community justice forum as seen by participants*. Ottawa, ON: Research and Evaluation Branch, Royal Canadian Mounted Police.

- CANADA: Defines concept of restorative justice (Braithwaite, 1996; Zehr, 1990; Marshall, 1996); history of re-emergence of restorative justice; theoretical underpinnings of restorative justice; restorative justice initiatives are an extension of the Aboriginal Justice Initiative by the Federal Department of Justice (1991). RCMP adopted philosophy of restorative justice and implemented the *Community Justice Forum (CJF)* emphasizing community involvement. Expansion of initiative through 3 national *Train the Trainers workshops*. CJF's mostly used for youth and offences such as theft, assault, vandalism, bullying, property damage, drug use, drug possession, shoplifting, B&E. First report collected information from trainers and facilitators and current evaluation examines participant and facilitator perceptions of their CJF experience. Data collection methods: mail-in questionnaires, telephone interviews, personal interviews. Three variables hypothesized to be associated with restorative justice - participant overall satisfaction, participant satisfaction with process, and participant satisfaction with outcome/agreement. Findings: participants reported high levels of satisfaction overall and fairness of process and outcome, helped offenders take responsibility, some pressure on the part of victims to attend, increased control in community, allowing second chances for offenders. Facilitators reported open-mindedness about solving the problem, fair agreements negotiated, high likelihood of offenders honouring agreements, appropriate cases considered for the conferences, and harm realized by the offenders. Results support the restorative justice philosophy however the experiment was not controlled (i.e., no random sample, no large sample, and no systematic data collection). Recommendations and implications include training standards for facilitators, briefing prior to conference, presence of power imbalances, monitor and follow-up for agreements, applicability of CJF's to other cases, police role as gatekeepers, policies and guidelines for referrals, increased education and awareness, and documentation necessary for longitudinal analysis. Appendices - CJF Case History, Case

Histories, and Participant Questionnaire.

Church Council on Justice and Corrections (1996). *Satisfying justice: Safe community options that attempt to repair harm from crime and reduce the use or length of punishment*. Ottawa, ON: Author.

- CANADA: Details a selection of initiatives that attempt to repair harm from crime, attend to related needs, and avoid or significantly reduce the use of custody (i.e., Restorative Solutions, Kwalin Dun Community Justice, Community Holistic Circle Healing Program, Pro-Services, Victim Compensation Project for Youth, Family Group Conferences, Circles of Support and Accountability, etc.). Outlines initiatives that also repair harm, attend to needs, with some implications for the reduced use or length of custody (i.e., Victim-offender mediation, Circle Sentencing, Family Group Conferencing, and Community Sentencing Panels and Youth Justice Committees). Details initiatives that attempt to avoid the use of custody, with or without some reparative elements (i.e., diversion, curative discharge program, community service orders, intensive supervision probation, family preservation model, alternative placement/residential programs, bail option programs and administrative sanctions, and client specific planning). Outlines initiatives that reduce the length of custody by alleviating the enforcement of imprisonment (i.e., community-based supervision programs, release preparation for community reintegration, wilderness camps, house arrest, and electronic monitoring).

Church Council on Justice and Corrections (1995). *Family group conferencing: The Australian approach*. Ottawa, ON: Author.

- CANADA: Case study of a conference involving an assault including excerpts from the Real Justice Training Manual to describe the process of a family group conference. Explains current position of juvenile justice in Australia and defines the practice of a family group conference. Reviews history of Australian model rooted in the culture of the Maori people in New Zealand and its movement to Australia. Identifies criminological, sociological, and psychological theories supporting FGC's including the concept of re-integrative shaming proposed by Braithwaite and the Affect and Script theories proposed by Tomkins and Nathanson. Raises and answers some practical questions: What are the differences between the Australian and New Zealand models? Are family group conferences an example of diversion? Is family group conferencing not another form of mediation? What cases are suitable for conferences? How do the Australians measure success for a conference? How would a conference work for victimless crimes? Addresses some of the problems and challenges facing conferences: implementation issues (management and traditional views), change in the criminal justice system (resistance and skepticism), an expression of community policing (outside traditional mandates), obtaining participation from ethno-cultural groups (racism, hostility, trust), and gender and race inequalities. Current initiatives include Transformative Justice Australia, the Family Group Decision Making model in Newfoundland and Labrador, and school programs for youth in Australia and Canada.

Claassen, R. (1996, May). *Restorative justice - Fundamental principles*. Presented at U.N. Alliance of NGOs Working Party on Restorative Justice.

- USA: Lists 11 principles of RJ: crime is primarily an offence against human relationships and secondarily a violation of law; crime is wrong and should not occur and after it does there are dangers and opportunities; RJ is a process to make things as right as possible; primary victims are the ones most impacted by the offence; as soon as immediate victim, community and offender safety concerns are satisfied, the situation is a teachable moment for the offender; respond to the crime at the earliest point possible and with the maximum amount of voluntary co-operation and minimum coercion; prefer that most crimes are handled using a cooperative structure; not all offenders will choose to be cooperative; offenders who pose significant safety risks and are not yet cooperative be placed in settings where the emphasis is on safety, values, ethics, responsibility, accountability and civility; require follow-up and accountability structures utilizing the community as much as possible; encourage the role of community institutions.

Clairmont, D. (1999). *The Nova Scotia restorative justice initiative: Research design report*. Prepared for the Department of Justice, Ottawa, ON.

- CANADA: Nova Scotia Restorative Justice Initiative is put into theoretical and policy perspective by reproducing the paper "From Margins to Mainstream"; two phases of restorative justice (the 1960s and 1970s in western societies and the 1990s in the international arena). Introduces Restorative Justice Initiative by the Department of Justice in Nova Scotia (features - currently for young offenders, socio-economically different regions, four entry points, total range of offences); presents the framework for evaluation (i.e., evaluation objectives, tasks and methods, phases and deliverables, and work plan timetable); purpose of evaluation is to provide a process and outcome evaluation and cost-benefit analysis of the initiative; research design formulated through a logic model approach - logic models for assessing change, restorative justice change, assessing the reducing recidivism objective, improved victim satisfaction, assessing the increasing public confidence in CJS objectives, strengthening communities' objective, and the cost-benefits objective (tables included); preparation for the evaluation (activity and design re-specifications); acceptance of a research design (details the 7 groups of interest consulted on evaluation design issues and main outcomes of the consultations); 3 major evaluation foci (overall project-level evaluation, chief comparisons to be drawn, and development of research evaluation instruments).

Clairmont, D., & Linden, R. (1998). *Developing and evaluating justice projects in Aboriginal communities: A review of the literature*. Ottawa, ON: Solicitor General of Canada.

- CANADA: Annotated bibliography of Aboriginal justice issues and initiatives, including circle sentencing, adult diversion programs, alternative dispute resolution and conferencing. Focuses on evaluations, manuals and programs. Relevant restorative justice materials include papers on circle sentencing, restorative justice, diversionary conferences in Australia, and changing directions in criminal justice. Describes specific programs such as the Four Circles of Hollow Water, Family Group Decision-Making Project in Newfoundland and report by the Church Council on Justice and Corrections which is a story-based compendium of 100 justice initiatives. Major themes from the literature include the need to prepare for project implementation, selecting the right staff,

networking with mainstream criminal justice personnel, equity in carrying out a program, involving the community at large, communicating about a program's goals and objectives, and reporting on assessments.

Coates, R. B. (1990). Victim-offender reconciliation programs in North America: An assessment. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 125-134). Monsey, NY: Willow Tree Press Inc.

- USA: Describes origins of VORP, how it operates, impacts and pitfalls. The majority of programs are for juveniles who committed property crime (vandalism, burglary, shoplifting), although a few work with crimes against the person. Study by Coates and Gehm (1988) found about 60% of victims invited to participate became involved in face-to-face mediation. When mediation occurred, about 90% signed a contract agreeable to both parties and about 90% of restitution was successfully completed within a year. Victims and offenders report very high levels of satisfaction. May not be alternative to incarceration - Coates and Gehm found that in only about 20% of cases were the offenders likely to have gone to jail. Important outcome of VORP is participation and involvement of community. Research needs: descriptive data across programs, outcome studies in urbanized and racially diverse settings, outcome and process studies for programs specializing in serious personal crimes, case studies documenting strategies for establishing VORP. Pitfalls: not being clear where VORP fits in system (e.g., outside formal system, diversion, between conviction and sentencing, part of formal sentence); losing focus on face-to-face mediation; not involving victim; assembly line approach; potential for being engulfed by system; being closed to evaluation; losing the balance of multiple goals.

Coates, R. B., & Gehm, J. (1988). An empirical assessment. In M. Wright & B. Galaway (eds.) *Mediation and criminal justice: Victims, offenders and communities* (pp. 251-263). London, UK: Sage Publications.

- UK: Explored: How does the VORP process function? Who participates and why? How do participants evaluate it? What are the immediate outcomes? To what extent does VORP function as an alternative to incarceration? Used: official records, focus interviews with victims, offenders, probation officers, judges and prosecutors, and observation and recording of meetings; a matched sample of offenders who did not participate. Results: majority of victims, offenders, and practitioners expressed high level of satisfaction with VORP process and outcome (i.e., justice had been served, adequate punishment of the offender); victims dissatisfied with follow-up, leniency on offender fulfilling agreement, delay between crime and resolution, and time required for involvement; attitude change for ½ of victims and offenders; attitude change about crime and criminal justice (1/3); 98% success rate in obtaining written contracts when face-to-face meetings occur; unintended consequence of net-widening (VORP as a diversion program may increase sanctions or reduce reliance on incarceration); 4 models of reconciliation: normalized community conflict resolution, diversion from the formal criminal justice system, alternative to incarceration, and justice.

Correctional Service Canada (1998a). *A framework paper on restorative justice and the Correctional*

Service of Canada. Ottawa, ON: Author.

- CANADA: Provides a framework for Correctional Service of Canada in the area of restorative justice. A climate for restorative justice has been created due to concerns about the current criminal justice system alongside the special challenges restorative justice creates for the correctional environment. However, there have been a number of promising signs toward a restorative movement (i.e., public support, academic community, community-based agencies, faith communities, First Nations communities, governments, legal community, the media, victims, and international arena). Provides various definitions and principles of restorative justice. Briefly outlines the role of CSC in restorative justice - the relationship of restorative justice to the CSC Mission Statement, history of CSC and restorative practices, and current restorative justice initiatives which are primarily initiated by the Restorative Justice and Dispute Resolution Unit within CSC. Work has advanced in the areas of education, research and development, and capacity building. CSC has opportunities to contribute its expertise and to integrate restorative justice into its work. Both of these opportunities relate to the commitments of CSC in the following three areas - criminal justice reform, reintegration, and restorative work environments. Specific recommendations for each of these areas, as well as general recommendations are provided.

Correctional Service Canada (1998b). *Inventory of Canadian events and initiatives related to restorative justice*. Ottawa, ON: Author.

- CANADA: Inventory of RJ programs, organized by province/territory.

Cragg, W. (1992). *The practice of punishment: Towards a theory of restorative justice*. New York, NY: Routledge.

- CANADA: Book includes chapters on: punishment as retribution; the point of punishment; two hybrid theories (Hart's compromise solution; teleological retributivism); the function of law and the nature of legal obligation; the enforcement of law; towards a theory of sentencing - responsibility, guilt and the idea of a criminal offence; sentencing and the idea of restorative justice; towards a philosophy of punishment.

Crnkovich, M. (1996). A sentencing circle. *Journal of Legal Pluralism*, 36, 19-31.

- CANADA: Reports on observations of the first sentencing circle held in Nunavik. Description of the process (organization, participants, and sentencing decision). Little guidance by judge to participants regarding objectives of the circle and principles of sentencing. Issues: lack of preparation and communication regarding organization, no discussion of impact and harm experienced by the wife, primary focus on accused, responsibility to organize the circle diverted to one person, non-emotional or adversarial tone, language barriers restricted full participation, way to achieve accountability is unclear, and lack of role clarification. The Inuit Justice Task Force released 40 recommendations to improve the existing justice system in Nunavik which include the

importance of community participation in the organization, operation, and sentencing and the need to establish a role for Inuit customary law and tradition in the system. The use of sentencing circles for wife assault and sexual assault offenders and their impact on victims (addresses the appropriateness of circles for offences over 2 years, adequate representation of the victim, a misunderstanding about the life circumstances of victims of violence, blame and responsibility being attributed to the victim, and the imposition of a greater silence and fear). Safeguards suggested to protect women in sentencing circles include: types of cases considered, organization of the circle, proper victim representation, understanding objectives of alternatives and principles of sentencing, healing and protection of the victim, imposing that victim and offender resolve the problem together, responsibility for selecting circle participants, the misconception that community-based initiatives are Inuit-based initiatives, and the importance of addressing issues of power, gender, and culture in circles.

Crnkovich, M. (1995). *The role of the victim in the criminal justice system: Circle sentencing in Inuit communities*. Prepared for the Canadian Institute for the Administration of Justice Conference in Banff, Alberta, October 11-14.

- CANADA: Describes quantity and quality of policing, probation, and court services for Inuit communities in Canada; introduction of circle sentencing (*R.v.Moses*) as an extension of the existing system in Aboriginal communities by their corresponding judiciary; and new sentencing alternatives to address the over-representation of Aboriginals in institutions, recidivism, and increased levels of crime. The type of eligible cases, the operation of the circle, follow-up measures, and the credibility and legitimacy of the approach all depend largely on the community - currently no standards or guidelines for operation. Uses sentencing circle in Nunavik to respond to the assumptions made by justice system officials (i.e., that the alternative is rooted in Inuit culture and tradition); that if the community is involved, it is community-based alternative; the Inuit community itself; and that it is a true alternative to the existing system. Addresses issues that arise from the assumption that sentencing circles are alternatives to the existing system - the "traditional" alternative has not been subject to scrutiny or critique; an alternative to sentencing, not to all the components of the system; change and implementation are confined to a small group of individuals in the system and community, not the entire public; lack of assurances of adequate financial resources and trained individuals to respond to violent crimes.

Daly, K., & Hayes, H. (2001). Restorative justice and conferencing in Australia. *Trends and Issues in Crime and Criminal Justice*, 186. Canberra, AU: Australian Institute of Criminology.

- AUSTRALIA: Examines link between Braithwaite's concept of reintegrative shaming and New Zealand conferencing made by John MacDonald when he proposed New South Wales adopt features of the New Zealand conference model. A pilot scheme of police-run conferencing introduced in Wagga Wagga (1991) as a caution to young offenders. All Australian jurisdictions (except two) since 1993 have incorporated conferencing in their legislation. International jurisdictions using the Wagga model usually appearing in the form of cautioning or diversion. Wagga model (police-run) differs from New Zealand model (non police-run) in that it is facilitated

by a police officer and depends heavily on reintegrative shaming. Conferences discuss the offence, its impact, and outcome/agreement. Jurisdictional variation in conferencing in the kind of offences that are conferenced, amount of time allowed to complete outcomes, and degree to which a jurisdiction is involved. Table 1 (Conferencing in Australia - jurisdiction and its features, statutory basis, organizational placement, referring body, and conference purpose - Borgen, 1996, 1998; Daly, 2000). Variations in conference process and organization is critical for comparing results from different jurisdictions. Focus on recent evaluations and research in 6 Australian jurisdictions - survey and interview data on perceptions of fairness, satisfaction, and outcome (Palk, Hayes, & Prenzler, 1998; Trimboli, 2000; Cant & Downie, 1998). Re-Integrative Shaming Experiments (RISE) project - random assignment of eligible cases to court or conference - post treatment differences between the 2 groups attributed to treatment rather than individual characteristics - project tests the theory of reintegrative shaming - drunk driving cases and juvenile property and serious crime. South Australia Juvenile Justice (SAJJ) Research on Conferencing - examines whether procedural and restorative justice are present in conferences - observational, survey, and interview data - violent and serious offences only. SAJJ differs from RISE in that it analyzes conferences run on New Zealand model rather than Wagga model and does not compare court with conferences. Preliminary analyses available only for both projects. Challenges the two assumptions in literature that victims and offenders are interested in repairing harm and that they know how to act in a conference setting.

Daly, K., Venables, M., Mumford, L. & Christie-Johnson, J. (1998). *South Australia juvenile justice research on conferencing*. Technical Report No. 1: Project Overview and Research Instruments. Queensland, AU: School of Criminology and Criminal Justice, Griffith University, (December), 1-57.

- AUSTRALIA: Describes South Australia Juvenile Justice Research on Conferencing project including research questions, funding, design considerations, theoretical aims, sampling and data gathering plans, and procedures in conducting interviews with offenders and victims. SAJJ focuses on measuring: restorative justice practices and variability in the conference process and participant understanding. Data collection on 89 conferences and include: observations of conference using Briefing Observation Protocol, self-administered survey completed by conference co-ordinator and police officer, attempts made to interview all the offenders face-to-face, and attempts made to interview the victim face-to-face and by phone (for those who did not or could not attend). Follow-up face-to-face interviews also planned the following year.

Davis, R. C. (1982). Mediation: The Brooklyn experiment. In R. Tomasic & M. Feeley (eds.) *Neighborhood justice: Assessment of an emerging idea* (pp. 154-170). New York, NY: Longman.

- USA: Several models for community dispute resolution centers have been proposed with the common assumption that interpersonal disputes are better resolved in mediation than in the courts, however, there has been little empirical evidence to support this assumption. Current experiment is the first known study to employ an experimental design using random assignment to a mediation program (experimental group) or to court (control group). Primary question: whether mediation of interpersonal disputes is an improvement over the traditional court methods (i.e., does mediation

result in greater satisfaction of disputants with the adjudication process and case outcome? Does mediation reduce the likelihood of continuing interpersonal problems?) Participants (n = 465) were interviewed three times (pre-, post-, and follow-up) by staff. Majority (¾) of referred cases were 2nd degree assaults or burglaries. Many complainants failed to participate either from a refusal to participate or from a failure to appear. Due to the fact that many in experimental group were not exposed to the mediation process and that many in the control group were not exposed to the court process, any effects of the treatments needed to be very large. So, recidivism was measured by comparing all experimental cases that were mediated with all control cases that attended court. Findings: complainants in mediation had higher levels of satisfaction and fairness with mediation process compared to complainants in courts; experimental group had more positive perceptions of the offender; little evidence that mediation was more effective than court adjudication in preventing recidivism; on each recidivism measure for both the experimental and control groups, recidivism was less in the cases where the complainants failed to participate (suggesting it was more beneficial to stay home than to go to mediation or court). Explanations: the types of disputes were different for those who did and did not choose to participate; participants had strong interpersonal ties with the defendant and were more likely to report further problems; non-participants perhaps felt they had nothing to gain from the experience and thus used avoidance as their solution; cases that are least amenable to mediation involve disputes between intimates with a pattern of hostilities; less complex cases may be most appropriate for mediation, however, lack of participation in these cases has proven to be successful in avoiding recidivism.

Dignan, J. (2000). *Youth justice pilots evaluation: Interim report on reparative work and youth offending teams*. Sheffield, UK: University of Sheffield.

- UK: Part of an ongoing evaluation of the Youth Justice Pilots to examine victim contact, mediation, and reparation work. At each pilot area, interviews were conducted with at least one member of the YOT and a representative from an outside reparation agency. Overview of restorative justice in relation to the *Crime and Disorder Act* and update on progress of implementing the Act's victim consultation and reparation provisions. A brief typology of restorative justice interventions: victim consultation, support and assistance for victims and their families, letter of apology by offender, direct reparative activities for victim, direct or indirect mediation, family group or restorative conferencing, reparation that is made to the community at large, victim awareness exercises, and use of surrogate victims. Policy issues include timing and method of initial contact with victims, length of time prior to court, and court procedures for ensuring adequate information is available. Practical issues include mode of contact with victims, allocation of responsibility for victim consultation, and victim's consent. Discusses role and expectations of the courts. Policy recommendations and "good practice" proposals.

Dooley, M. (1995). *Vermont restorative justice*. Waterbury, CT: Vermont Department of Corrections.

- USA: Discusses "reparative probation" program - first level program within Vermont's new Reparative Service track of programs. It provides the courts with a sentencing option allowing offenders to make reparations to victims and the community (non-violent, low risk offenders - face-

to-face meeting with community representatives during which a reparative agreement is negotiated).

Edgar, K. (1999). Restorative justice in prison? *Prison Service Journal*, 123, 6-7.

- USA: Restorative justice offers the opportunity for prisons to become more sensitive to the harm suffered by families, to minimize the discomfort felt by families, to facilitate family discussions with staff about the prisoner's situation, and to reduce families being scrutinized prior to the offender's release. Prisons can become restorative by focusing on the offender's role (i.e., begin the healing process without the victim's presence). Acts of reparation have a history in prisons. The scope of prisoner efforts to make amends could be expanded by establishing closer links with their home neighbourhoods (i.e., moving beyond "guilt offerings" and moving toward benefits for the community). Restorative justice offers the chance to mediate conflict and crime within the prison environment itself (i.e., prisoner disputes). High incidents of prison assault and violence warrant the need for mediation between prisoner-offenders and prisoner-victims which requires a safe environment for the mediation to work. The concept of neighbourhood mediation is a practical model for the prison environment - mediator facilitates an exchange whereby the parties work out a fair and legitimate agreement (i.e., Alternatives to Violence Project). Need to establish formal mediation panels to prevent assault and victimization. Prisons can become more restorative by encouraging offenders to take responsibility, by providing greater opportunities to make amends, and by establishing formal channels of mediation.

Eliaerts, C., Dumortier, E., & Vanderhaegen, R. (1998). Critical assessment of community service and mediation for juvenile offenders in Brussels: A discussion of the project BAS. In L. Walgrave (ed.) *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997* (pp. 351-366). Leuven, BE: Leuven University Press.

- BELGIUM: Discusses community service (CS) and victim-offender mediation (VOM). Although some restorative elements seem to be incorporated in CS, a direct restitution or reparation to the victim is missing and some punitive elements are incorporated. Questions remain about the definition, organization and purposes of mediation, such as: at which level should mediation be organized, how to respect the legal rights of minors, how to prevent it from becoming an additional sanction, what are the tasks of mediators and who are they. Need to create legal rules for VOM - as long as legal rules aren't established, VOM will be a vague technique for reacting on criminal behaviour.

Eldridge, C. (1995). *YOA criminal pre-trial mediation program*. Update Report submitted to Department of Justice. Ottawa, ON: Dispute Resolution Centre for Ottawa-Carleton.

- CANADA: Examined youth component of the Criminal Pre-Trial Mediation Program. Reviews mainly the differences between the women and men cases to include comparisons of the relationships between the accused and complainant, ages at date of offence, numbers and types of

criminal charges, number of mediation agreements reached, and client satisfaction. Evidence suggests that mediation with youth is more complex because it involves relationships with a history prior to the incident. Figures include an overview of the Dispute Resolution Centre and of the criminal mediation program. An inventory of youth and adult cases for purposes of data collection. The upcoming evaluation will include the administration of a questionnaire during interviews with participants and non-participants in the mediation process to provide information on the process, short and long term impacts, and tombstone data; also will include a review of the program's statistics and an analysis of the agreements.

Ervin, L., & Schneider, A. (1990). Explaining the effects of restitution on offenders: Results from a national experiment in juvenile courts. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 183-206). Monsey, NY: Willow Tree Press Inc.

- USA: Data from 6 juvenile courts that participated in random assignment experiments. Reduction in recidivism was found among juveniles who participated in a restitution program, and this suppression effect for restitution exceeded those for traditional programs. Delinquency theory suggests three possible explanations for this: deterrence, self-image or labelling, and social integration. A test of these theories found that restitution had no effects on any of the variables proposed as linkages to recidivism. When the models were examined separately within the two treatment groups, interaction effects were observed - it appears that restitution experiences alter the predictors of recidivism. One of the most important characteristics of successful restitution programs is that they require continuing, tangible, positive action by youth; this is not found in traditional programs. For restitution programs, successful completion was the best overall predictor of reduced recidivism followed by the lawbreaker-good citizen self-image. For traditional programs, the best predictors of recidivism are their intentions and their self-image as a lawbreaker. Can conclude that restitution's impact on recidivism operates largely through the opportunity it presents for positively rewarding youths. Traditional programs offer no such opportunities.

Evans, D. G. (2000). Restorative approaches in Canada: From pre-sentence to post-sentence. *Corrections Management Quarterly*, 4(3), 43-51.

- CANADA: Describes evolution and expansion of restorative approaches in penal policy and practice. Describes main principles of restorative justice, and current Canadian programs - partnerships with police, prosecutors, voluntary agencies, faith communities, and schools at the pre- and post-sentence stages - diversion programs, community-based sentencing, community reintegration, community group conferences for parolees, support circles for sex offenders. All programs have the involvement of non-government agencies and the participation of victims. Discussion of three challenges: definitional issues (i.e., the extent and scope of restorative justice), cultural diversity (i.e., diverse population and cultural differences), and historical blindness (i.e., romanticizing the past).

Federal-Provincial-Territorial Working Group on Restorative Justice (1999, October). *Restorative justice*

in Canada: A discussion paper. Prepared for the Federal-Provincial-Territorial Meeting of Deputy Ministers Responsible for Justice, Quebec, QC.

- CANADA: Examines the roots of RJ; restorative options (core program models, RJ in Canada, international trends); and strategic issues (philosophical questions, administrative and procedural issues, communications, evaluation issues).

Fercello, C., & Umbreit, M. (1998). *Client evaluation of family group conferencing in 12 sites in 1st judicial district of Minnesota.* St. Paul, MN: Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA: 2-year FGC pilot project in 12 communities. Evaluation of client satisfaction with their involvement in the FGC process (interviews with victims, juvenile offenders, support persons). Overall found high level of client satisfaction with the FGC process.

Forsythe, L. (1994, October). *Evaluation of family group conference cautioning program in Wagga Wagga, NSW: An analysis of juvenile apprehension characteristics and reapprehension rates.* Draft report.

- AUSTRALIA: Evaluation of FGC with juveniles in Wagga Wagga (using police as facilitator). Juveniles who didn't commit very serious offences were assessed for FGC. Evaluation of recidivism (experimental group compared to control from two years previously). Findings: introduction of FGC was not associated with any net-widening effect; higher proportion of juveniles were cautioned due to FGC program; reapprehension rates remained the same (even though more cautioned).

Fowler, J. (1999). Restorative justice: A program for Nova Scotia. *Perspectives*, 23(4), 47-50.

- CANADA: Reports on implementation of a restorative justice initiative in Nova Scotia (1997). Program success depends on a system wide approach and alternatives at all points in the system, on communities to shape the programs and deliver the services, individual community ownership, collaboration and partnership with community and government, and flexibility to meet the different needs of the offenders, victims, and communities. Referring agency conducts an assessment of the case, prepares participants, facilitates forum, and conducts a follow-up. Four entry points for case referral: police entry (pre-charge), crown entry (post-charge), court entry (post conviction, pre-sentence), corrections entry (post-sentence). Seven alternative measures agencies available for first time young offenders. A national and provincial priority of the RCMP (all community representatives and officers trained to facilitate community justice forums). Long term goal of program is to provide an opportunity for all offenders to participate in a restorative justice process. Phase One includes targeting youth aged 12 and 17 and is to be implemented with the assistance of multi-disciplinary working groups. The initiative hopes to decrease recidivism rates, increase victim satisfaction, strengthen community structure, and enhance safety.

Galaway, B. & Hudson, J. (eds.) (1996). *Restorative justice: International perspectives*. Monsey, NY: Criminal Justice Press.

- **INTERNATIONAL:** Describes recent international experience with restorative justice through this collection of papers written by scholars from around the globe. The 30 articles, 5 of which focus on Aboriginal initiatives, deal with a wide range of restorative justice issues and depict the considerable diversity of restorative justice thinking and projects. In the introduction the editors identify some common themes. They indicate that at the core of restorative justice, as reflected in this book, is victim-offender reconciliation. Three elements are seen as fundamental, namely that crime is primarily conflict between individuals, that the goals of justice processes should be reconciliation and reparation, and that justice processes should facilitate the active participation of victims, offenders, and other community members. The centre-piece of the restorative justice experience is considered to be "the offender expressing shame and remorse for his or her actions, and the victim taking at least a first step toward forgiving the offender for the incident". List numerous desired outcomes for victims (e.g., a sense of closure), the offender (e.g., reintegration), and community (e.g., humanizing the justice system). Yet, the editors note that little research is reported in these chapters and little rigorous evidence is available to support the extent to which these purported outcomes are actually achieved.

Gehm, J. R. (1998). Victim-offender mediation programs: An exploration of practice and theoretical frameworks. *Western Criminology Review*, 1(1), 1-28.

- **INTERNATIONAL:** Explores what is known about victim willingness to participate in victim-offender mediation and suggests an exploratory framework to guide further investigation. Half of all potential cases drop out prior to a meeting. Few studies have directly examined what factors might account for this. Participation rates appear to be unrelated to specific victim characteristics such as gender, age, religiosity, level of education, economic status or occupation. Some preliminary evidence that when victims are white and offenders non-white, the probability of a meeting declines and this raises important policy concerns. Three theoretical frameworks are presented as potential entry points for thinking about victim participation in face-to-face encounters with offenders: restorative justice, equity theory and narrative theory.

Geudens, H. (1998). The recidivism of community service as a restitutive judicial sanction in comparison with the traditional juvenile justice measures. In L. Walgrave (ed.) *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997* (pp. 335-350). Leuven, BE: Leuven University Press.

- **BELGIUM:** Examined recidivism of juveniles who received community service (n = 214) and a matched control group who got a traditional measure (n = 200). After 18 months, juveniles with a traditional measure commit significantly more new offences than a comparable group who performed community service. Why the differences: maybe follow-up of 18 months is too short; maybe the composition of the experimental and controls differed; differences may have nothing to

do with community service but factors connected with the implementation of the measures; may be explained by elements intrinsically related to community service (perceived as fairer, proportional and gives youth the possibility to influence self-concept and future perspectives).

Government of Queensland (1998). *A commentary on the evaluation of the Queensland community conferencing pilot*, 1-10.

- AUSTRALIA: Summarizes findings and recommendations of the Queensland Community Conferencing Pilot. This commentary has been developed in the context of the changed administrative arrangements and the feedback received from key stakeholders. Some questions remain outstanding and require more comprehensive assessment: a comparative analysis of conferencing with other juvenile justice interventions with respect to costs, participant satisfaction, and recidivism; net-widening impact of diversionary referrals; analysis of the low rate of court referrals; service delivery options that will adequately address the geographical diversity of Queensland; and the under-representation of Indigenous referrals to conferencing and how conferencing might address the significant overrepresentation of Indigenous young people in the juvenile justice system. Stakeholders also raised concerns about the recommendation that police and court discretion should be significantly curtailed. This evaluation provides no evidence that conferencing, in this configuration, would be effective or useful and therefore, stakeholders believe this recommendation to be premature.

Griffiths, C. T., & Patenaude, A. (1990). The use of restitution and community service sentencing in the Canadian north: The prospects and problems of localized corrections. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 145-154). Monsey, NY: Willow Tree Press Inc.

- CANADA: Native and Inuit justice systems are based on restoration and reparation. The Anglo-Canadian justice system ignores the potential of these systems to increase self-determinism and reduce social-structural dependence. Community service, restitution, and victim-offender reconciliation are more relevant to individuals and their communities. Certain difficulties have hindered the effectiveness of community corrections programs (i.e., dependence of Indian and Inuit communities on outside government to initiate, fund, and support community corrections programs; conflict between traditional Indian and Inuit notions of conflict resolution and those represented by community service order and restitution programs; and the operational difficulties of developing and maintaining programs). Instead of utilizing the isolation and small size of NWT communities and traditional customs, community service order and restitution programs are designed and delivered by outside agencies. Community-based corrections strategies can only be effective if incorporated into a framework of localized corrections (i.e., communities and residents responsible for victim and offender needs). Principles of localized corrections include: a clear definition of who and what is the community, recognition of the unique needs of the community, decentralization of policy and program decision-making, and direct community input.

Harding, J. (1996). Whither restorative justice in England and Wales? A probation perspective. In B. Galaway & J. Hudson (eds.) *Restorative justice: International perspectives* (pp. 261-270). Monsey, NY:

- UK: Examines impact of criminal justice legislation (i.e., U.K. Criminal Justice Act 1993 and Criminal Justice and Public Order Act 1994) on the increased use of imprisonment in England and Wales. In the 1980s, a number of mediation and reparation schemes at the pre-trial or post-conviction stages were developed by probation services, but discontinued funding affected their subsequent impact. Recent national standards require probation officers to assess the impact of crime on victims, to assess the offender's attitude toward the victim and offence, and to assess his/her awareness of the consequences. The Home Office Victim's Charter (1990) requires the Probation Service to contact victims prior to the release of prisoners sentenced to life, and to take into account their feelings and anxieties in release planning. The Service is further required to contact victims within two months of sentencing in cases of serious sexual and other violent offences. For example, the Leeds Mediation and Reparation Unit provide services to victim's families prior to the release of offenders from life sentences. Johnson (1994) evaluated the program and found that victim's families appreciated being informed about offender release, and welcomed the opportunity to express their feelings about the impact of the crime. Some victims made a further effort to communicate, directly or indirectly, with the offender to discuss unresolved issues. An issue for probation is how contact with victims and relatives are managed on a post-conviction, pre-release basis? A report by the Home Office (1995) proposed that reparative principles be incorporated into community sentences through compensation to victims or unpaid work for the wider community. The report did not address the resources that would be required to restore victim-offender mediation as part of supervision plans, nor did it address how such processes should be managed.

Heise, E., Horne, L., Kirkegaard, H., Nigh, H., Peters Derry, I., & Yantzi, M. (2000). *Community reintegration project: Circles of support and accountability*. Ottawa, ON: Correctional Service of Canada.

- CANADA: Introduction: mission statement; background to the problem; contributing factors to the problem; theology of support; roles of the covenant, community, and radical Christian hospitality; guiding principles for the work of circles; and motivation for volunteering. Program model: program goals include facilitating reintegration of ex-offender into the community, reducing the risk of re-offence, and establishing a mutual agreement (includes the key components of a covenant); issue of confidentiality, collaborative relationships, and crisis intervention; profiles of needs, abilities, and resources; roles and responsibilities within the circle (i.e., leadership, decision making, group functioning, facilitator, recording secretary, professional advisors); special tasks for circle members. Selection of core members: criteria for selection of inmates; working with institutional staff and inmates prior to release. Selection of circle members: expectations of volunteers and sponsoring agency; recruitment resources; recommended policies that affect volunteers (i.e., expenses, insurance, criminal records check, and safety issues). Training volunteers: goals of volunteer training; overview of training focus areas (i.e., restorative justice and faith orientation; overview of criminal justice system; understanding sexuality and sexual deviation; sexual abuse from the victim, offender and community perspective; core member's

needs and the circle's responses; risk factors and relapse prevention strategies; group dynamics and functions of the circle; circle members' self care). Evaluation: self-monitoring and evaluation by the circle; program staff monitoring and evaluation; and institutional and CSC staff evaluation. Appendices: principal characteristics of restorative justice; release options; brochure for potential members; needs and resources profiles; volunteer application; sample covenant; guidelines for note-keeping; and surveys for core members and circle members.

Helfgott, J. B., Lovell, M., & Lawrence, C. (1998). *Citizens, victims, and offenders restoring justice: Final project report*. Submitted to the Center on Crime, Communities, and Culture of the Open Society Institute, Seattle, WA.

- USA: The Citizens, Victims, and Offenders Restoring Justice (CVORJ) Program is a prison-based program at the Washington State Reformatory (1997-98). Purpose of study was to explore the ways in which the restorative justice model may be applied in an institutional or community corrections setting. Pilot consisted of the development, implementation, and evaluation of 3 seminars on restorative justice involving victims, offenders, and citizens. Presents project plan (program development, description, objectives, goals, and evaluation methods). Project implementation (recruitment and selection, types of participants, developmental committee meetings, and seminars). Project outcomes (focus groups, participant observation, interviews, case file reviews, questionnaires, evaluator/consultant report, and a discussion of outcomes). Results show that the program was effective in achieving all 4 program goals; seminar provided a safe environment, facilitated constructive communication, and encouraged creative thinking among all groups. Comparison of the CVORJ program with the DOC Victim Awareness (VAP) program. Seminar recommendations; future project plans; media and other external attention; budget. Appendices: original project proposal, 6-month project report, questionnaires/selection interview schedules, project documents, news articles, and an article under review by the CJPR.

Helfgott, J. B., Lovell, M., Lawrence, C., & Parsonage, W. (1999). Development of the citizens, victims, and offenders restoring justice program at the Washington State Reformatory. *Criminal Justice Policy Review*, 10(3), 363-399.

- USA: Describes development of prison-based pilot study conducted at Washington State Reformatory. Purpose was to explore ways in which the RJ model may be practically applied in a correctional setting. The seminar brings together offenders, surrogate victims and community members to discuss RJ, tell personal stories about aftermath of crime and engage in dialogue. Evaluation included: pre-post questionnaires, participant observation and focus groups (list of goals and measurement included). Initial results suggest that participants were satisfied with the experience, that offenders considered the seminar a rare opportunity to express their feelings about their crimes and their victims, that participants appreciated the open dialogue and opportunity to learn about each other, and that seminar discussions fostered new ideas about how to achieve justice.

Holdaway, S., Davidson, N., Dignan, J., Hammersley, R., Hine, J., & Marsh, P. (2001). *New strategies to*

address youth offending: The national evaluation of the pilot youth offending teams. London, UK: Home Office.

- UK: Reports on development of 9 pilot, youth offending teams (YOT's) in the United Kingdom. Young offenders are referred to YOT's by the courts and police in the case of a final warning. YOT's are guided by the *Crime and Disorder Act (1998)* which defines new powers and statutory arrangements to deal with young offenders. Paper combines 3 reports written by an evaluation team for the Home Office at 6, 12, and 24 months. First report includes the basic subjects related to establishing a YOT; the second includes problems of development and requirements of the Crime and Disorder Act; and the third details the new legal provisions used by YOT workers including interviews with personnel, offenders and parents, and case study data. Issues addressed are: staffing, resources, service delivery, strategic development, reparation orders, action plan orders, parenting and child safety orders, evaluation methods, costs, final warnings, and wider impacts.

Hudson, J., & Galaway, B. (1990). Restitution program models with adult offenders. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 165-176). Monsey, NY: Willow Tree Press Inc.

- USA: A restitution program model is developed based on analysis of 11 operating restitution programs serving adult offenders. Program resources include budget and staff, victims, and offenders. Program activities include intake, loss assessments, preparation of reparation plans, monitoring and enforcement, accounting and disbursement, and reporting and termination. Program outcomes are identified as presumed beneficiaries, which may be offenders, victims, community, or criminal justice system. Figure summarizes four different patterns or models of relationships between restitution and non-restitution activities.

Hudson, J., Morris, A., Maxwell, G., & Galaway, B. (1996). *Family group conferences: Perspectives on policy and practice*. Monsey, NY: Willow Tree Press Inc.

- INTERNATIONAL: Collection of papers demonstrating the principles and practices of family group conferences (FGC) in the juvenile justice and child protection systems in New Zealand. Examples of family group conferences provided in different international settings including current research in New Zealand, Australia, England, Canada, and the United States. Elements such as offender accountability, professional roles, guiding philosophy, and family responsibility are differently stated and construed in different jurisdictions. Origins and development of the family group conference model. All chapters emphasize common assumptions underlying FGC's including the importance of the family unit and community support, allowing for consensual decision-making, providing opportunities for parent responsibility, and expressing sensitivity for family culture. FGC's represent the attempt to collaborate with families in state and criminal matters involving children. Explores issues of implementation, assesses the potential of FGC's, and addresses unresolved issues.

Hughes, S. P. & Schneider, A. L. (1990). *Victim-offender mediation in the juvenile justice system*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

- USA: Full report of the Hughes & Schneider (1989) article discussed below.

Hughes, S. P. & Schneider, A. L. (1989). Victim-offender mediation: A survey of program characteristics and perceptions of effectiveness. *Crime and Delinquency*, 35(2), 217-233.

- USA: Survey of juvenile justice organizations in the U.S. regarding mediation. Found that mediation programs are fairly widespread, often governed by private/non-profit organizations, and receive referrals primarily from the court or probation/intake officials. Most important goals noted: holding offender accountable, making victim whole, reconciling victim and offender, rehabilitating offender, and providing an alternative to institutionalization. In most programs, some offenders or offences were excluded (e.g., violent, sex offenders, chronic offenders, drug/alcohol problems, mental health problems). Majority of mediators were trained staff. Programs were found to be quite similar in structure. Final contract usually involved monetary restitution to the victim, and in most cases was monitored. Juvenile court judges were seen as providing the most support to programs. Less than half indicated that an evaluation had been done. Concept and philosophy of mediation was viewed favourably, and respondents indicated more confidence in mediation and restitution than in the more traditional dispositions of incarceration and probation.

Hyndman, M. R., Moore, D., & Thorsborne, M. (1994, Aug.). *Family and community conferencing in schools: Offering an authoritative community response to unacceptable behaviour*. Presented to at the Crime Prevention through Effective Intervention Conference, Brisbane, AU.

- AUSTRALIA: The Canberra police adopted the Wagga Wagga model and it is being applied in the Australian Capital Territory. Paper addresses concern regarding the adoption and adaptation by schools in Queensland of the Wagga model of family conferencing. Authors are optimistic that conferencing may fill the gap in school discipline and behaviour management programs. Conferencing may solve a number of problems within and beyond the school environment: offers an alternative to exclusion, appears to discourage re-offending more effectively than other forms of intervention, and may be located in a broader spectrum of participatory democratic processes. Outline current approaches to managing behaviour in schools, considers how conferencing is incorporated into a whole-school approach to managing transgressions and disputes, and considers the extent to which a school behaviour management program can incorporate conferencing as a broader approach to crime prevention.

Hyndman, M., Thorsborne, M., & Wood, S. (1996). *Community accountability conferencing: Trial report*. Queensland, AU: Department of Education.

- AUSTRALIA: One-year trial of Community Accountability Conferencing in two education regions, Metropolitan West and Sunshine Coast (1995-1996). Evaluation focused on how

effective conferencing is for dealing with incidents of serious harm in school settings. Findings indicated a high level of satisfaction for participants in terms of outcome and process, high rates of compliance with conference agreements by offenders, low rates of recidivism by offenders, higher safety levels for victims, high levels of understanding and empathy of offenders, and administrators felt conferencing reinforced school values. Some problems included: the use of volunteer controls as a basis for comparison was unsuccessful, some conferences were more effective than others, some schools ran no conferences but reported incidents that would have been appropriate for conferencing, training of school personnel was not resource efficient, and there were no differences between different ethnic/cultural groups. Recommendations suggested for all of the findings. Overall, the trial results were positive, however there are further questions regarding training, education, and the degree of uptake by schools that require further exploration.

Immarigeon, R. (1996). Prison-based victim-offender reconciliation programs. In B. Galaway & J. Hudson (eds.) *Restorative justice: International perspectives* (pp. 463-476). Monsey, NY: Criminal Justice Press.

- **INTERNATIONAL:** Prison-based victim-offender reconciliation meetings are voluntary face-to-face meetings between victims and offenders in a penal setting. Major difference between community-based and prison-based victim offender meetings is that prison meetings are not generally designed to reach restitution agreements. Prison-based VORPs focus more on reparative aspects (i.e., healing and accountability), exclude offender benefits (i.e., early release and parole considerations), and include more detailed and expansive coverage of victim issues. Examples of jail and prison-based VORPs include: Restorative Justice Project (Madison, USA), Genesee Justice (Batavia, USA), Victim/Offender Workshop (Ossining, USA), Victims and Offenders in Conciliation (Rochester, UK), Victim/Offender Reconciliation Group (Vacaville, USA), Face to Face (Newfoundland and Saskatchewan, CA), Victim-Offender Reconciliation Program (Graterford, USA), Pre-Release Mediation Program (Cambridge, CA), and Victim-Offender Mediation Pilot Project (Langley, CA). Five program descriptions provided. Operational issues are identified: none of the evaluations have been rigorous; bureaucratic resistance or official suspicion is likely; prison administration may create barriers; program philosophies are different in terms of the role of criminal responsibility; possible risk that the process may represent more value to program organizers than to participants; and a distinction must be made between prison-based VORPs and victim-offender workshops. Evaluation research of Canada's Face to Face program demonstrated that victim-offender meetings are positive (Sawatsky, 1988). Problems: Individual meetings are not likely to occur in a prison setting; restrictions on prisoner programming will reduce the number of voluntary and state efforts; prisoners want to participate but cannot due to time, space, and other limitations; many prison-based VORPs are no longer operating; and the inability to forecast the longevity of current programs. Recommendations to support the future application of VORPs in prison settings include: Wardens, superintendents, and corrections commissioners should receive more information on prison-based victim-offender reconciliation; more attention needs to be paid to the philosophical and theoretical foundations of prison-based VORPs; and more research on these programs is necessary.

Institute for the Study and Treatment of Delinquency (ISTD) (1994). *Resolving crime in the community: Mediation in criminal justice*. Report of a conference by the Institute for the Study and Treatment of Delinquency and the London Victim-Offender Mediation Network on September 23rd 1994. UK: Author.

- INTERNATIONAL: Researchers at the "Resolving Crime in the Community" conference present new and innovative mediation projects; current system denies personal involvement and commitment, exaggerates differences, has no flexibility or creativity, views punishment as primary, and satisfaction and rehabilitation as secondary. Articles on restorative justice reforms in New Zealand and Australia, victims' needs and expectations, and the practice of reintegrative shaming. Appendix includes case studies from Wagga Wagga, Australia.

Jaccoud, M. (1998). Restoring justice in native communities in Canada. In L. Walgrave (ed.) *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997* (pp. 285-299). Leuven, BE: Leuven University Press.

- CANADA: Discussion of the development of contemporary RJ in native communities. Traditional methods of conflict resolution - unrealistic to speak of a single native traditional justice, but common principles include: importance of re-establishing harmony within the group in case of conflict; flexibility of the social process in regards to conflict resolution and the restoration of social balance; involvement of influential community members seeking a solution and the absence of a specialized institution for dispensing justice. Compares native to state justice system - history of the relationship between the State and the First Nations regarding justice is a history of imposed justice. Describes community holistic circle healing in Hollow Water, Manitoba - developed to find ways to stop the cycle of sexual abuse (discusses 13 steps of program). Since its implementation in 1995, only 2 aggressors have repeated an offence but there are mixed opinion on the benefits of the approach (evaluation by Lajeunesse, 1996). Suggests adopting a double track evaluation: intra-evaluation (direct and indirect effect of the program) and inter-evaluation (comparing effect of official system to those of the program).

Kurki, L. (1999). Incorporating restorative justice and community justice into American sentencing and corrections. *Sentencing and Corrections: Issues for the 21st Century*, 3, 1-10.

- USA: Describes concepts of restorative justice and community justice. Advocates of restorative justice and community justice differ in the degree to which they become involved in the criminal justice system but are equally concerned about the possibility that new goals and principles will not be meaningfully adopted by criminal justice agencies, and the potential of guidelines and standards to reflect bureaucratic values rather than community ones. There is difficulty in documenting or estimating the impact of restorative or community justice because there is a lack of systematic data, little evaluation research is available, there is no consensus on how to measure success, and little information exists on community prosecution, courts or corrections. Details some examples of restorative justice practices: victim-offender mediation, family group conferencing, sentencing circles, reparation probation, and other citizen boards. Examples of

community justice practices include: community policing and prosecution, and other applications in courts and corrections. Reasons against a system-wide shift to incorporate restorative justice values into the current criminal justice system include: doubts that it is the best approach because it has not been fully implemented; it is unlikely to have significant or lasting effects on the criminal justice system; a double system of punishment may be created; it is likely to resort to referring only trivial cases; few resources will be saved if restorative solutions only supplement traditional punishments; practices and outcomes vary with programs and fairness requires comparable crimes and offenders to be punished equally.

Lajeunesse, T. (1996). *Evaluation of community holistic circle healing: Hollow Water First Nation - Volume 1: Final Report*. Manitoba: Thérèse Lajeunesse & Associates Ltd.

- CANADA: Hollow Water First Nations's development of the Community Holistic Circle Healing (CHCH, 1984) which is an alternative approach to dealing with sexual abuse in Aboriginal communities using a number of participants in the healing process. Details program evaluation of CHCH (1995) to include program description, program assessment, a comparison study, and a qualitative impact evaluation. Victimizers typically sentenced to 3 years probation with the condition to participate in CHCH activities (i.e., counselling, healing circles, group attendance, cultural events). Methodology: interviews, case studies, file review, literature review. Study limitations: training, sampling, interview process, file review, case studies. Dynamics of sexual assault and influencing factors of abuse in Hollow Water (i.e., the Indian Act, residential schools, assimilation, substance abuse, illness/unhealthiness, overcrowding, high unemployment, racism/internalized oppression, loss of language/culture, abuse/violence, and loss of spirituality). Overview of the CHCH approach (i.e., background and origins) and the process (i.e., staffing, 13 program phases, and program descriptions). Cultural elements that influence the CHCH process (i.e., the sacred pipe, amerindian medicine, sacred circle, sweat lodge, sun dance, vision quest, midewiwin ceremony, language and community). Interview results with victims, victimizers, families, community members, criminal justice and social service officials, and CHCH personnel presented and compared to participants from Sagkeeng First Nations (i.e., perceptions of CHCH process, violence, intervention strategies, and community services). Recommendations to enhance the delivery of services. Key findings: CHCH is more individually tailored and a culturally appropriate approach; need for increased public awareness and education; community awareness of sexual abuse appears healthier in Hollow Water than in other Aboriginal communities; lack of community participation in CHCH; participants unclear about the healing process and its purposes; demand for services have put limits on CHCH workers; the closeness of people to the community and to the CHCH workers is the greatest strength and weakness; victims and their family members are less satisfied, received less help, and participated the least; and victimizers showed a low degree of empathy and have poor awareness of their risk of re-offending.

LaPrairie, C. (1997). *Seeking change: Justice development in Laloche*. Regina, SK: Policy, Planning and Evaluation Branch, Department of Justice.

- CANADA: Reports on community justice development in Laloche, Saskatchewan. Discusses

history of the local Community Development Corporation (CDC) and the Community Justice Development projects. Identifies macro (i.e., economy, housing) and micro (i.e., violence, addictions) level factors that promote crime and disorder. Methodology involved interviews with a random sample of ordinary citizens and analysis of demographic, crime, police, courts and corrections data. Findings: crime rates in Laloche are highest in Saskatchewan; number of alcohol incidents and high crime rates are related; Laloche has the highest rate of incidents involving alcohol among select Northern communities; personal offences and failure to appear/comply are the most common offences; adults are the primary offenders rather than youths; charges are highest for liquor, traffic, and person offences; males aged 18 and 24, poorly educated, and unemployed constitute the majority of incarcerated offenders; majority of accused plead guilty but guilty pleas are higher for non-*Criminal Code* offences; and fines are the most common disposition. In order for community justice development projects to be effective in Laloche, fundamental and extensive developmental work is required, including greater clarification about the role and function of the CDC. Provides recommendations to enhance the Community Justice Development Worker Project and guidelines to establish an Alternative Measures Program.

LaPrairie, C. (1995). *Altering course: New directions in criminal justice: Sentencing circles and family group conferences*. Ottawa, ON: Department of Justice Canada.

- CANADA: Discusses sentencing circles and FGC. Creation, theory, principles and procedures of the two approaches are described and identification of some of the critical evaluation questions. Examines the role of victims and some victim responses. Argues that sentencing circles and FGC need to prove themselves before declaring success in redressing concerns with the mainstream criminal justice system. Careful evaluations of family group conferences and sentencing circles are necessary to determine if their own objectives and those of restorative justice have been met.

LaPrairie, C. & Roberts, J. V. (1997). *Circle sentencing, restorative justice and the role of the community*. Draft report.

- CANADA: Make the case for a more scholarly and critical examination of sentencing circles which have become quite extensive in Canada. Describe circle sentencing (refer to R. v. Moses) and note that it is part of the restorative justice movement which in Aboriginal communities is also taking place in the context of self-government and empowerment of communities. Raise questions regarding restorative justice initiatives: is the practice carried out as theoretically conceived? Are all legal guarantees there for offender and victim? Is the overall position of the victim better off under this approach? Is it better for the rehabilitation and education of the offenders? For what type of offences and kinds of offenders is it suitable? Is it an alternative or just another strategy? How does restorative justice impact on the community with its diversity, conflicts, and power imbalances? Discuss basic community issues such as defining the community, representing the community, community participation and involvement, and whether the community has the skills and willingness to deal successfully with chronic offenders, as well as the occasional ones. If not, might such projects merely divert resources from other more effective community initiatives? Raise questions concerning community justice roles (what is their transformative potential?) and

the many levels of accountability of these projects and initiatives - accountability to the community, the victim etc., accountability of community leaders to the community concerning such projects, and accountability of funding sources to provide technical assistance and support to projects. Question whether judges pay attention to a wide enough range of community voices in the sentencing circle format.

Latimer, J., & Kleinknecht, S. (2000). *The effects of restorative justice programming: A review of the empirical research literature*. Ottawa, ON: Research and Statistics Division, Department of Justice.

- CANADA: Brief overview of restorative justice from a historical perspective and theoretical basis. Three practice models (circles, conferences, and victim-offender mediation); four entry points (police, crown, courts, and corrections). Research issues include a definition of success (reduce recidivism, victim needs, community effects) and the effects on the criminal justice system (financial costs, justice roles, statistical accuracy). Table on research framework; table on moderating variables (i.e., entry points, models of practice, victim, mediator, community involvement, offence, offender). Presents summary of empirical results at the participant level (recidivism, victim/offender levels of satisfaction and fairness, community effects, restitution agreements and completion rates) and at the system level (cost-benefits and net-widening, the criminal justice system, and data collection). Issues such as victim/offender satisfaction and fairness levels and success in negotiation and completion of restitution agreements appear to be resolved from the literature. Gaps in the research literature: lack of controlled studies and absence of consistently used measures. Examines gaps in literature on recidivism, community effects, moderating variables, cost-benefits, the criminal justice system, and data collection. Attributes gaps to the only recent implementation and evaluation of programs and to a failure to review and evaluate programs. Need to develop a set of indicators to be consistently applied across programs and jurisdictions; ensure programs are restorative in nature and adhering to a restorative model; a need for a set of criteria for measuring success; presents research questions important to the continuous study of restorative justice (table).

Launay, G., & Murray, P. (1989). Victim/offender groups. In M. Wright & B. Galaway (eds.) *Mediation and criminal justice: Victims, offenders and community* (pp. 113-131). London, UK: Sage Publications.

- USA: Victims and Offenders In Conciliation (VOIC) allows burglary victims to meet young offenders convicted and incarcerated of similar burglary crimes. Program objectives are to help victims come to terms with the burglary and to confront offenders with the results of crime. Theoretical basis for VOIC's was influenced by an interest in the needs of victims and by a shift in thinking about offender rehabilitation. Other victim/offender groups in custodial settings include the Western State Hospital experiment (USA), the Maidstone Prison program (UK), and the Avon Probation Service (USA). Provides framework describing the different schemes for surrogate victims and offenders; table includes stages at which conciliation process occurs (i.e., pre-conviction to post-sentence), who is involved (i.e., individual, group, or community), and corresponding program names. Outlines referral system for victims and offenders, how victims and offenders are matched according to offence type, and VOIC process. Briefly addresses some

key issues: actual vs. unrelated victim and offender, groups vs. one-to-one meetings, sentenced vs. unsentenced offenders, custodial vs. non-custodial schemes, type of offence, types of victim and offender, risk of exploitation, and role of facilitator. Evaluation outcomes reveal some evidence suggesting that promoting a better understanding between victim and offender has been achieved and also describes participant reactions after meetings occurred. Evaluation of VOIC includes two phases: pre- and post-questionnaires administered to victim and offender participants; and use of control group of offenders. Results show that after the meetings, victims are less anxious and angry, victims and offenders rate each other more positively, and offenders are better at predicting attitude of victims and the impact of burglary (Launay, 1987). Second phase improves methodology by using a control group for victims and attitude scales to measure attitude change. At the time of the article, evaluation had not been completed. Advantage of post-sentence programs is that conciliation is independent of the decisions of the criminal justice process and the advantage of group techniques is that they are effective in changing attitudes (Reich & Addock, 1976).

Law Commission of Canada (1999). *From restorative justice to transformative justice: Discussion paper*. Ottawa: Author. Catalogue No. J12-6/1999.

- CANADA: A discussion paper focusing on the framework and principles that guide current restorative justice programs. Includes sections on: thinking about conflict; thinking about justice (concerns with criminal justice system, private and public punishment, justice as a lived experience); promise of RJ (RJ programs, RJ framework, principles of RJ, RJ as a response to conflict); challenges of RJ (what does restoration mean, RJ as separate or integrated response to conflict, coercion, RJ and justice, RJ and private justice, victims' needs, what does community mean, criminal justice as a way of changing society, whose interests does RJ serve); prospect of transformative justice. Dissatisfaction with current CJS stimulated interest in restorative justice (concern over ability to control crime, to deter, to rehabilitate, lenient sentencing/courts, victim rights). Introduces transformative justice, a broader concept applicable to criminal and civil disputes, brings individuals together to encourage and strengthen growth and healing; useful in situations when RJ is not appropriate.

Lawrence, R. (1990). Restitution as a cost-effective alternative to incarceration. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 207-216). Monsey, NY: Willow Tree Press Inc.

- USA: Descriptive study of the Texas Restitution Center Program which examines the appropriateness of restitution programs for prison-bound offenders, and the extent to which restitution satisfies judicial personnel and citizens at the same time as meeting the goals of cost-effectiveness. Brief legislative background, outline of judicial procedures, importance of state and community co-operation, details program operation. Evaluation includes the extent to which the program is meeting its goals and compares program outcomes with prison and parole outcomes. Study is limited because the discharge data refer to all discharges during the fiscal year, it does not have a comparable group of prison releasees, and an absence of specifically-stated program goals.

Findings: program diverted a significant number of offenders from prison, improved offender employment status and community ties, and received large amounts of money for victim compensation. Higher recidivism rate for the restitution center compared to parole rates. Concluded that program is a success in terms of cost-saving (i.e., less expensive than prisons) without jeopardizing community safety. Question of whether program decreased prison admissions is still unanswered. Little empirical evidence that restitution compared to imprisonment makes much difference in subsequent criminality.

Liebmann, M., & Braithewaite, S. (1999). *Restorative justice in custodial settings*. Report for the Restorative Justice Working Group in Northern Ireland.

- IRELAND: Little written material on restorative justice in custodial settings. Data sources include a literature review and informal contacts with professionals and practitioners; research also included two surveys (victim-offender mediation services' involvement with offenders in custody and custodial institutions undertaking restorative justice initiatives). Primary objectives of restorative justice (Marshall, 1999). Definition of restorative justice by the working group. Different practices of restorative justice and current programs/projects detailed - community service, victim/offender mediation, victim inquiry work, victim/offender groups, relationships in prisons, victim awareness in prisons, and restorative justice philosophy in prisons. Issues in custodial settings: problems with victim/offender or reparation programs (i.e., getting started, gaining entry to prison facilities, vagaries of prison schedules, fears and doubts, clarity and openness of purpose, counselling and preparing victims and offenders, gender, feedback and evaluation, and acceptance (Zehr, 1994)). Concerns with standards in restorative justice being upheld, applicable, and useful in custodial settings; achieving equal opportunities complicated by an inmate's suitability and security considerations; need useful resources outlining a collection of initiatives (i.e., Zehr, 1994; Miller-Ashton, 1998). Recommendations: introduce victim awareness courses; develop reparation in the community; links with community victim/offender services; liaisons with victim support schemes; adjudications, complaints, sentence, and release planning in prison procedures; restorative justice as a whole philosophy in custodial settings.

Linden, R. (1998). *Making it work: Planning and evaluating community corrections and healing projects in Aboriginal communities*. Ottawa, ON: Solicitor General of Canada, 1-73.

- CANADA: Includes chapters comparing conventional and restorative justice approaches; planning community corrections and restorative justice programs; identifying and describing justice problems and needs; developing and carrying out action plans; and monitoring and evaluating programs. Also describes the necessary evaluation criteria for restorative justice programs and how important it is to select the right outcome measures. Such measures for victims include satisfaction with the process, whether or not victims have a major role to play in the process, whether victims feel less fearful and do they feel they have been treated fairly. Some outcome measures for offenders include whether they are less likely to be imprisoned, whether they are given the opportunity to participate in the justice process, whether they are encouraged to change their behaviour, and whether or not they receive sufficient community support.

Llewellyn, J. J., & Howse, R. (1998). *Restorative justice: A conceptual framework*. Ottawa, ON: Law Commission of Canada.

- CANADA: Paper intended to develop a conceptual framework for research in restorative justice. Includes: historical overview (history of justice, contemporary ideas, origins); theory of restorative justice and its relation to other concepts of justice (restitution, corrective justice, retribution); theory in practice - what are the necessary features a process must have in order to be restorative (who ought to be involved - victims, wrongdoers, community; elements of RJ - encounter, rights protection, outcome; evaluation - measure the ability of the program to restore); limits of RJ (scope - why not use RJ in other areas of law; challenges for RJ - is restoration possible where one or more parties is absent, need for deterrence and social protection, cross-cultural differences); current programs (need to evaluate whether programs are restorative); agents of RJ (explore practicalities of applying RJ framework - challenges of restorative justice within a dual system, role of government and community, developing restorative processes).

Marshall, T. F. (1990). Results of research from British experiments in restorative justice. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 83-108). Monsey, NY: Willow Tree Press Inc.

- ENGLAND: Evaluated four mediation and reparation schemes. Schemes were compared on issues such as ability to secure referrals, achieve mediation, objectives for mediation, types of offenders and victims, and procedures used. Results indicate that mediation can be carried out, many victims welcome the opportunity to meet the offender, most participants are satisfied with the experience, the community plays an important role, and mediation increases offender responsibility. Operational problems included obtaining sufficient referrals, inadequate time to complete mediation, and the timing of intervention in respect to the readiness of the participants. Careful preparation of both parties is necessary for successful mediation. A major failing of all schemes was the failure to provide follow-up for the parties. There is the need to provide adequate coverage and resources. Research shows that indirect mediation is time-consuming and less productive than direct mediation. All schemes had difficulty maintaining their underlying philosophy of restorative justice in the face of the dominant justice system and traditional views of crime; aims diminished in an attempt to maintain equal involvement of and benefits for victims and offenders; general failure among mediators to deal with emotions rather than material negotiations; and little concern for community input. A fundamental ambivalence existed in the schemes about the role of reparation; and question of voluntariness in participation. The future development of victim-offender mediation schemes should be independent of criminal justice, the focus of mediation should be on relationships between victim and offender, schemes need to develop links to victim services to better attend to victims' interests, further use could be made of trained lay volunteers, victim-offender mediation takes considerable time and effort, and issues of reparation and offender accountability should be separated.

Mazer, A. (1998). *Community justice committees*. Ottawa, ON: Ottawa-Carleton Office of the Crown

Attorney.

- CANADA: Describes CJs in Canada - including legal mandate, roles and functions of CJC, case procedure, establishing a CJS and frequently asked questions. Most CJs are based on the common philosophy that offences committed within a community should be dealt with within that community.

McCold, P. (1999). *Police-facilitated restorative conferencing: What the data show*. Paper presented to the Second Annual International Conference on Restorative Justice for Juveniles, Florida Atlantic University and the International Network for Research on Restorative Justice for Juveniles, Fort Lauderdale, FL. (November 7-9, 1998), 1-20.

- USA/CANADA: Explores potential dangers and benefits of police-facilitated conferences in light of recent empirical evaluations of restorative policing and earlier evaluations of criminal mediation programs in Canada and USA. Two completed evaluations of police conferencing in Bethlehem, Pennsylvania (1997) and Wagga Wagga, New South Wales (1995). Six major concerns about police conferencing: inadequate preparation can limit the impact of FGC in humanizing the process such that parties feel safe and prepared to attend and participate freely in a genuine dialogue; conferencing and facilitators may be insensitive to victims needs and coercive in encouraging their participation (there was strong evidence to refute this concern); young offenders may be intimidated by adults and uniformed police officers (data found no evidence to support this concern); police may be incapable of being neutral facilitators, falling into authoritarian patterns and undermining the process of reintegrative shaming (some evidence to support this concern for offenders in the Bethlehem study); the scripted conferencing process may be too rigid and insensitive to cultural needs and preferences with a community (data provide evidence to refute this concern); and police-based conferencing may lead to net-widening (no evidence to support this concern). Advantages of police-based model: as gatekeepers, they are best placed to identify appropriate cases for conferencing and deal with them speedily; victims prefer police as facilitators because they perceive them to be 'on their side' and they feel safe; police are likely to be more successful in exacting compliance with outcomes compared with 'welfare' authorities; and part of the argument for restorative justice is to change police culture so that it is more restorative on the street.

McCold, P. (1997). *Restorative justice: An annotated bibliography*. New York, NY: Criminal Justice Press.

- USA: An annotated bibliography which covers sources on the theory and practice of restorative justice.

McCold, P., & Wachtel, B. (1998). *Restorative policing experiment: The Bethlehem Pennsylvania police family group conferencing project*. Pipersville, PA: Community Service Foundation.

- USA: Evaluation of FGC program for juvenile offenders. Those who qualified were randomly assigned to formal adjudication or FGC. Evaluation included conference observation, police surveys (changes in attitudes and role perceptions), participant surveys (victim, offender, parent), recidivism. Appendix of measurement tool. Results: conferencing appears to work better with violent offences; among police, those who knew more about conferencing and conducted conferences showed significant increases in their perceptions of community co-operation and a significant decrease in their orientation toward a crime control approach to policing; victims who participated in conference were more satisfied with how their case was handled, had higher perceptions of fairness, and were more likely to feel the offender was held accountable than those who went through formal adjudication; offenders who participated in conferences were more satisfied with how their case was handled, had higher perceptions of fairness, and had substantially more positive attitudes toward their victims than those who went through formal adjudication; parents of offenders who participated in conferences had higher rates of satisfaction and perceptions of fairness than parents of court-processed offences and were more likely to feel their opinion was considered and that the victim had a better opinion of their child now; recidivism - programmatic effect of conferencing on recidivism for property offenders appears negligible, however conferencing had a better effect on violent cases; conferences produced outcomes for property offenders that tended to be harsher than would have been imposed by the court, and conferences for violent offenders tended to produce outcomes less harsh; overall program costs appear to be no greater than costs for mediation programs.

McDonald, J., Moore, D., O'Connell, T., & Thorsborne, M. (1995). *Real justice training manual: Coordinating family group conferences*. Pipersville, PA: Piper's Press.

- USA: Training Manual including description of family group conferences, conference preparation, contacting participants, running a conference and evaluation. Includes examples of observation forms.

McWhinnie, A. J., & Brown, R. E. (1999). Restorative justice alternatives to parole suspension. *Perspectives*, 23(4), 44-46.

- CANADA: Describes restorative justice as a "third wave in criminal justice"; the importance of risk assessment instruments to enhance community and victim safety (purpose is to improve our assessment of offenders at high risk to re-offend); addresses the link between risk and needs assessment and principles of restorative justice (restorative approach addresses the needs of primary and secondary victims and those risk factors which influence both victim and offender); most restorative justice practices in corrections are alternatives to sentencing or court diversion programs (front-end) for young offenders. Discuss two pilot projects (end of the system initiatives): "Reparative Parole" by the John Howard Society of Winnipeg reintegrates offenders with the community following incarceration through restitution and reparation; and "Alternatives to Parole Suspension" by Vancouver Island Parole acts as an alternative to parole suspension or re-incarceration following a violation of parole conditions. Victoria project has two streams of action - if offender is charged with a new offence while under community supervision, the offender may be

dealt with by a Reparative Board; if the offender is thought to be at high risk for re-offending or for violating a condition of release, the offender may attend a Community Group Conference. Victoria project is directed by a Restorative Justice Co-ordinator and the Community Group Conference is facilitated by a trained community volunteer. Goals of Reparative Board and the Community Group Conference are to allow all participants to express their feelings about the impact of the offender's behaviour and to involve all participants in the development of a plan which addresses the harm done, victim justice, and offender accountability (intended for victim safety and offender reintegration). The project does not imply that re-incarceration is not an option. Three challenging questions of a restorative justice model in the context of a formal justice system (Zehr, 1995); additional challenges include involvement of the community (requires voluntary participation and independence from formal justice system); project critiqued as not restorative in nature (the danger that a traditional justice system (i.e., CSC) will direct restorative justice principles thereby losing the sense of community); are justice professionals and community members able to work together in a traditional and institutionalized parole setting?. The Victoria project has the potential to value healing and reintegration rather than punishment and retribution.

Mennonite Central Committee (1994). *Reconciliation between victims and imprisoned offenders: Program models and issues*. United States: Office on Crime and Justice: Mennonite Central Committee.

- USA: Overview of victim-offender reconciliation programs (i.e., community programs, jail and prison programs). Program models and description (i.e., Restorative Justice Project, Genesee Justice, Victim/Offender Workshop, Victims and Offenders in Conciliation, Victim/Offender Reconciliation Group, Face to Face, Victim-Offender Reconciliation Program, Pre Release Mediation Program, Victim Offender Mediation Pilot Project). Critical issues in developing a victim-offender mediation in a penal setting (i.e., getting started, gaining entry to prison facilities, vagaries of prison schedules, fears and doubts, clarity and openness of purpose, conflicting purposes, counselling and preparing victims and offenders, gender, feedback and evaluation, successful outcomes, and acceptance). Summary of references focusing on punishment and reparative justice, victimization, victim-offender reconciliation, and jail and prison-based victim-offender mediation. Lists resource centres in Canada and the United States.

Miller-Ashton, J., & Harris, S. (1999). Restorative justice: Rethinking our responses to serious crime. *Perspectives*, 23(4), 40-43.

- CANADA: One of the challenges facing restorative justice is whether such processes should be used in cases of serious or violent crime. CSC is examining the use of restorative justice with incarcerated and conditionally released offenders. Canada's programs: Victim-Offender Mediation Program by the Fraser Valley Community Justice Initiative in B.C. focusing exclusively on serious crime, sentencing circles by the Kwanlin Dun First Nations in Yukon and the Hollow Water First Nations in Manitoba, and the Restorative Resolutions Program by the John Howard Society in Manitoba involving prison-bound offenders during the pre-sentence stage. Other developments: federal/provincial/territorial working group on restorative justice, the Church Council on Justice and Corrections' compendium entitled "Satisfying Justice", the 1st National Symposium on

restorative justice called "Achieving Satisfying Justice" in Vancouver. CSC initiatives: Chaplains, Community-Government Task Force on FSW, Healing Lodges, staff and offender mediation, Restorative Justice and Dispute Resolution Unit, Framework Paper on Restorative Justice, Restorative Community Reintegration, Circles of Support and Accountability, Collaborative Justice Project, and National Steering Committee on Restorative Justice and Dispute Resolution. Lessons for restorative justice, community corrections, and serious crime: restorative justice can be an important step in the healing process, restorative justice has a place in the correctional process for serious crimes, preparation and follow-up are important and timeframes cannot be rushed, pay attention to those who raise cautions and concerns about restorative justice, restorative justice programs are best when they involve community participation and ownership, programs require evaluation methods beyond recidivism and suspension rates, and restorative justice principles offer lessons to our own lives.

Moore, D. B., & O'Connell, T. (1994). Family conferencing in Wagga Wagga: A communitarian model of justice. In C. Alder & J. Wundersitz (eds.) *Family conferencing and juvenile justice: The way forward or misplaced optimism?* (pp. 45-86). Canberra, AU: Australian Institute of Criminology.

- AUSTRALIA: Describes FGC in Wagga Wagga (differences from New Zealand model - police as facilitators), including its origins and theories relating to offending behaviour. Braithwaite's theory of reintegrative shaming best describes how conferencing works. Discusses criticisms of conferencing: net-widening (but people come to the attention of the police in the same way they did with old scheme - net of state control isn't being widened); police might spend their time engaged in other activities (but this fits with police role); police are taking the role of social workers (but scheme doesn't change police role); informal responses may deprive offenders of important rights (but have option of not participating). The paper discusses a couple of small evaluations conducted to date. For instance, Dymond et al. (1992) interviewed a sample of 80 cases and concluded that those involved in conferences found them to be positive, effective and an appropriate way of dealing with the first offence committed by a juvenile. What is required is a long-term research project comparing the outcome of conferences in different patrols, using random assignment and large samples (being planned).

Morris, A., & Maxwell, G. (1998). Restorative justice in New Zealand: Family group conferences as a case study. *Western Criminology Review*, 1(1), 1-18.

- NEW ZEALAND: Outlines principles underlying the introduction of family group conferences and describes their role in New Zealand's youth justice system. Results: victims are willing and able to participate in restorative justice processes; a significant proportion of victims felt positively toward the process and were satisfied with the outcomes; offenders were held accountable; re-conviction rates were no worse and may be better than court-based samples; and factors in restorative justice processes may be linked to a lower probability of reconviction.

Morris, A., & Maxwell, G. M. (1993). Juvenile justice in New Zealand: A new paradigm. *Australian and New Zealand Journal of Criminology*, 26, 72-90.

- NEW ZEALAND: Describes system of juvenile justice adopted in NZ under the *Children, Young Persons and Their Families Act* (1989) which stresses integration of western and indigenous approach, empowerment of families and young people, involvement of victims, and group consensus decision-making. Principal mechanism used is Family Group Conference - describes process. Evaluation: FGC has succeeded in diverting the majority of young offenders from courts and institutions; families (including extended) participate in the process and are taking responsibility for their children in most instances; greater acknowledgement in some instances of alternative methods of resolution through the use of traditional processes has occurred. Concerns: professionals taking over and distorting and destroying the FGC process; families being susceptible to this by being denied necessary information on the process and possibilities; lack of resources and support services which can undermine family decisions.

Native Counselling Services of Alberta. (1996). *Youth Justice Committee manual*. Unpublished report. Edmonton, AB: Author.

- CANADA: Manual is based on the experiences of NCSA staff, Youth Justice Committee members, and criminal justice personnel involved with the Youth Justice Committees (YJC's) or Sentencing Panels. Purpose of YJC's - increase community involvement, assist judges to make appropriate sentences, and increase community harmony through healing. History of YJC's in Alberta began in 1990 in Fort Chipewyan. YJC's are mandated under Section 69 of the Young Offender's Act and the guidelines for their formation are developed by the Alberta Department of Justice. There are four models of YJC's currently in operation: the "basic" model, alternative measures, the elders' court model, and the sentencing circle model. Criteria for offender eligibility depends on each individual committee - cases have included first time, second, and repeat offenders; minor and serious offences; provincial statutes; and band by-law violations. Sentencing options include: probation, fines, restitution orders, community service orders, referrals to treatment centres, open and closed custody, and other innovative sentences. Describes the different roles of the Advisory (Steering) Committee Members, chairman of the YJC, sentencing panel members, police, courtworkers, prosecutor, defence counsel, victim, parents, judge, and probation officer. Nine steps in setting up a YJC: find knowledgeable facilitator; meet with community leaders and elders, judge, police, agencies and other community resources; recruit youth justice committee members; call community meeting; ensure committee knows what it is doing; and get a department of justice designation. Most successful committees are those initiated by concerned community members; the committee must meet the needs of the individual community; and the structure and operation of the committee vary widely depending on each community.

New Zealand Ministry of Justice (1998). *Restorative justice: The public submissions*. Wellington, NZ: Author.

- NEW ZEALAND: Overview of public's response to a discussion paper released by the Ministry of Justice in 1995. One hundred and thirteen public submissions were received from justice-related interest groups, churches, Maori and Pacific peoples, victim and women groups, business and

community interests, government agencies, and the judiciary and legal professions. Overall, submissions were supportive of restorative justice but ranged from highly supportive to highly critical. Some key themes: views of the existing system; definitions of restorative justice; societal factors affecting restorative justice; can restorative justice work in today's society; compatibility with the existing justice system; should restorative justice aim to replace the current system; will restorative justice improve the current system; consent of parties; role of community and volunteers; availability of research; the need for caution; funding and training; and public education and information. Cultural issues of Maori and Pacific peoples and views of victim advocacy organizations are briefly discussed. Some specific issues: purchase priorities for government, objectives of restorative programs, parallel or integrated restorative programs, stages of intervention, type of approach, type of case to be dealt with, referral of cases, co-ordination and delivery of programs, status of mediated agreements, monitoring of mediated agreements, and legislation.

New Zealand Ministry of Justice (1995). *Restorative justice: A discussion paper*. Wellington, NZ: Author.

- **NEW ZEALAND:** Purpose of paper is to provide advice on the main options and implications of a restorative justice system for adult offenders in New Zealand and to provide an opportunity for interest groups to participate and contribute in the consultation process. Restorative justice in the context of the sentencing process and restorative justice from cultural perspectives have not been explored in detail. Defines restorative justice, common features, practical operation, and central principles. Describes some international programs. Identifies the key differences between a traditional and restorative system (i.e., guilt, emotion, process, and relationships). The system of family group conferences in the youth justice system in New Zealand is described although its design and operation may not always possess a restorative focus. Explains how and to what extent components of the criminal justice system which are restorative in nature are currently being applied to adults. Public attitudes toward restorative justice is reported through the Ministry's research on public opinion on restorative justice in general and on public feedback on specific elements of restorative justice; other studies of public attitudes toward reparation and restoration are included. Examines some of the benefits and risks of restorative justice programs to assess their efficacy (i.e., the direct involvement of parties, community and family relationships, cultural relevance, impact on conviction and sentencing, re-offending rates, net-widening, private interest vs. public interest, savings and costs). Includes research results from programs in the USA and the UK. Discusses options identified for the New Zealand system including the framework for development, stages of intervention, the type of approach, the type of cases, delivery issues, the status and monitoring of agreements, and legislation.

Nuffield, J. (1997). *Diversion programs for adults*. User Report 1997-05. Ottawa, ON: Solicitor General of Canada.

- **CANADA:** Review of evaluated programs to divert adult offenders. Little rigorous evaluations on adults (i.e., no comparison or control groups, no discussion of outcomes, mainly descriptions of

the process). Evaluation findings on adult programs are similar to findings on juveniles. Formalizing the discretion to divert cases creates net widening (i.e., offenders would not have been prosecuted or convicted if proceeded through traditional system). Diversion programs are used for first time young offenders accused of minor offences. Cases that may be more difficult to prove in court are more likely to be diverted (i.e., mentally disordered offenders - limited capacity of justice system to deal with their treatment, control, and safety). Prison bound offenders may face a more severe penalty than if no community plan had been presented to the judge. Some evidence that diversion at the sentencing stage may beneficially impact on offenders' likelihood of being sentenced to the community. "Programmatic" diversion programs may not be suited to a large proportion of clients, may not be well implemented, and may fail to make a difference. Studies comparing the recidivism of diverted cases to control groups have found no significant differences. Literature does not support that diversion programs reduce justice system costs (i.e., diversion programs affect only a small number of cases and make the same number of court appearances). International studies suggest that unemployment and public opinion affect differences in imprisonment rates rather than crime rates; international suggestions for alternative options for diverting offenders include day fines, prosecutorial fines, judicial waiver of prosecution, probation subsidy, minimum sentences to imprisonment, criminal policy and incarcerated populations.

Nuffield, J. (1997). *Evaluation of the adult victim-offender program: Saskatoon community mediation services*. Prepared for Saskatchewan Justice.

- CANADA: Process review of the VOM program - comparison of recidivism rates among those who completed mediation and two control groups (referred but didn't enter into mediation; matched sample from another city). Offences referred: many minor; many involved mutual provocation by victim and accused; most common case was assault. Accused characteristics: in about one-half of cases the victim and accused were acquainted or related; about one-third of accused were women (high). Characteristics of mediated cases: accused who went to mediation were more likely to have priors than those who went to court. Mediation agreements: all 115 mediation agreements were fulfilled. Effects for victims: more likely to receive restitution than those who went to court; more likely to feel heard and have their fears alleviated. Effects for accused: recidivism rate among mediated accused was slightly higher than among the control group (not statistically significant). Effects for communities: mediation alone can't be expected to turn communities into coherent force for conflict resolution; addressing offender and community needs would require clearly established objectives regarding offender rehabilitation and community reintegration and community infrastructure to support it. Crown perceptions: strong support for program. Unintended side-effects: little net-widening, but potential for VOM to become dominated by cost-savings considerations, to become isolated and to remain an add-on rather than a fully integrated component of the justice system.

Nugent, W., & Paddock, J. (1996). Evaluating the effects of a victim-offender reconciliation program on reoffense. *Research on Social Work Practice*, 6(2), 155-178.

- USA: Three fundamental goals of victim-offender reconciliation: victim empowerment via direct

contact, impacting on offenders via an emotional element, compensating victims via restitution. Little research available which examines process or outcome (i.e., relationship between participation in a VORP program and subsequent offence). Studies report high levels of victim satisfaction (Sikora & Doll, 1994), enhanced perceptions of fairness (Coates & Gehm, 1989; Umbreit, 1990), and reduction in fear of victimization (Umbreit & Coates, 1992). Re-offence rates for restitution cases lower than re-offence rates for non-restitution cases (Cannon & Stanford, 1981) and lower than re-offence rates for probation cases (Hofford, 1981). Results from six US locations revealed that participation in restitution programs led to a statistically significant reduction in offence rates compared to probation and incarceration (Ervin & Schneider, 1990; Schneider, 1990). The present study (1989-92) investigated the relationship between participation in the Anderson County VORP program and subsequent re-offence after controlling for a number of variables related to antisocial behaviour. Recidivism rates of those involved in the program were compared with re-offence rates of a sample of offenders (matched on type of crime and admission of guilt) who were processed through traditional proceedings; a second random sample was used for cross-validation analysis. Three purposes of study: identify characteristics of child and adolescent offenders, to identify characteristics of offenders related to subsequent re-offence, and to test the hypothesis that children and adolescent participating in the VORP program will re-offend at a lower rate than those treated in the traditional criminal justice system. Data collected from existing case records. Original sample results indicate that the relationship between probability of re-offending and type of treatment (VORP or traditional justice system) appears to depend on number of siblings and hence family size. Cross validation results confirm the relationship found in the original sample. Full sample results indicate that those in a non-VORP program had higher re-offence rates compared to those in the VORP program (re-offence frequency continues to be conditional on family size). Child and adolescent characteristic variables related to probability of re-offence include number of prior offences, family structure, and education. Results from the VORP group suggest the possibility that participation in the program may have had an effect that negated the effect of larger family size on probability of antisocial behaviour. Study limitations: does not support any claims of causality, random assignment not used, uncontrolled variables, results could be artifacts of the effects of uncontrolled variables, unreliability of the re-offence information in records, generalizability of results from the sample studied, and possibility of spurious results.

O'Connell, T. (2000). *Restorative justice for police: Foundations for change*. Paper presented at the Tenth United Nations Conference on the Prevention of Crime and the Treatment of Offenders (April 10-18).

- **INTERNATIONAL:** Compares various criminal justice approaches to offending: retribution, restorative justice, incapacitation and rehabilitation. The Wagga Wagga model is described (i.e., facilitator training, confidentiality, privacy, the rights and legal safeguards for offenders). Suggestions are made for selecting appropriate conference pilot areas, planning, development, education, training, implementation, monitoring and evaluation. Recommends that each jurisdiction must examine its activities for at least 2 years prior to commencing the pilot program; each jurisdiction should provide a report to management; combine all reports to establish a clear benchmark to measure the pilot outcomes against; and employ different evaluation techniques

simultaneously to scientifically validate the effectiveness of conferencing. Describes school conference model, police conference model, and effective offender screening methods.

O'Donnell, M. (1993). Mediation within Aboriginal communities: Issues and challenges. In S. McKillop (ed.) *Aboriginal justice issues: Proceedings of a conference held 23-25 June 1992*. Canberra, AU: Australian Institute of Criminology Conference Proceedings No. 21.

- AUSTRALIA: Describes Community Justice Program (CJP) of AG Queensland to provide dispute resolution service. In two years, 450 mediation sessions, with settlement in 85%. CJP piloted several projects: Crime Reparation Program (voluntary opportunity after conviction and before sentencing for adult and juvenile offenders for victim-offender mediation); Police Complaints Mediation Initiative (mediation in complaints of a minor nature against police and other officials). Describes development of a mediation service for Aboriginal communities (including visiting expert dispute resolution service to communities; training Aboriginal and Torres Strait Islander people in dispute resolution skills). Key issues: voluntary participation (may decide to make compulsory); confidentiality (disputes in Aboriginal communities may be public); neutrality of mediator (may not be possible in Aboriginal communities); domestic violence (may use dispute resolution in Aboriginal communities - but need to be incorporate safeguards).

Paiement, R. (1996). *An exploratory study of youth justice committees*. Report No. TR1996-8. Ottawa, ON: Department of Justice Canada.

- CANADA: Exploratory review of YJCs across Canada. Outlines rationale for YJCs, overview of YJCs in operation, in-depth description of 5 YJCs, further research and policy development.

Palk, G., Hayes, H., & Prenzler, T. (1998). Restorative justice and community conferencing: Summary of findings from a pilot study. *Current Issues in Criminal Justice*, 10(2), 138-155.

- AUSTRALIA: The Queensland Department of Justice initiated an evaluation of its community conferencing pilot program in 3 jurisdictions. Post-surveys and follow-up interviews with program participants (young persons, victims, and parents) on the effectiveness of conference administration, service delivery, and program outcomes. Additional data included interviews with program stakeholders, and cautioning, arrest and court appearance data. A summary of the restorative justice literature and the theoretical basis of alternative responses to crime. Reviews overseas and domestic programs. Description of Queensland's *Juvenile Justice Act* (1992). Discusses the lack of empirical evidence regarding the effects of restorative initiatives. Initial survey results report high levels of satisfaction and fairness with the conference and agreements across initial and follow-up groups according to the 3 respondent groups. Examines the results of the conference outcomes including agreements, re-offending, and court appearances across two pilot sites.

Palk, G., Pollard, G., & Johnson, L. (1998). *Community conferencing in Queensland*. Queensland:

- AUSTRALIA: Describes 3 pilot conferencing programs in Ipswich, Logan City and Palm Island. Review of the evaluation frameworks and key outcomes. Evaluation goals are to evaluate alternative models of service delivery; provide information for review of legislation; develop efficient referral mechanisms; assess operational impact on stakeholders; evaluate common criticisms; and assess use of volunteer convenors. Results: young offenders (100%), victims (73%) and parents (91%) believed that the conference helped young offenders make up for the offence; young offenders (100%), victims (92%) and parents (99%) believed that the conference helped the offender understand the impact of the offence; and satisfaction with agreements was also very high. With respect to reintegration, 93% of the young people said they felt that their support people really did care about them in the conference; 94% of parents indicated that the conference provided them with the opportunity to demonstrate to their young person that they cared about them. Some attempts were also made to measure recidivism through self-reporting but the usefulness of these results is uncertain. As part of the final evaluation, a police criminal history check was completed on those offenders who had attended a conference. Of 101 young people, 7 had re-offended.

Pennell, J., & Burford, G. (1998). *Family group decision making: Communities stopping family violence. Questions and Answers*. Ottawa, ON: Health Canada, National Clearinghouse on Family Violence.

- CANADA: Community resource manual which describes family group decision making, who makes referrals and who should be referred, how a conference is organized, who should be invited, organizing the conference, what happens at a conference, what are the results, costs.

Pennell, J., & Burford, G. (1994). Widening the circle: Family group decision making. *Journal of Child and Youth Care*, 9(1), 1-11.

- CANADA: Family group conference model is being tested by the Family Group Decision Making Project in 3 communities in Newfoundland and Labrador. Project is based on legislation in the Children, Young Persons and Their Families Act in New Zealand. The prevalence of family violence has been identified from movements such as women's and children's rights and from developments such as the Hughes Inquiry (1991). Aims and philosophy of project are outlined including the goals of trial implementation, statement of philosophy, and 4 project principles. Describes the practice of the Family Group Conference with four main stages. Project evaluation will determine whether implementation of the goals are achieved and whether the goals are effective in reducing family violence. Both qualitative and quantitative data collection and analysis on implementation and outcomes.

Polk, K. (1994). Family conferencing: Theoretical and evaluative questions. In C. Alder & J. Wundersitz (eds.) *Family conferencing and juvenile justice: The way forward or misplaced optimism?* (pp. 123-140). Canberra, AU: Australian Institute of Criminology.

- AUSTRALIA: Theoretical assessment of the theoretical component of the New Zealand and Wagga Wagga models of reintegration. Discusses several questions: institutional location - in both models, interventions are located within the juvenile justice system (no attempt to remove the offender from the control of juvenile justice); intervention focus - focus is in the individual offender and his/her family (no integrative or developmental strategy for dealing with youthful offenders). Also discusses evaluation of conferences/cautioning models: recidivism (have an obligation to assure that we are doing no harm at least); net-widening (obligation to ensure a careful evaluation to assess the individual and system consequences of the designed net-widening process); due process (question regarding the degree to which this model engages in routine practices which pose threats to fundamental due process rights).

Pranis, K., & Umbreit, M. (1992). *Public opinion research challenges perception of widespread public demand for harsher punishment*. Minneapolis, MN: Citizens Council.

- USA: In 1991, the University of Minnesota conducted a statewide survey of adult attitudes toward crime and punishment (N = 825). Findings include: 80% favoured spending money on education, job training, and community programs rather than on prisons; 82% indicated an interest in participating in face-to-face meetings with offenders; 71% chose restitution as a sentence rather than jail time; and results were consistent across age, income, gender, race, and education level. Results indicate less vindictive attitudes toward offenders, greater public interest in restitution and prevention, low confidence in incarceration as a method to reduce crime, concern for public safety, and support for restorative justice. Previous public opinion research has found similar support for prevention strategies over an increased reliance on prisons.

Quinn, T. J. (1996, April). *The future and restorative community justice*. Presentation to the International Crime Prevention Practitioners Conference - Towards World Change, Vancouver, British Columbia.

- USA/CANADA: Public concern over crime and justice driven by the media which has led to an increase in incarceration rates. Public dissatisfaction will increase with growing demographic and caseload trends and fiscal constraints. Movement to deliver services closer to clients through the philosophy of restorative and/or community justice. History and re-emergence of restorative justice including a comparison table of retributive and restorative justice (Zehr). Public and pan-cultural views on restorative justice (restorative justice facilitates empathy of offenders and fairness for victims, many cultures/religions influence and support restorative approaches, and public support for community service and restitution programs if offenders are held accountable). Describes the general process of victim offender mediation in relation to the different stages in the justice system. Reviews the different victim-offender programs operating at the community, law enforcement, prosecution, court, corrections and victim stages (includes description of program, relevance of restorative principles, and research results).

Restorative Justice Consortium (2000). *Restorative justice from margins to mainstream*. London, UK: Restorative Justice Consortium, National Council for Social Concern.

- UK: Three types of restorative justice research: coal face research (program evaluation), brown field research (evaluation and analysis), green field research (research to reform the criminal justice system), blue skies research (testing of theories and connections between restorative justice and criminal justice). Nature of restorative justice includes the wider involvement of justice agencies and the community, a system wide approach (funding, standards, performance indicators, commitment to a fully restorative system), and solutions based on accountability rather than focusing on punishment. A need for public education of professionals, the general public, and community groups. Research and evaluation in relation to the development of restorative justice includes restorative justice as a system (beyond individual programs being added to the same system), action research (monitoring and feedback), and a balanced range of outcomes (recidivism, victim satisfaction, fairness, community impacts, family involvement, public perceptions, changes in attitude and perception of victim, effect on agencies). Research in relation to education includes dissemination of strategies (addresses concerns about performance, effective distribution of results, obtaining sufficient media interest), evaluative criteria (common database to ensure compatibility, consistency, to influence programs, to save time, and the importance of intermediate and common measures), and constancy (feedback by researcher to influence program procedures).

Richardson, G., & Galaway, B. (1995). *Evaluation of the restorative resolutions project of the John Howard Society of Manitoba*. Winnipeg, MB: Faculty of Social Work, University of Manitoba.

- CANADA: Restorative Resolutions (RR) project (began in 1993, 115 referrals in 18 months, 67 accepted into project) provides community-based alternatives to incarceration for eligible offenders. Evaluation included data from: case files, offenders and victims, restorative plans, project director, public, and Manitoba Probation Service risk and needs assessment tool. Findings: project is only accepting eligible offenders; plans developed for 84% of those accepted; project secures court approval for plan in 81% of cases; preliminary evidence shows that project has high sentence completion rate and is helping offenders quickly reduce their needs and slowly their risk of re-offending; not enough interviews of victims yet; offenders are happy with plan and satisfied with RR staff but hesitant with regard about meeting victims and think time in prison is fair sentence. Public survey in Manitoba: citizens would strongly prefer spending money on education, job training, and community programs rather than prisons.

Roberts, J. V., & LaPrairie, C. (1996). Sentencing circles: Some unanswered questions. *Criminal Law Quarterly*, 39, 69-83.

- CANADA: Examine utility of sentencing circles to non-Aboriginal culture (application in Aboriginal culture raises other issues that go beyond the scope of the paper). While extravagant claims have been made about Aboriginal sentencing circles in reducing recidivism and crime, supporting evidence is non-existent. Further, Aboriginal sentencing circles have had a negligible impact on the reduction of incarceration, and in fact, Aboriginal incarcerations significantly increased in Yukon and Saskatchewan between 1990 and 1995 despite the large number of circles that took place in these two regions. Argue that sentencing circles run counter to the 'Just Deserts' theory of punishment (where punishment is proportional to the seriousness of the offence) since

individual circumstances are emphasized, a fact that raises many questions for equity, a basic principle of Canadian sentencing policy. Argue that sentencing circles, by representing a return to highly individualized sentences, could possibly be seen as a retrograde step. They call for rigorous examination of results to replace anecdotal evidence and extravagant claims (e.g., examine whether they reduce recidivism, prevent crime, reduce costs, advance interests of victims, and promote solidarity among community members).

Roberts, T. (1995). *Evaluation of the victim offender mediation project, Langley, British Columbia: Final report*. Ottawa, ON: Solicitor General of Canada.

- CANADA: An evaluation of the Victim Offender Mediation Program (VOMP) in Langley which operates for federal offenders and their victims in cases of sexual assault, rape, murder, and robbery. Methodology included: personal or telephone interviews with offenders, victims, and criminal justice officials; video analysis; quantitative analysis (case overview); and literature review. Referrals are victim (34%) or offender (66%) generated; victim and offender screening includes a file review and interview; 65% of all cases are screened out due to an inability to locate the victim, concerns about the offender, and victim unwillingness. Majority of accepted cases were sexual assault (46%). Therapy includes correspondence, videos, and face-to-face meetings with victim and offender; activities focus on apologies and remorse, offender rehabilitation, and the impact and consequences of the offence. Unanimous support for program from all victims and offenders based on four structural aspects: the reality of the experience, the flexibility of the program, program independence, and gender of staff and mediators. Twenty-one out of the 23 criminal justice respondents strongly supported the program; understanding of the program highest in institutions with a large sexual offender population and a significant number of VOMP cases. Internal accountability exercised through rigorous screening process, extensive activities, follow-ups, flexibility, confidentiality, and neutrality/honesty. External accountability developed in consultation procedures during referral and screening. Criminal justice respondents divided about the source of funding for the program. Areas of future research: longer-term recidivism patterns; longer-term follow-up; exploration of events, programs, and timing associated with impacts; potential of VOMP at the sentence or pre-sentence stage; effect on participation on long-term offenders; and the role of subsequent face-to-face meetings.

Ross, R. (1996). *Return to the teachings: Exploring Aboriginal justice*. Toronto, ON: Penguin Books.

- CANADA: Describes his secondment with Aboriginal Justice Directorate (Justice Canada) - meeting with Aboriginal communities across Canada.

Rowley, M. S. (1990). Recidivism of juvenile offenders in a diversion restitution program (compared to a matched group of offenders processed through court). In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 217-225). Monsey, NY: Willow Tree Press Inc.

- USA: Six-year follow-up of 60 male young offenders diverted out of the traditional court system and a matched sample of those who went through court (post-hoc quasi-experimental design). The

diversion cohort clearly had more favourable long-term outcomes on both incidence and severity of re-offence.

Saskatoon Community Mediation Services, and The Mennonite Central Committee Ministry (1995, March). *Restorative justice: Four community models*. Presentation paper, Saskatoon, Saskatchewan.

- CANADA: Reports on a restorative justice conference held in Saskatoon in 1995. Purposes of the conference were "to listen to Aboriginal perspectives on restorative justice", to find out what interesting developments are occurring in different social contexts (Aboriginal, Australia, New Zealand, Japan), and examine issues in victim-offender mediation. Several Aboriginal presenters expressed skepticism about the mainstream society's responsiveness to restorative justice. One Aboriginal person argued that healing and an holistic approach are central to the Aboriginal perspective, while a women presenter contended that Aboriginal women are pivotal to developments in the Aboriginal community - "if you see any Aboriginal justice project that doesn't centrally involve the women, then you're not looking at real justice". Sentencing circles were discussed by several presenters and generally seen as representing a positive step and considerable improvement over existing mainstream justice practices. One judge contended that "if you involve the community ... you open up the possibility of forgiveness and reconciliation so people can get on with their lives. In small communities this is absolutely critical". The Australian and New Zealand versions of family conferencing were also discussed. Successes were noted, as were Aboriginal influences and the parallels with Canadian Aboriginal sentencing circles. The Japanese system of restorative justice was seen as similar in many ways (e.g., an emphasis on harmony, healing, and the local community) to Aboriginal justice initiatives.

Salem, R. (1996). Designing a reformatory conflict management and dispute resolution system through mediation. In B. Galaway & J. Hudson (eds.) *Restorative justice: International perspectives* (pp. 477-492). Monsey, NY: Criminal Justice Press.

- USA: In 1973, intervention was ensued by an outside mediator at the State Reformatory for Men at St. Cloud in response to a prison riot. Mediation process involved inmate delegates from different ethnic groups and prison staff and administration. Mediation humanized conflict, mitigated racial violence, recognized racial discrimination in the disciplinary process, and increased racial understanding among the parties. Other results included the creation of an Inmate-Staff Advisory Council, a formal investigation of racism and discrimination in all disciplinary actions and complaints, and development of a mini-prison plan. The lengthy process was fraught with delays in the beginning, tension during the meetings, and a lack of interest near the end. Eighteen months after the completion of mediation, no serious racial violence had occurred and there were fewer complaints about the disciplinary system and discrimination. Fifteen years later, there were still visible signs of the mediation agreement (i.e., canteen committee, Inmate-Staff Advisory Council, formal review of disciplinary actions, etc.). In the view of one African-American correctional officer, racial disparities in disciplinary actions had been substantially reduced, and racism was less severe and more subtle since the 1970s. Author notes that it may not be practical to attempt to replicate this mediation, however the communications techniques that

were created can be used to manage conflicts in correction settings elsewhere.

Schiff, M. F. (1998). Restorative justice interventions for juvenile offenders: A research agenda for the next decade. *Western Criminology Review*, 1(1), 1-22.

- **INTERNATIONAL:** Purpose of article is: to summarize current knowledge about the effects of restorative justice interventions on juvenile offenders; provide an agenda for future restorative justice research (author identifies the criteria used in prior process or outcome evaluations to determine 'effectiveness' in restorative terms and how these have been translated into measurable indicators) and, to suggest that there should be consistent effectiveness measures across studies. Argues that research must identify the extent to which programs are truly restorative; the extent to which restorative programs may empower governments to over-control large segments of the youth population; and identify outcome indicators that can be consistently applied across a variety of program types and jurisdictions. Evaluators must agree on a set of indicators that are valuable and appropriate measures of effectiveness. Some of these include the relative impact of processes and outcomes (type of process, type of sanction, completion rates and time to completion); coercion in restorative programs; implementation in a restorative framework and the restorative impact of interventions. Program-specific empirical indicators that demonstrate programmatic outputs and assess the impact of restorative interventions include recidivism rates, compliance rates, and victim and offender satisfaction rates.

Shaw, M. & Jané, F. (1998). *Restorative justice and policing in Canada: Bringing the community into focus*. Ottawa, ON: Royal Canadian Mounted Police.

- **CANADA:** Purpose of report is to put restorative justice and community justice initiatives in the context of the development of restorative justice practices - principles, objectives, and underlying assumptions of restorative justice. Four major initiatives associated with the movement (i.e., victim-offender reconciliation programs; community, neighbourhood, or youth justice panels; sentencing circles; and family group conferencing). Discusses origins and historical development. Three development phases (i.e., dispute resolution practices in early European, Western, and Aboriginal societies; revival of interest in restorative justice in 1970s; and recent focus on role of community in 1990s). Overview of the development of restorative justice in Canada (i.e., sentencing circles in Aboriginal communities; expansion of community policing; Community Justice Forums). Benefits: meaningful and satisfactory way of dealing with crime, swifter justice, greater personal involvement and satisfaction, cost savings, community involvement. Limitations: individual rights, over-emphasis on offenders, neglect of victims, goals, community and organizational commitment, funding. Development issues: net-widening, defining community, power imbalances, philosophy, goals, and terminology, structural and legislative impediments, justice issues, costs, benefits and funding, and evaluation. Considers challenges for police and communities (i.e., a power shift from police to community, variations in implementation of community policing, police occupational culture, training, stability of personnel, minority concerns, public attitudes, police involvement in conferences, speed of development, discretionary roles, internal and external expectations and pulls, and community partnerships).

Sinkinson, H. D., & Broderick, J. J. (1998). A case study of restorative justice: The Vermont reparative probation program. In L. Walgrave (ed.) *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997* (pp. 301-315). Leuven, BE: Leuven University Press.

- USA: Describes the experience of the reparative probation program operated by the Vermont Department of Corrections (divert property and minor violent crimes away from traditional probation service). Purposes of program: bring community members into active criminal justice role; provide additional efficient sentencing option to court; focus on issues related to offence and community; emphasize accountability and reparation of damage; involve the offender in community service programs. Involves: meeting with board and offender to discuss impact of crime on victims and community (may include victim), preparation of reparative agreement, if offender fulfills agreement discharge of offence. Discusses pros and cons of implementation process.

Spencer, F. & McIvor, G. (2000). *Conferencing as a response to youth crime*. Liverpool, UK: The British Society of Criminology Conference, 3, 1-24.

- AUSTRALIA/NEW ZEALAND/SCOTLAND: Examines issues presented by different models of family group conferencing in Australia and New Zealand to identify the potential benefits and limitations. Two types of conferencing are examined: diversionary (police-led model) and pre-sentence. Table lays out various conferencing models and describes the statutory bases, objectives, points at which conferencing operates, what conferencing is an alternative to, and who makes referrals and/or convenes. Weaknesses of diversionary conferencing are that police are not trained or resourced to identify when an offender's family needs information or access to support services, limited arrangements to protect offender rights, and arrestees may agree to conferences even when sufficient evidence is borderline. Weaknesses of pre-sentencing conferencing are that conferencing is resource intensive, delays in arranging conferences, and long periods of time between offence and disposition.

Stevens, S. (1994). *Report on the effectiveness of circle sentencing*. Vancouver, BC: Native Law Centre, University of British Columbia.

- CANADA: Purpose of report is to comment on the effectiveness of circle sentencing. Methodology of assessment: recidivism rates, crime rates, development and objectives. Reasons for the use of circle sentencing approach: historical treatment of Aboriginal societies, cycle of violence, healing process. Discusses how circle operates. Assessment from people directly involved in sentencing: general support and participants assessment. Elements that make the circle effective: community, justice system, government (i.e., support, commitment and participation), and offender (i.e., offender commitment, community support, likelihood of and need for rehabilitation). Discusses applicability of circle sentencing to different offences and the use of circles to sentence Aboriginal offenders who do not live in small Aboriginal communities.

Strang, H., Barnes, G. C., Braithwaite, J., & Sherman, L. W. (1999). *Experiments in restorative policing: A progress report on the Canberra Reintegrative Shaming Experiments (RISE)*. Australia: Australian Federal Police and Australian National University.

- AUSTRALIA: A follow-up report from the 1998 report which describes the progress made over the last 12 months in the Reintegrative Shaming Experiments (RISE); study compares the effects of court processing with the effects of a diversionary conference for 4 kinds of offence categories: drunk driving (any age), juvenile property offending with personal victims (under 18 years), juvenile shoplifting offences (under 18 years), and youth violent offences (under 30 years). Three hypotheses: both offenders and victims find conferences more fair than court, there will be less repeat offending after a conference than after court, and the public costs of providing a conference are no greater than the cost of processing offenders in court. Experimental design: only minor variations in the data from last year and additional tables included from the second wave of interviews with offenders two years after their entry into RISE; tables include each variable measured for the court and conference groups on each offence. All four experiments describe the characteristics of the offenders and their prior offending behaviour and only two experiments describe the characteristics of the victims. Observations made by the RISE research team for court and conference cases are addressed on 12 dimensions (i.e., time and effort, participants, emotions, justice, shaming, defiance, apologies, and forgiveness). Interviews with offenders after the final treatment disposition examine the differences and similarities in how the offenders react to conferences and courts. The second wave of offender interviews after two years describe the differences and similarities between the conference and court groups to find out what has happened to them since their disposition and seek a long-term perspective of their experiences. Victim interviews for both conference and court groups in two experiments. Two data sources (Facilitator Questionnaire and Informant Questionnaire) reveal descriptions on how police officers involved in RISE have reacted to the two forms of treatment and can be used to make comparisons between the two treatment groups.

Stubbs, J. (1995). Communitarian conferencing and violence against women: A cautionary note. In M. Valverde, L. MacLeod, & K. Johnson (eds.) *Wife assault and the Canadian criminal justice system* (pp. 260-289). Toronto, ON: The Centre of Criminology, University of Toronto.

- CANADA: Communitarian models responding to violence against women advocate an informal process for dealing with the offender and for including community members in decision making to determine the appropriate response to the offending behaviour. Proponents of communitarian intervention have two arguments: intervention in violence against women has reinforced the oppressive nature of criminal justice against women and minority men, and intervention and arrest have failed to deter subsequent offending. Questions whether oppression of these marginal groups is the outcome of intervention and policing; author challenges the idea that criminal justice intervention is always oppressive to women's interests (i.e., policing research in Northern Ontario looking at social controls in policing; policing of domestic violence in Hamilton and New Zealand). Analyzes the outcome of legal responses to violence against women which tends not to

be sensitive to context and uses deterrence as the single outcome measure. Examines alternative forms of justice system responses (i.e., Family Group Conference in New Zealand, and interventions in juvenile justice in Labrador and Newfoundland). Mugford and Mugford do not adequately address the feminist literature which raises concerns about the value of counselling for women and ignores the failures of early policies in police intervention. Sherman proposes a model of defiance to explain differential responses to arrest by employed and unemployed offenders which assumes that offenders would perceive a conference as just and fair. Braithwaite and Daly's model fail to address the appropriateness of their model to domestic violence. Problems with Braithwaite and Daly's approach: the theoretical underpinnings of the model, the rhetoric of community, the assumption of a consensus of values, the role of the police, and concerns about victim participation. It is not clear from Braithwaite and Daly's model if victim participation is necessary for the offender's reintegration, if the basis of the conferences encourage women to proceed, or if the conferences represent a less traumatic option.

Thorvaldson, S. A. (1990). Restitution and victim participation in sentencing: A comparison of two models. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 23-36). Monsey, NY: Willow Tree Press Inc.

- USA: Two models are compared: civil restitution assumes that restitution is a civil remedy offered to victims as private individuals or third parties in sentencing procedure; and criminal restitution interprets the victim's role and restitution in keeping with the conventional concept of criminal harm and the public aims of sentencing. Comparisons are made on 30 variables: the nature and legal status of victim, primary justifying aims, status and priority of restitution, compensable harms and the way harm is assessed, eligible cases, procedural standards and limiting principles, relationships between restitution and other compensatory procedures, victim's duties and rights, role of the prosecutor and status of victims' counsel.

Transformative Justice Australia (1997, Jan.). *Conferencing: Responsibility, understanding, forgiveness, agreement, transformation*. Prepared for the Canada/RCMP Family Group Conference Facilitator Training Program.

- AUSTRALIA/CANADA: Manual for Canada/RCMP Family Group Conference Facilitator Training Program. Includes: National Train-the-Trainers Evaluation Questionnaire, Facilitator Talking Notes, Conference Demonstration Notes, Conference Facilitator's Script, Conference Practice scenarios, and transparencies. Readings available at the back of the manual.

Trenczek, T. (1990). A review and assessment of victim-offender reconciliation programming in West Germany. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 109-124). Monsey, NY: Willow Tree Press Inc.

- GERMANY: Data presented on 3 pilot victim-offender mediation projects in West Germany. Emphasis on restoration and peace-making is having difficulty fitting into a punishment-oriented criminal justice system, however a theoretical basis for reconciliation can be found in West

German law. Outlines program goals (i.e., alternative to formal social control, avoid punitive sanctions, early conflict resolution, victim needs, and offender accountability), case criteria and procedure (i.e., juveniles and young adults, admission of guilt, usually one individual victim, referred by prosecutor, judge or court services, meeting mediated by social worker or probation officer, and monitoring fulfilment of agreement) and results of program activity (i.e., gender, age, offence type, participation rate, type of restitution, source of referral, and reason for non-participation). Raises important questions/issues to be addressed: problems emerge due to the location of the program in criminal and civil law, high participation rates may be the result of offenders expecting their case will be dismissed, whether or not the Victim-Offender Reconciliation program (VORP) should mediate a restitution contract between two parties without a personal encounter, lack of experience in working with adult offenders and felony cases, limited use of mediation in German justice system as officials consider the use of VORP for serious offences unsatisfactory in meeting the public's demand for punishment, neglect of the victim and of applying mediation to more serious cases deprives us the chance to learn and improve the current system, and public opinions are not necessarily punitive and sometimes are more accepting of alternative measures than criminal justice officials.

Trevethan, S. D. (1997, Jan.). *Restorative justice: A return to community justice*. Presentation to the Career Assignment Program, Gatineau, Quebec.

- CANADA: Presentation describing restorative justice, stages within the system, and family group conferencing.

Trimboli, L. (2000). *An evaluation of the NSW youth justice conference scheme*. Australia: New South Wales Bureau of Crime Statistics and Research.

- AUSTRALIA: Presents results of an evaluation on the New South Wales (NSW) Youth Justice Conferencing Scheme. Describes NSW Young Offenders Act (1997) which provides police with alternative responses to court proceedings for youth aged 10-18; describes youth justice conferences and their development. Measured conference participants' satisfaction with the conferencing process and the outcome plans by using a state-wide survey (post-conference) for victims, offenders, and support persons (n = 969). Survey includes demographic characteristics of respondents and characteristics of conferences (i.e., number of participants, types of offences and victims), satisfaction with the conference (i.e., awareness of process, consistency, fairness, respect, process control), and outcome plan. Results of survey compared with participant responses of the RISE (Reintegrative Shaming Experiment) project in Canberra (a field experiment comparing the effects of court processes with the effects of conferencing). Majority of participants in NSW Conferencing Scheme and RISE project expressed high levels of satisfaction with the process and outcome - compared to the RISE participants, a significantly higher proportion of NSW subjects expressed satisfaction. Majority of conferences successfully achieved including victims and the offenders' family in the conferences. Only 8.1% of the conferences met the statutory time periods within which the conferences were to be held.

Umbreit, M. (1998). Restorative justice through victim-offender mediation: A multi-site assessment. *Western Criminology Review*, 1(1), 1-29.

- USA: Reports on a study of victim-offender mediation in four sites (Albuquerque, Austin, Minneapolis and Oakland) with juvenile offenders and their victims. Total of 1,131 mediation sessions in the four programs and a mutually agreeable restitution plan was negotiated in 95% of these cases. Results: client satisfaction in the four mediation sites was much higher when compared to a matched sample. In the mediation sample, 79% of victims and 87% of offenders were satisfied with the manner in which the justice system disposed of their case through mediation. In comparison group, only 57% of victims and 78% of offenders were satisfied. A study of victim-offender mediation programs in Albuquerque and Minneapolis found that offenders were significantly more likely to complete their restitution obligation to victims compared to similar offenders in a court-administered restitution program without mediation. Fear and anxiety was also reduced following mediation in all four program sites. Comparison of English, Canadian and U.S. studies of victims and offenders who participate in mediation.

Umbreit, M. (1996). *Responding to important questions related to restorative justice*. St. Paul, MN: Center for Restorative Justice and Peacemaking, School of Social Work, University of Minnesota.

- INTERNATIONAL: Describes the international development of restorative justice programs since the 1970s. One of the most ambitious system-wide restorative justice initiatives was established in Vermont in 1994. Up to 50% of the current probation caseload was identified as appropriate for Reparative Probation Community Boards. As to the question of public support for restorative justice, there is growing body of evidence to suggest that the general public is far less vindictive than often portrayed and far more supportive of the basic principles of restorative justice. Virtually no research is yet available to assess the impact of restorative justice upon criminal and juvenile justice systems. With respect to assessing the impact of restorative justice, there is no research as yet available. Umbreit argues that it is not clear whether the retributive system of justice will ever be replaced since it is so deeply entrenched. More likely that restorative justice initiatives will operate along with policies and practices that are not restorative in nature.

Umbreit, M. (1992). *Program evaluation kit: Victim-offender mediation programs*. St. Paul, MN: Center for Restorative Justice and Peacemaking, School of Social Work, University of Minnesota.

- USA: Kit provides evaluation protocols for victim offender mediation programs. The questionnaires represent a collapsed version of the larger instruments developed and administered by Umbreit and his staff in a total of 1,153 interviews with victims and offenders related to mediation programs in Albuquerque, New Mexico, Austin, Texas, Minneapolis, Minnesota, and Oakland, California. Included are post-mediation victim and offender questionnaires and comparison group questionnaires for victims and offenders who were referred but did not go through the mediation process.

Umbreit, M. S. (1991). Minnesota Mediation Center produces positive results. *Corrections Today*,

August, 192-196.

- USA: Reports on the results of a study previously conducted on the Center for Victim Offender Mediation (CVOM) program for the Minnesota Citizens Council on Crime and Justice (1985). Program elements include court referral of young offenders, voluntary participation, debriefing session with the victim and offender, and both misdemeanor and felony cases. Study of the CVOM's effectiveness based on post-mediation interviews with a sample of victims and offenders. Findings - ½ of cases resulted in face-to-face mediation, restitution agreements reached for 96% of the cases, and 81% of agreements were successfully completed. Reasons cases did not enter mediation: unwilling victims or offenders, prior resolution of conflict, and unable to locate a participant. Mediation was more important than compensation for the victims. Three themes emerged regarding what victims liked the most: importance of telling the offender how the crime affected them, being able to directly confront the offender, and being able to help the person. Three themes for what offenders liked the most: getting to know the victim, finding out the victim was nice, and that the victim was understanding. High levels of satisfaction with the mediation process, however offenders indicated slightly less satisfaction than victims; victims had positive attitudes toward the mediation session, outcome, and offender; majority of agreements considered fair by both parties; both offenders and victims disliked the anxiety felt before the session. Results can not be generalized outside the CVOM program; results consistent with the current research on mediation.

Umbreit, M. S. (1990). The meaning of fairness to burglary victims. In B. Galaway & J. Hudson (eds.) *Criminal justice, restitution and reconciliation* (pp. 47-58). Monsey, NY: Willow Tree Press Inc.

- USA: Exploratory study of fairness in a victim-offender mediation program in 2 Minnesota counties which operate for juvenile offenders at the post-adjudication stage for mainly burglary offences. It is important to examine perceptions of fairness because it is ill-defined in research, its potential to impact on services provided, and it is a key concept in penal theory. Open-ended interviews with 50 victims to answer the questions: what is the meaning of fairness to victims and to what extent are victims satisfied with the mediation process? Victims who participated in the mediation process expressed higher levels of satisfaction with the process and higher levels of fairness with the mediation process, mediator, and restitution agreement than those victims who were referred but did not participate in mediation. Dimensions identified as being related to fairness: victim participation in the justice process, rehabilitation of the offender, compensation of victim losses, punishment of the offender, and offender's expression of remorse. Most important dimension for victims was their participation in the justice process in order to let the offender know how the crime affected them and to have direct input into determining restitution. The three dimensions of punishment, compensation, and rehabilitation provided the basis for constructing a typology of victim perspectives on fairness (the "healer," the "fixer," and the "avenger"); the typology indicates a more complex, multidimensional understanding of fairness for crime victims.

Umbreit, M. (1989a). Crime victims seek fairness, not revenge: Toward restorative justice. *Federal Probation*, 53(3), 52-57.

- USA: Growing body of research suggesting that the public, including victims, is far less vindictive than commonly portrayed and far more concerned about the need for treatment programs to rehabilitate offenders. Discusses study of burglary victims (Umbreit, 1988) which supports the important role of active versus passive involvement of victims. Fairness as rehabilitation - most frequent concern about fairness expressed by victims was related to rehabilitation services for offenders - 96% of victims, whether they participated in the mediation process or not, indicated that rehabilitation was an important part of their understanding of fairness. Fairness as compensation - compensation of the victim through restitution by the offender was the second most frequent concern (94%). Fairness as punishment - least frequent concern about fairness. Fairness as victim participation - for those victims who participated in mediation, their desire to participate in the justice process in a direct manner focused upon the need to let the offender know how the crime affected them as people and to have direct input into shaping a portion of the offender's punishment (e.g., restitution). Victim satisfaction with mediation - victims who participated in mediation indicated a very high level of satisfaction with the mediation process. Important relationship between involvement of victims in the victim offender mediation process and the experience of fairness.

Umbreit, M. (1989b). Violent offenders and their victims. In M. Wright & B. Galaway (eds.) *Mediation and criminal justice: Victims, offenders and community* (pp. 99-112). London, UK: Sage Publications.

- USA: Describes victim/offender reconciliation process as used for non-violent offences. Major theoretical elements of victim/offender reconciliation model presented. Some important questions regarding the theoretical base of VORP model and its practice. Five case studies to illustrate how victim/offender mediation is used for violent conflicts; these studies indicate that some of the goals of VORP model appear more relevant when applied in violent crimes. Application of victim/offender mediation in violent crimes requires assessment of the initial VORP model and the identifying elements of the model that require modification. Three basic principles need to be emphasized when applying mediation to violent cases: exercise sensitivity when approaching victims about their participation, sensitivity is essential when working with victims, and victims and offenders of violent crimes require extended counselling and support services. A few modifications for mediation with violent offences include: more time is required for each case, the role of the mediator must change, mediator training needs to be increased, and a longer process of building trust and providing support is essential.

Umbreit, M. & Bradshaw, W. (2001). *Assessing victim satisfaction with victim offender mediation and dialogue services: The development and use of the Victim Satisfaction with Offender Dialogue scale (VSODS) - Draft*. St. Paul, MN: Center for Restorative Justice and Peacemaking, School of Social Work.

- USA: Restorative justice programs should assess victim satisfaction to meet demands for accountability funding, and improved services. Without consideration of victim perspectives, evaluation is incomplete and perhaps biased. Victim input can be used to modify services, respond to client needs, and indicate program acceptability. Problems in satisfaction assessment include:

lack of standardized scale - most programs have developed their own satisfaction scale and this is problematic because none of the scales have been psychometrically tested, it is impossible to compare differences across programs and services, and most satisfaction measures are not comprehensive and do not assess multidimensional aspects; problems with validity of results - agencies fail to identify sample characteristics, the response rate, or the representativeness of the sample; limited data analysis - standard deviations, sub-scale scores, and comparisons of different victim offender groups are rarely reported; and lack of integration of satisfaction data into a continuous improvement process - satisfaction data is rarely used in the modification of services or comparison of services. The *Victim Satisfaction with Offender Dialogue Scale (VSODS)* was developed to be used in a variety of victim services and in order to differentiate between victim satisfaction along multiple dimensions. The scale identified determinants of satisfaction (i.e., mediator skills, preparation for mediation, restitution, meeting the offender, experience of the criminal justice system, experience of the mediation session, subjective experience of the victim) and for each determinant, corresponding scale questions were developed. Preliminary scale was administered to 197 victims of criminal offences who participated in victim offender mediation. Results indicate that victims were generally satisfied with the mediation dialogue services received, that satisfaction was not significantly related to gender or type of offence, and that there was no relationship between income, education, and age. Guidelines for use of the scale and a table of VSODS is presented.

Umbreit, M., & Bradshaw, W. (1997). Victim experience of mediating adult vs. juvenile offenders: A cross-national comparison. *Federal Probation Journal*, 61(4), 33-39.

- USA/CANADA: First study to test the impact of the offender's age upon crime victim satisfaction with victim-offender mediation. Draws upon data from two well-developed programs: Winnipeg (adult offenders) and Minneapolis (juvenile offenders). Quasi-experimental two-group design examines differences between groups with respect to satisfaction with the criminal justice system, satisfaction with the mediation outcome, and the impact of mediation on the subjective distress of the victim. Data were collected from post-mediation interview schedules (conducted in homes, approximately two months following mediation), individual characteristics (i.e., age, race and gender) and victimization status variables (i.e., type of offence, previous victimization and prior knowledge of the offender). Results: victims in both sites reported moderately high levels of satisfaction with the justice system and mediation. Victims also report being less upset about the crime, having less fear and feeling more positive views of offenders. Between group comparisons suggested some support for the hypothesis that victims in juvenile offender mediation will have higher levels of satisfaction than victims in adult mediation. Victims in juvenile mediation reported that participation had significantly enhanced their sense of participation in the justice system when compared to victims in adult mediation. No differences between groups in satisfaction with the system or attitudinal changes regarding the system due to participation in mediation. With respect to the hypothesis that victims in juvenile offender mediation will have higher levels of satisfaction with the mediation outcome than victims in adult offender mediation, there were no differences between groups on satisfaction with mediation or recommending mediation to others.

Umbreit, M., & Coates, R. B. (1999). Empirical studies of victim offender mediation and family group conferencing. *Research and Resources Review*, 1(1), 1-9.

- USA/CANADA/ENGLAND/SCOTLAND/NEW ZEALAND/AUSTRALIA: Two charts listing empirical studies of victim offender mediation and family group conferencing. Each study is described with respect to research design, population sample, data, and key findings.

Umbreit, M., & Coates, R. B. (1993). Cross-site analysis of victim-offender mediation in four states. *Crime and Delinquency*, 39(4), 565-585.

- USA: First cross-site analysis of victim-offender mediation programs in the U.S. (juvenile courts). Quasi-experimental design (not random assignment): included interviews with victims, offenders (pre- and post-mediation), two comparison groups (referred/no mediation; not referred), and court officials, as well as observations of mediations. Found that the vast majority of victims and offenders experienced the mediation process and outcome as fair and were quite satisfied. Mediation resulted in significantly greater satisfaction and perceptions of fairness for victims, and significantly higher restitution completion by offenders, than in comparison groups. It is important that victims and offenders participated voluntarily in mediation. Although the mediation process appeared to have had an effect on suppressing further criminal behavior, this was not statistically significant. Notes that the accountability principle of the balanced approach should more actively embrace the practice of victim-offender mediation.

Umbreit, M., Coates, R. B., & Kalanj, B. (1994). *Victim meets offender: The impact of restorative justice and mediation*. Monsey, NY: Criminal Justice Press.

- USA: Cross-site study of victim-offender mediation (VOM). Describes VOM and findings from previous studies: high level of client satisfaction, mediation humanizes the justice process, over 90% of mediation sessions result in successful negotiated restitution plan, high level of successful restitution completion, mediation process and outcome perceived as fair by victims and offenders. Current study conducted in 4 locations - quasi-experimental with 2 comparison groups (referred/no participation and never referred). Data collection: pre- and post-mediation interviews (phone or in-person) with victims and offenders; interviews with program staff and court officials; observation; record data (restitution completion, recidivism, cost); qualitative data analysis. Immediate outcomes: 95% success in negotiating restitution agreement; significant effect on reducing victim's anxiety and sense of vulnerability; most important issues for victim were opportunity to tell offender effect of crime, get answers, and negotiate restitution; receiving restitution was least important issue for victims; most important issues for offenders were telling victim what happened, apologizing, negotiating and paying restitution. Client satisfaction: mediation had significant impact on increasing victim satisfaction with juvenile justice system; 90% of victims and 91% of offenders were satisfied with outcome. Fairness: 83% of victims and 89% of offenders experienced fairness in how the case was handled; nearly all victims and offenders indicated that mediator was fair. Qualitative - positive themes for victim included victim empowerment,

rehabilitation of offender, quality preparation and leadership by mediator, receipt of restitution, and offender looking human. Negative themes for victim included mediation lacking authority in assuring completion, dissatisfaction with mediator, offenders' uncooperative attitude, presence or absence of offender's parents, victim feeling coerced and revictimized, and inconvenience. Positive themes for offender included dealing with feelings, achieving fairness, victim changing attitude toward offender, correcting what was done, avoiding jail/court, dealing directly with victim, mediation session being safe, apologizing, and being empowered through receiving second chance. Negative themes for offender included disempowerment/sense of injustice, grievance with other parts of justice system, uncomfortable meeting with victim, mediators' inadequate style, punishment too small, and time span too long. Recidivism: victims were significantly more likely to receive restitution if they participated in mediation; offenders held more accountable for successful completion; offenders committed considerably fewer crimes than a matched sample not in mediation; finding of lower recidivism was not statistically significant.

Umbreit, M. S., Coates, R. B., Kalanj, B., Lipkin, R., & Petros, G. (1995). *Mediation of criminal conflict: An assessment of programs in four Canadian provinces*. St. Paul, MN: Project of the Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA/CANADA: Examination of victim-offender mediation programs in Calgary, Langley, Ottawa and Winnipeg. Quasi-experimental design including those who went through mediation and those referred who did not go through mediation. Included phone interviews with victims and offenders; observations of mediation sessions; interviews with court officials, program staff and volunteer mediators; review of record data. Consistent with other research, found high levels of client satisfaction and perceptions of fairness with mediation.

Umbreit, M. & Fercello, C. (1997a). *Interim report: Client evaluation of the victim/offender conferencing program in Washington County (MN)*. St. Paul, MN: Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA: Evaluation of a victim/offender conferencing program in Washington County, Minnesota. Methodology involved mediation groups of victims and offenders and comparison groups of victims and offenders who did not participate. Results: client satisfaction with the justice system - mediation victim group (100%), mediation offender group (88%), no mediation victim group (88%) and no mediation offender group (61%). Data indicate high level of support by crime victims and offenders who participated in a conference session. Finding is consistent with other research studies in North America and Europe. Caution must be used in interpreting these findings or generalizing them due to the nature of this initial assessment (i.e., the relatively small number of respondents, and the self-selection into the conferencing process).

Umbreit, M. & Fercello, C. (1997b). *Program evaluation kit: Family group conferencing*. St. Paul, MN: Center of Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA: Kit provides evaluation protocols for family group conferencing. Includes: pre-conference

surveys for victims and offenders and post-mediation interview schedules for victims, offenders, and support people. Measures include: satisfaction, concerns about participation, voluntariness, pre-conference preparation, restitution, and facilitator competence.

Umbreit, M. S., & Fercello, C. (1997c). *Woodbury police department's restorative justice community conferencing program: An initial assessment of client satisfaction*. St. Paul, MN: Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA: Woodbury Minnesota Police Department initiation of the Restorative Justice Community Group Conferencing Program for juvenile offenders (1995). Overview of restorative justice and family group conferences (restoration over punishment, importance of victim, offender accountability, community involvement and healing, offender responsibility over punishment, community support, and victim and offender assistance). Outlines application and practice of family group conferences in New Zealand. Background on the Woodbury Police initiative: program developed in response to rising juvenile crime and ineffective traditional methods - purpose of program is to address juvenile crime at the community level through direct interaction. Program description: participants selected from the department cases, three criteria (seriousness, past involvement, attitude), restitution agreements, and program involvement. Methodology: self administered questionnaire to victims, offenders, and parents (random sample). Findings: high levels of satisfaction and fairness for all program components, all groups preferred the program over the courts, victim group expressed the most dissatisfaction, victims more likely to state that courts could have accomplished more than the program. Findings are consistent with previous studies (Coates & Gehm, 1989; Dignan, 1990; Marshall & Merry, 1990; Umbreit, 1995, 1994, 1991; Umbreit & Roberts, 1996). Caution over interpreting the findings and generalizing the results to other programs; more research with comparison groups who did not participate in the program is needed. Introduces the citizen initiative called FOCUS (Focus on Community United by Shared Values). Appendices: Conference Coordinator's Script, "Focus on Community United by Shared Values" flyer, "Woodbury Police Department Restorative Justice Program" flyer.

Umbreit, M. S., & Greenwood, J. (2000). *Guidelines for victim-sensitive victim-offender mediation: Restorative justice through dialogue*. Washington, DC: U.S. Department of Justice, Office of Justice Programs.

- USA: Purpose of victim-offender mediation is to serve as a conflict resolution approach which actively involves victims and offenders to repair the harm done, to express feelings and opinions, and to develop a restitution plan. Table included (Victim Offender Mediation Continuum: From Least to Most Restorative Impact). Case referral may occur as diversion or at a post-adjudication level. Majority of U.S. programs work with youth and adults, property offences and minor assaults. Multi-site assessments report high levels of satisfaction, reduced fear, reduced criminal behaviour, and higher restitution completion rates. 10 underlying principles: humans have resources to resolve problems, appropriate structure and mediator neutralizes differences and facilitates dialogue, provides a safe environment to participants, empowerment through sharing experiences and providing choices, adaptation to participant needs, good agreements enhance

results. Fourteen guidelines: victim safety, careful case screening, meeting first with offender, providing choices to victims, mediator's obligations to the victims and offenders in pre-mediation session, mediator's responsibilities to prepare the victims and offenders, offender support, using victim sensitive language, using a humanistic/dialogue driven model of mediation, follow-up session, mediator training in victim sensitivity. Program recommendations: advisory boards, quality control through program evaluation, maintain networks, quality standards for mediators, broaden services. Training recommendations: maximize experiential learning with role-playing, enhance learning using a multi-dimensional format, enhance preparation phase to assist trainees.

Umbreit, M. S. & Roberts, A. W. (1996). *Mediation of criminal conflict in England: An assessment of services in Coventry and Leeds*. St. Paul, MN: Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- USA/UK: Studies in Europe and North America have consistently found high levels of satisfaction, high restitution completion rates, reduced fear, and reduce recidivism. This study reports on the English component of a large cross-national study of victim offender mediation involving 4 programs in the U.S., 4 programs in Canada, and 2 projects in England. First study to use common data collection instruments and analysis across victim offender mediation projects in 3 countries; examines the Coventry Reparation Scheme and the Leeds Mediation and Reparation Service; a quasi-experimental design including phone and in-person interviews with victims and offenders following either the mediation session or the disposal of a case. Three comparison groups used (those who participated in direct mediation, those who participated in indirect mediation, and those who referred but who did not participate in mediation). Research questions focused on the characteristics of the participants, how the mediation process operates, how participants evaluate the process, immediate outcomes, extent of fairness experienced by the participants, and opinions of the justice system officials. Findings presented on client satisfaction with the criminal justice system, client satisfaction with outcome of mediation, voluntary participation in mediation, perceptions of fairness in justice system, other important concerns (i.e., receiving answers, explaining the impact, receiving an apology, and negotiating restitution), victims fear of re-victimization, and criminal justice system support. Each finding is divided into victim and offender categories, and further sub-divided into mediation vs. non-mediation samples and direct vs. indirect mediation samples. Study limitations: limited resources, quasi-experimental design, small sample sizes, and largely descriptive and exploratory in nature.

Umbreit, M. S., & Zehr, H. (1997). *A challenge to victim-offender mediation?* United States: Victim Offender Mediation Association (VOMA).

- USA: Numerous pilot projects and program initiatives are incorporating some form of the Family Group Conference (FGC) model (i.e., Real Justice, Bethlehem police department, Minnesota Bureau of Criminal Apprehension). Chart comparing New Zealand and Australian (Wagga Wagga) Family Group Conferencing models on aspects such as conveyors, participants, purpose, selection of community members, decision-making process, victim's role, time in operation, targeted offenders, size of group, preparation of participants, access to program, and conceptual

framework. The FGC process has advantages over VOM practice: involves more people in the community, acknowledges a wider range of victimized people, gets a wider range of participants to express their feelings, and acknowledges and regularizes the role of family in an offender's life. Six potential dangers of FGC's: inadequate preparation, victim insensitivity and coercion, young offenders feeling intimidated by adults, lack of neutrality (shaming), inflexibility and assumed cultural neutrality, and net-widening. Eight guiding principles for restorative FGC's presented.

Van Barlingen, M., Slump, G. & Tulner, H. (2000). *Interim evaluation of restorative mediation*. Amsterdam, NL: Ministry of Justice, Research and Documentation Centre, International Victimology Website.

- NETHERLANDS: Reviews the Restorative Mediation Project which was launched in the district of The Hague in August 1997. After two years of development, implementation and adjustment, an interim evaluation was performed in the spring of 2000. The purpose of the evaluation was to further elaborate on the conditions for a second mediation project, to define the need among possible clients for restorative mediation, and to identify the value clients attach to mediation. The evaluation revealed that staffing needs to be increased, data must be stored more systematically (e.g., develop a central registration system) and the use of volunteers might be useful in the preparatory stage of mediation. Most participants felt positive about the mediation process.

Van Ness, D. W. (1997, Mar.). *Perspectives on achieving satisfying justice: Values and principles of restorative justice*. Presented at Achieving Satisfying Justice Symposium, Vancouver, British Columbia.

- USA: Discusses RJ by describing it as building a house. Foundation (fundamental principles) of RJ - if crime is more than lawbreaking, then: justice requires that we work to heal victims, offenders and communities who have been injured by crime; victims, offenders and communities should have opportunities for active involvement in the justice process as early and as fully as possible; must rethink the relative roles and responsibilities of government and community (government responsible for preserving a just order and community for establishing a just peace). Corner posts (values) of RJ: encounter; reparation; reintegration; and, participation. Roof (vision) of RJ: opportunity for a transformation of those people and relationships that can lead to increased community peace.

Van Ness, D. & Strong, K. H. (1997). *Restoring justice*. Cincinnati, OH: Anderson Publishing Co.

- USA: Part one - Addresses why ancient and current patterns of thinking obstruct criminal justice reform. Movements such as informal justice, restitution, victim's movement, reconciliation/conferencing, and social justice. Origins of the term "restorative justice" and authors who have explored the topic. Discuss 3 propositions to construct a restorative system; a restorative justice model illustrating the features of restorative justice theory; and four questions about restorative justice (What is restorative justice? How is restorative justice different from what we do now? How does restorative justice respond to crime? How does restorative justice seek to prevent crime?). Four objections to restorative justice (means the end of criminal law; multiple

parties cannot pursue multiple goals and achieve a single overarching purpose, not all harms can be identified and of those that are, not all are of equal importance; government and community will not be able to share responsibility for public safety in the way anticipated by restorative justice theory). Part two - Encountering through victim offender reconciliation programs, family group conferencing, and victim offender panels. Encounter issues (coercion; individualism; pluralism; limitations). Reparation questions (Who should receive reparation? Should reparation reflect the seriousness of the offence or of the injury? For which injuries should reparation be provided? Is reparation feasible? How can courts manage the risk of community-based sentences?). Reintegration of victims, offenders and communities; history of private and public prosecutor; victim and prosecutor; and victim participation at various stages of criminal proceedings. Gain support for restorative justice, pursue strategic goals, evaluate impacts, confront obstacles (i.e., unreported/unsolved crimes; social, economic and political inequalities; politics as usual). Transformation of perspective, structures, and persons.

Walgrave, L. (1998). *Restorative justice for juveniles: Potentialities, risks and problems for research. A selection of papers presented at the international conference, Leuven, May 12-14, 1997*. Leuven, BE: Leuven University Press.

- **INTERNATIONAL:** A selection of papers presented at the International Conference in Leuven, Belgium (1997). Introduction: restorative justice holds promise for more humane settlements to crime, higher levels of victim satisfaction, better opportunities for offender reintegration, and more social cohesion and community peace; the rehabilitative approach does not respond to serious juvenile crime and neglects citizen rights; questions whether restorative justice are new techniques in the existing system, re-educative responses to crime, or a full alternative to the existing system; issues of coercion for offenders and feasibility of applying restorative justice to serious crimes; the focus on restorative justice for juveniles is in response to pressure to change the welfare option in juvenile justice, reactions to juveniles are less rigid and stereotyped than adult responses, and focus on a well-defined problem will advance coherence. Part 1: attempts to develop a consensual definition of RJ; questions the legitimacy of RJ measures; outlines victim-offender conferences and the need for safeguards; critically examines objections of using a RJ approach for juveniles; considers how restorative approaches should recognize the responsibility of the juveniles; the importance of shame to RJ; ethical and social interpretation of crime through concepts of "linkedness" and "integration-disintegration". Part 2: community service, mediation, and judicial frameworks in Europe; the theory between the restorative justice model and the practice of the Scottish Children's Hearings; the Italian experiences of victim-offender mediation in the juvenile justice system; the characteristics and functions of victim-offender mediation and community service in Belgium; the restorative justice trajectory in Quebec in the last 20 years; recent changes in the criminal justice system in Sweden; and the development of victim-offender mediation in Germany. Part 3: Restorative justice in Native communities (i.e., Community Holistic Circle Healing of Hollow Water); a case study of restorative justice (i.e., Vermont Reparative Probation program); problems and perspectives of victim-offender mediation for juveniles in Italy; recidivism of community service as a restitutive judicial sanction in comparison with traditional juvenile justice measures in Belgium; critical assessment of community service and mediation for

juveniles in Brussels (i.e., BAS project); and the juvenile mediation project in Belgium.

Walrath, C. (2001). Evaluation of an inmate-run alternatives to violence project: The impact of inmate-to-inmate intervention. *Journal of Interpersonal Violence, 16*(7), 697-711.

- USA: Alternatives to Violence Project (AVP) is an inmate-run, prison-based intervention program which provides inmates with alternatives to violent behaviour. Two goals: decrease the rate of violence within and among the prison population; and influence behaviour in the community on release. Program components: voluntary participation, inmate facilitators, conflict resolution training, 5 training steps each for 3 day-long sessions, and interactive activities such as role-plays. Research gaps: lack of literature describing or evaluating conflict-related interventions for inmates, little discussion about interventions run by individuals other than clinicians, and no report of a systematic evaluation of the AVP. Sample (N = 94) included an intervention group of inmates scheduled to participate and a comparison group of inmates who were not scheduled and who did not express an interest in the program. At baseline and 6-month follow-up, 4 attitude/attribute-dependent measures were used to assess anger, self-esteem, optimism, and locus of control among the two groups. Inmates also completed a questionnaire to assess their level of exposure to and involvement in nonviolent and violent confrontations. Results: AVP participants had significantly lower levels of expressed/experienced anger and significantly lower rates of confrontations compared to non-participants; regardless of study group status, there was significantly lower levels of self-esteem and a trend toward higher levels of optimism. Study limitations: no random assignment, high attrition rates, and self-reported behaviour may be biased. Need for continued intervention with inmates and future directions for correctional setting-based evaluations are discussed.

Warner Roberts, A. & Masters, G. (eds.) (1999). *Group conferencing: Restorative justice in practice*. St. Paul, MN: Center for Restorative Justice and Mediation, School of Social Work, University of Minnesota.

- INTERNATIONAL: Examines 7 projects in Britain and 3 in Minnesota. Each project describes current practices in planning, implementation and evaluation. Major evaluation strengths of programs in USA include: having pilot sites based in a variety of agencies, evaluation built into project from the onset for independent research, thorough and comprehensive record-keeping, in-house evaluation includes satisfaction of victim, offender and parents and tracking agreement/restitution completion. In England, major evaluation strengths include: follow-up evaluation conducted by independent team member who acts as evaluator after 3 weeks, 2 and 6 months, in-depth interviews with 1 in 5 participants and professionals, early recognition of system inertia and reluctance to change prompted increased orientation and training, independent evaluation to address information such as attendees, contents of plan, satisfaction, completion of plan, impact on re-offending and community involvement. Some results from this program include: reduction in myths and stereotypes, increased inter-agency commitment and involvement and helped police develop more positive attitudes towards young people and their families, creation of separate sub-groups; outside evaluation in conjunction with in-house data collection and evaluation, exceptionally strong evaluation design with research conducted over 3 years by an

independent institution.

Zehr, H. (1995). A restorative lens. In Nick Larsen (ed.) *The Canadian criminal justice system: An issues approach to the administration of justice*. Toronto, ON: Canadian Scholars Press Inc.

- CANADA: Describes restorative versus retributive justice (table of differences). True justice cannot occur unless people and relationships are transformed into something that is healthy so the injury does not recur. Restitution implies an acknowledgement of the wrong and a statement of responsibility. For a community, reparation often requires some sort of symbolic action that contains elements of denunciation of the offence, vindication, reassurance and repair. Identifying and addressing offenders' needs is a key element of restorative justice. It concentrates not simply on their legal needs, but on emotional and spiritual needs. The real question, then, is not whether persons will experience some elements of restorative justice as punishment, but whether punishment *intended as punishment* has a place. It would need to be applied under conditions which are controlled and reduced the level of pain and in a context where restoration and healing are the goals.

Zehr, H. (1990). *Changing lenses: A new focus for crime and justice*. Scottdale, PA: Herald Press.

- USA: Part I describes the experience of crime (for the victim, offender, and common themes - repentance and forgiveness, issue of power, mystification of crime). Part II describes the justice paradigm (retributive, justice as a paradigm). Part III describes community justice, covenant justice, and victim-offender reconciliation. Part IV discusses a restorative lens (crime as a violation of people and relationships; restoration; justice begins with needs; crime creates obligations; offenders have needs too; a matter of accountability; process must empower and inform; justice involves rituals; is there a place for punishment; two lenses) and where to go from here (system possibilities, in the meantime, new within the old, if nothing else). Appendix 1 includes a restorative justice yardstick (questions to ask to measure whether a program is restorative).