

Educating for Change: Honouring the Voices of Restorative Justice Participants in BC

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The Crime Reduction Research Program

This project was funded through the British Columbia Crime Reduction Research Program (CRRP).

The CRRP is a research grant program administered and funded by the Province of British Columbia in collaboration with the Royal Canadian Mounted Police (RCMP). The CRRP is focused on investing in independent research to inform priority policing operations, policies, and programs related to public safety in British Columbia. In doing so, the CRRP also aims to foster greater collaboration between government, law enforcement, and academic experts in the field of policing and public safety.

Eligible research topics are identified on an annual basis by the BC Ministry of Public Safety & Solicitor General and the RCMP based on current and emerging provincial priorities. All grants are awarded on a merit basis by the CRRP Working Group.

Disclaimer

The statements, findings, and recommendations contained in this report have been reached independently by the authors of this report and do not necessarily reflect the views of the Province of British Columbia.

Executive Summary

This qualitative study explored the experiences of victims, offenders, supporters and facilitators who had participated in a restorative justice process following a serious or violent crime. Fifty-two semi-structured, in-depth interviews were conducted, and participants shared why they chose to participate in restorative justice and how it addressed their justice needs. Participants reported that their needs for accountability, having questions answered, gaining understanding, and addressing future safety were met through the restorative justice process. Participants offered insights into how restorative approaches that balance flexibility and structure and offer trauma-informed care can reduce the risk of revictimization through well-intentioned practitioners and programs. Both restorative justice participants and experienced restorative justice facilitators provided recommendations for enhancing the quality of and access to restorative justice in British Columbia in the aftermath of serious, violent or complex incidents such as those involving mental illness, interfamilial harm, and substance misuse.

Background & Literature Review

The purpose of this study was to gain insight into the impact of restorative justice processes for those impacted by a serious and violent crime or one complicated by the presence of mental illness, substance misuse, multiple victims/offenders, and interfamilial harm. The project gives voice directly to participants in order to achieve understanding about how restorative justice is experienced in BC and how it might be more accessible for others impacted by crime.

What is Restorative Justice?

Restorative justice is

a way of looking at and thinking about crime and the criminal justice system – one that is meant to take a holistic, collaborative, and humanizing approach. It views crime not only as a violation of the law but also of people, relationships, and communities (Government of Canada, 2017A, p. 1).

Restorative justice is a philosophy with associated practices such as victim-offender dialogue, conferencing, and circles. Restorative processes emphasize the importance of victim voice and needs (Zehr, 2002) whereby “the harm done to the victim takes precedence and serves to organize the essence of the interaction between the key players” (Umbreit & Peterson Armour, 2010, p. 7). By acknowledging and seeking to address the harms of victimization, the needs of offenders and the community are also attended to. All parties are offered a voice in the justice process which distinguishes restorative justice from the legal system where third parties (lawyers, judges, corrections, etc.) and professionals dominate decision-making.

The definition of restorative justice offered by the Government of Canada (2017A) highlights that this approach is “a way of looking at and thinking about crime and the criminal justice system” although restorative justice is both a contested concept (Johnstone & Van Ness, 2007) and an amorphous one (Roberts, 2004). While there is not one, single definition of restorative justice, there is consensus in the field that restorative justice is best understood as a guiding justice philosophy, paradigm, and set of values and principles.

To map the various definitions of restorative justice, Johnstone & Van Ness (2007) propose three conceptions; encounter, reparative, and transformative. Depicting restorative justice as a process like victim-offender dialogue where affected parties come together to discuss a crime constitutes an *encounter* conception. *Reparative* conceptions of restorative justice involve seeking non-punitive responses to fulfill reparation to people and relationships after a crime has occurred. Reparation may take the form of an encounter, but this is not necessary or possible in all cases. Restorative, reparative outcomes are still possible if one of the parties cannot be located, has died, or chooses not to participate in an encounter.

Transformative conceptions of restorative justice are grounded in the notion that restorative justice is a way of living whereby the well-being and needs of all are considered individually and structurally (Sullivan & Tifft, 2005, p. 187). Justice involves meeting needs, treating all beings as equal and worthy, and seeking transformation of relationships between people and our environment. The conceptions have enough common ground to be considered part of the same social movement of restorative justice (Johnstone & Van Ness, 2007, 17).

Restorative justice philosophy and practice have been informed by diverse Indigenous and faith traditions as well as ideas from peacemaking criminology, community justice, penal abolition, and victims rights. These “tributary streams” have merged with grassroots organizing, federal legislation, and policy which led to the development of diverse restorative justice initiatives in most regions of the province.

Enhancing Restorative Justice in BC

Findings from a national survey indicated that 62% of Canadians thought that restorative justice would provide victims of crime with a more satisfying and meaningful experience than the mainstream criminal justice system (Government of Canada, 2018). However, many victims and criminal justice professionals are unaware of restorative justice which affects their access to these options. Although research from around the globe has demonstrated the benefits of restorative justice including increased victim satisfaction, reduced fear and recidivism, restorative justice has remained at the margins of the criminal justice system in Canada since its introduction into the Western criminal justice system in the 1970s.

According to Wemmers (2002), in the aftermath of criminal harm, victims need information, compensation, participation, protection, and to have practical and emotional impacts addressed. However, many victims and survivors do not have their needs met through the legal system. According to the most recent General Social Survey (GSS) on Victimization (2014), only 31% of victims reported their crime to the police. Generally, the more serious the crime the more likely victims were to report, however, only 5% of victims reported their experience of sexual assault. Common reasons for non-reporting included lack of faith in police and the system, not wanting the offender to get in trouble, and the desire to avoid the hassle of court.

Justice outcomes for those considered “offenders” are also often dissatisfying and misunderstood. While many community-based programs such as probation and parole have been demonstrated to reduce re-offending for many individuals, these successes are not widely appreciated amongst the public and exist alongside crises including record high admissions to remand and the over-incarceration of Indigenous people and those affected by trauma and mental illness. Public scrutiny and the results of the GSS combined

with the most recent Macdonald-Laurier Institute report card assigning a C+ grade to BC's justice system clearly demonstrate the need to improve public confidence in the system.

Currently, most criminal justice resources are dedicated to finding, prosecuting, and sentencing the harm-doer, which does little to address the needs of victims and others harmed including the families and communities of both. The Office of the Federal Ombudsman for Victims of Crime conducted a national study of victims in 2017. This report indicated that

Victims are attached in a permanent way to a system that is about harm and the person who harmed them – a system that is not about their recovery and what supports they need. The current system is not about finding ways for victims to move forward with their lives (Government of Canada, 2017A, p. 5).

Further, this system of professionalized “justice” has failed to address, and can perpetuate, the social-structural inequalities that contribute to both criminal behaviour and victimization. According to Perrin (2017), Indigenous peoples, members of the LBGTQ community, young people, and women are the most likely to be one of the 2.2 million victims of violence in Canada in a given year. A 2012 report from the Federal Ombudsman for Victims of Crime in Canada clearly states that the government must immediately act to enhance the treatment of victims in the criminal justice system in terms of access to information, support, and participation (Government of Canada, 2012). The report states that,

despite all good intentions, the conversation about victims has been focused for the most part on offender-related issues... While these issues are important, they do not address the core of what victims need. We need to refocus and address the issue of victim treatment and support head-on.

The 2015 Canadian Victim's Bill of Rights (CVBR) represents one step towards attending to victims needs in Canada by enhancing access to information about restorative justice and other services that hold their needs central. Section 6(b) of the Bill states that “[e]very victim has the right, on request, to information about the services and programs available to them as a victim, including restorative justice programs.” This wording, however, puts the onus on the victim to *request* such information which requires prior knowledge about their options (Government of Canada, 2017A, p. 1-2). Such an onus on victims contradicts Van Camps & Wemmers (2016) findings that “victims of violent crime prefer to be proactively informed about their restorative options as long as the offer respects certain conditions. These include a guarantee of voluntary participation and RJ that is a complementary approach to criminal justice proceedings” (p. 416). This obligation on victims to request information combined with the finding that 52% of Canadians reported low familiarity with restorative justice make it unlikely that the CVBR alone will lead to more informed choice for victims (Government of Canada, 2018).

The CVBR, the *Youth Criminal Justice Act* (YCJA),¹ Section 718 of the *Criminal Code*, the Indigenous Justice Strategy, alternative measures policy, and, *R. vs. Gladue*² provide legal basis for restorative justice options to be offered throughout the justice process. From pre-charge to post-sentence, victims, offenders and their communities of care could have multiple opportunities to participate in restorative justice processes that could more meaningfully meet their needs.

In BC, First Nations Courts, the Community Accountability Program³ initiative, and over 30 years of history with restorative justice practice and serious crime through Community Justice Initiatives⁴ combine with grassroots advocacy and academic attention through the Centre for Restorative Justice at SFU. This synergy has created a rich, albeit varied, landscape of restorative justice approaches that is unique compared to other provinces

¹The *Youth Criminal Justice Act* (YCJA) was implemented in 2003 and aimed to address the overuse of incarceration for young people in Canada. This Act reserves the most serious penalties for the most serious crimes and encourages responses to youth that focus on addressing their needs, including victims and families in the justice process, and promote meaningful, fair, and proportionate consequences that repair the harm done. There is a provision in the Act that provides for extrajudicial measures which intended to reduce the use of courts for less serious offenses (Chatterjee & Elliott, 2003, 354). Extrajudicial measures provide for community-based options for youth where rehabilitation and reintegration can take place. In communities where a restorative justice program exists, many youth that would have previously been processed in court or dealt with informally are now referred to these initiatives. Section 4 of the YCJA states that extrajudicial measures are “often the most appropriate and effective way to address youth crime” as they allow for “effective and timely interventions focused on correcting offending behaviour” (Department of Justice, 2002). These measures must be considered by police when dealing with a youth as these alternatives are “presumed to be adequate to hold a young person accountable” if the youth has committed a non-violent offence and has not previously been found guilty of an offence (Department of Justice, 2002). There are also provisions in the Act that provide for conferences where youth are afforded the opportunity to meet with their victim through a process facilitated by a Youth Conferencing Specialist, a trained youth probation officer.

²In the case of *R. v. Gladue* (1999), the Supreme Court of Canada stated that sentencing circles were “an approach to remedying crime in which it is understood that all things are interrelated and that crime disrupts the harmony which existed prior to its occurrence, or at least which it is felt should exist... appropriateness of a particular sanction is largely determined by the needs of the victim, and the community, as well as the offender.”

³Then Attorney General, Ujjal Dosanjh, introduced the Community Accountability Program (CAP) in 1990. CAPs were community-based programs that were to be volunteer-based and accept only cases involving less serious harms (Ministry of Public Safety and Solicitor General, 2004). In 1998, a community could apply for \$5000 to start a CAP and models such as victim offender mediation, family group conferencing, circles, and neighborhood accountability board/panels were identified as appropriate. According to the 2015/16 CAP Directory, there were 40 programs, each operating with various levels of funding and using different models.

⁴Fraser Region Community Justice Initiatives Association (CJI) was founded in 1981. CJI operates a Victim-Offender Mediation Program (VOMP) dealing with serious and violent trauma where cases are referred post-incarceration.

and territories. In the 2015 report, *Getting Serious about Crime Reduction*, the BC government supported a previous recommendation to the Minister of Justice whereby the “government develop a province-wide plan for diversion, including restorative justice, along with education, quality assurance and control, performance measures, reporting and evaluation” (Government of BC, 2015, p. 12). Neither this recommendation nor similar ones contained in the 2012 *White Paper on Justice Reform* have been implemented.

Despite the preponderance of legislation, policy, government reports, education, and practice, most criminal matters in BC are not resolved through restorative justice. Morrison and Pawlychka (2016) note that although Canada has made significant contributions to the restorative justice movement, these programs and practices currently remain at the margins of the system compared to other countries (p. 437).

To date, over 80 police and/or community-based restorative and/or Indigenous justice programs are operating in BC, many with only a small amount of funding by the provincial government. However, there is important and creative work being done through these initiatives. Without being adequately resourced, most restorative justice programs are unable to robustly evaluate their practice and communicate the results. Morrison & Pawlychka (2016) note that for restorative justice to extend beyond the margins of the justice system, there needs to be a constantly reflexive, dialectical relationship between theory and practice. Obtaining empirical data about what victims, offenders, and community members are experiencing when they participate in restorative justice in BC is an effective way to increase the profile and trust in this approach to justice.

Many anecdotes exist that elucidate the powerful personal and relational transformations that can occur following participation in restorative justice. Survivors of serious and violent crime such as Manjit and Suman Virk⁵ and Katy Hutchison⁶ have shared their stories of healing with audiences around the globe. According to research conducted on restorative justice education in BC, such stories have motivated profound shifts in people’s justice perspectives from ambivalent or retributive to restorative (Abramson, 2015). Findings also indicated that upon transforming these ways of thinking, participants were very likely to change their behaviour to support and practice restorative justice in their own lives.

Most existing research with respect to restorative justice has focused on the outcomes of restorative justice conferences through indicators such as recidivism, procedural satisfaction, and perceived respect (Saulnier, Kutchman, & Sivasubramaniam, 2011). In BC,

⁵Manjit and Suman Virk lost their fourteen-year-old daughter, Reena, to a beating and drowning by a group of other teenagers on November 14, 1997 in Saanich, BC, Canada (Kilty, 2010). Following a lengthy court process and prison, one of the youth responsible participated in a restorative justice process with the Virks and all have spoken publicly about their positive experience.

⁶Katy’s husband, Bob McIntosh, was murdered by two men while trying to break up a house party on December 31, 1997 in Squamish, BC, Canada. Following one man’s arrest and incarceration, Katy participated in a restorative justice process with him. Since then, both have spoken publicly about their experience of healing and forgiveness (Hutchison, 2006).

qualitative data with respect to complex cases and violent crime is limited. Although anecdotal reports and international research suggest that restorative justice holds enormous potential for healing and change in more serious cases, both criminal justice actors and citizens remain largely unaware or misinformed about restorative justice in BC. This lack of awareness combined with low levels of funding create barriers to accessing restorative justice for victims, offenders, and those who care about them. According to the Government of Canada (2017A), ongoing empirical research is essential to understand restorative justice outcomes across various types of crimes and populations and victims' experiences, satisfaction and outcomes (p. 9). This research endeavor adds to the mounting evidence that restorative justice is an effective, meaningful option that both offenders and victims should have the right to access as an alternative to or at any point in parallel with the criminal justice process.

Research Questions

This research explores participant's experience with restorative justice following serious, complex, and/or violent crime in BC. The results can be utilized to educate government, criminal justice actors, and restorative justice practitioners by addressing the following questions in relation to the use of restorative justice with more serious and complex cases:

1. How do victims and offenders following a serious, complex and/or violent crime experience restorative justice?
2. What do restorative justice facilitators identify as promising practices to address the justice needs for victims/survivors, offenders, and supporters?
3. What can improve the quality of both the process and outcomes of restorative justice for victims/survivors, offenders, and supporters?

Rather than defining restorative justice narrowly, participants were invited to define their own experience which included encounter, reparative, and transformative conceptions. Defining what constituted a serious/complex case was also left up to the participants although suggestions offered included crimes involving violence, sexualized violence, multiple victims/offenders, harm that occurred between family members, and the presence of power imbalances, mental illness and/or substance misuse.

This research was not an attempt to evaluate individual programs, models, or facilitators but to capture the diverse, lived experience of participants to improve access to and the quality of restorative justice for future participants.

Methodology

This study invited victims, offenders, supporters, and facilitators to share their stories following participation in restorative justice. The Principal Investigator (PI) was Dr. Alana Abramson, Criminology Instructor at Kwantlen Polytechnic University (KPU). Two KPU criminology students were employed as Research Assistants (RA), Allison Giesbrecht and Jenelle Palfreyman. RAs were responsible for conducting and transcribing the interviews.

Upon receiving funding for this project, an Advisory Committee was formed. This committee was comprised of Carolyn Sinclair (former Executive Director of Police Based Victim Services), Melissa Roberts (Criminology Faculty at Langara College), and Greg Simmons (Criminology Faculty at KPU). The Committee provided oversight and feedback to the research team throughout the study. These experts in research methods and victims' issues, reviewed the ethics application and the research instruments. Their feedback was helpful in refining the research questions, and a Certificate of Approval was granted by KPU's Research Ethics Board on June 21, 2018.

A transformative inquiry paradigm was employed throughout the research process as it is reflective of the phenomenon studied (restorative justice) and mirrors much of what is considered qualitative research in the social sciences. The transformative inquiry paradigm seeks to "respect and empower stakeholders while reducing othering"⁷ (Toews & Zehr, 2003, p. 263). This approach is based on the principles of listening with respect and recognizing the meaning assigned to life experiences as subjective, constructed, and inter-relational. The transformative inquiry paradigm employs mindfulness to create safety and acknowledge power dynamics throughout the data collection process. These considerations are essential when considering the sensitive nature of crime and justice with respect to victims and offenders. Both the PI and RAs aligned themselves with Toews and Zehr's (2003) conception of researchers as facilitators, collaborators, and learners (p. 267) to demonstrate the upmost care and respect for the stories of participants.

Research Participants

Given her nearly two decades of involvement with restorative justice in BC, the PI had considerable access to restorative justice programs in the province. The PI utilized this knowledge along with current information from the Victim Services and Crime Prevention Division to create a list of restorative and Indigenous justice programs. The PI attempted to make contact either through email or telephone with 67 organizations.

If the program staff expressed interest in participating in the research, the staff contacted past participants, at their discretion, who they believed would be interested in and capable of sharing their experience of restorative justice. This invitation was meant to be non-coercive and respectful and potential participants were provided with details of the study through a document called the, "Invitation to participate." There were no time limits assigned with respect to when the potential research participant had engaged in restorative justice. Program staff were advised that it was not necessary for both victim and offender from the same case to participate in the research. Although youth were not excluded from the study, priority was given to adult participants as this population is under-researched in BC and the restorative justice field more broadly.

Once a participant agreed to be interviewed, they were put in contact with an RA who provided the consent form and arranged the interview at a confidential location and time

⁷ Zehr defines this concept of "othering" is the act of creating social distance between individuals and/or groups by stereotyping or labelling as "outsiders" or "enemies."

the participant selected. While in-person interviews were preferred, participant's requests for phone interviews due to comfort and issues with geography meant that some interviews took place over the phone or Skype. Participants were required to provide prior written or verbal (for phone interviews) informed consent. According to Hesse-Biber and Leavy (2011) informed consent is a critical component in ethical research engaging human participants. It requires that participants fully understand what the study is about, how the results will be used, and that their participation is voluntary and can be withdrawn at any time. Informed consent also requires clear provisions about how their identity will be protected (p. 110). To ensure confidentiality, pseudonyms were assigned and identifying details (cities, names, landmarks) were removed from the transcripts.

In-depth interviewing is a common practice in qualitative research. Interviewing provides rich, layered data and "seeks answer to questions that stress how social experience is created and given meaning" (Denzin & Lincoln, 1994, p. 8). In addition, qualitative research gives priority to the perceptions, meanings, and emotions of research participants (Silverman, 2005), which are all important elements in the study of restorative justice. Given the sensitive nature of the research topic, the RAs were provided trauma-informed interview training by the PI and a staff member of Victims Services. It is notable that the RAs had previous experience with interviewing and working with vulnerable populations. During the interviews, active listening skills (Hesse-Biber & Leavy, 2011) were utilized and interviewers attended to the emotional well-being and unique needs of each participant. They built rapport and provided the emotional safety required for participants to tell their story in a way that had meaning for them. Interviewers will be physically and affectively present to feel, relate, and become involved with the participants (Liebling, 2001). Researchers who approach participants with devotion to the task, sympathy, warmth, and openness often obtain data that have depth and richness (Liebling, 2001, p. 475). The interviewers ensured the participants were emotionally stable at the end of the interview and the consent forms provided had numbers for helping resources.

Procedures

Each interview was digitally recorded with permission. According to Silverman (2005), audio recordings are preferred over field notes to ensure details are captured. Some written notes (with names omitted) were made throughout the interview to provide a backup in case of a technological failure of the recording device. The interviews were transcribed verbatim onto a password protected laptop computer. Participants were reassured that the data will be kept anonymous through de-identifying the transcripts by removing any names and assigning pseudonyms. Audio recordings and written notes were destroyed within 96 hours of the interview.

Once transcribed, the interviews were imported into *NVivo* –a qualitative data analysis program. Organizing the data in *NVivo* was the first step in the process Creswell (2007) calls the data analysis spiral. Following this method, the PI engaged in a process of moving in analytic circles rather than using a fixed linear approach. Once the data were

organized and appropriately filed as individual data sources, the transcripts were read in their entirety. Throughout this comprehensive review, memos were recorded in *NVivo*. As Creswell (2007) notes, “these memos are short phrases, ideas or key concepts that occur to the reader” (p. 151). This process of reading and memoing was the second step in the data analysis spiral that leads to describing, classifying, and interpreting.

The data sorting process began with what Creswell (2007) calls *lean coding* where a small number of categories were created. This initial step involved grouping the data according to the research questions posed in this study. The semi-structured interview format provided a good basis for this level of coding. As the data were continually reviewed, these categories were expanded and refined to the most salient themes. Moving beyond coding involves taking the text apart and looking for categories or dimensions in the data (Creswell, 2007). This process reduced the data to a manageable set of themes that will be presented as findings and brought to life through including direct quotes from the interviews.

While *Nvivo* automatically keeps count of how frequently data are coded into a category, these themes reported are not only based on counts as “a count conveys that all codes should be given equal emphasis and it disregards passages coded that may actually represent contradictory views” (Creswell, 2007, p. 152). Concepts were considered as themes if at least four participants shared an idea or experience. Codes were emergent, rather than prefigured and “represent information that was expected, surprising, and conceptually interesting or unusual” (Creswell, 2007, p. 153). Attention to nascent themes is more consistent with transformative inquiry as it respects and empowers participants (Toews & Zehr, 2003).

An important consideration for any qualitative research is the extent to which findings are trustworthy or credible. One way to assess this aspect of a study is to ask, “Does the researcher capture an understanding of the social reality of the respondents he or she has studied?” (Hesse-Biber & Leavy, 2011, p. 62). Increasing trustworthiness is a process whereby the researcher gains the confidence of the reader that she has “gotten in right” (Hesse-Biber & Leavy, 2011, p. 66). Creswell (2007) recommends qualitative researchers engage in at least two strategies to enhance credibility or trustworthiness in any given study. For this research, the techniques employed were triangulation (obtaining different sources of data from more than one restorative justice program) and peer review of the interview schedule by the Advisory Committee. A peer review refers to an external check of the research process where there are opportunities to ask, “hard questions about methods, meanings, and interpretations” (Creswell, 2007, p. 208).

In qualitative research, reliability is demonstrated by the extent to which data gathered are reasonable, fit together, and are consistent over time and in different social contexts (Hesse-Biber & Leavy, 2011). To address reliability, where possible, participants from diverse backgrounds (age, ethnicity, city) were selected for interviews.

Ethical Considerations

Burman, Batchelor, and Brown (2001) say that ethical research involves researchers' best attempt to do no further harm and recognize the potential to do so. Harm could be psychological, legal, political, or social, as in being ostracized by others (Hesse-Biber & Leavy, 2011). This research proposal was approved and identified as minimal risk by the Office of Research & Scholarship at KPU prior to engaging in any data collection. Informed consent and confidentiality were employed to reduce risk of harm to participants. Consent forms were stored separately from interview data and all transcriptions had identifying information removed.

Results

A total of 52 people representing 25 cities in BC were interviewed for this study. Victims, offenders, and supporters were part of 26 different cases. In seven cases, multiple participants were interviewed. Only adults over 18 years old volunteered to participate and there was variability with respect to where and when participants were involved in a restorative justice process. Some participants had engaged in restorative justice after being diverted by police while most others participated in prison where the offender served time in custody. The length of time since the restorative justice process varied from over 20 years in the past to occurring within the last year. While most participants did engage in a face-to-face encounter, four participants reported reparative or transformative experiences with restorative justice. Not matter how participants were involved in restorative justice, many felt they were still engaged with restorative justice in their life. They described their engagement with restorative justice as more than an event, but a part of their on-going journey in relation to the harm they experienced. Including participants that represent all three conceptions of restorative justice is a strength of this project given that existing research is often comprised of data collected following participation in a victim offender dialogue, conference or circle process.

Participants included:

- 15 victims (V)
- 10 offenders (O)
- 7 supporters⁸ (S)
- 20 facilitators (F)

The types of cases participants were involved with included (10) defined as complex due to multiple offenders/victims, inter-familial offenses, and multiple parties, murder/loss of life (9), assault causing bodily harm (5), and sexual assault (2).

⁸ Supporters were participants who provided support to either a victim or offender through a face-to-face restorative justice encounter.

Research Question #1

How do victims and offenders following a serious, complex and/or violent crime experience restorative justice?

Justice Needs

Understanding the experience of victims, offenders, and supporters means first identifying justice needs and inviting participants to determine whether the restorative justice process addressed these needs. This notion of “experience” was further operationalized by understanding how participants accessed restorative justice, the nature of their interaction with facilitators, and reports with respect to fairness, care, respect, and trust in the process. Roberts (2010) determined that restorative justice processes must be considered in terms of the values of restorative justice which is why the interview questions invited participants to consider the values of trust, fairness, respect, care, and voluntary participation and what their experience was like for from start to finish.

The following justice needs were found to be the most salient in the data gathered from participants⁹. All participants felt that restorative justice had contributed to addressing the following needs:

- Answers to questions, understanding (V & O)
- Safety in future (V)
- To share my story and/or how the crime impacted me (V)
- To access support and/or resources to assist me in moving through my pain and trauma (V)
- Healing for trauma (V)
- Accountability (O & V)
- To assist the offender to rehabilitate, change their life (V)
- To build relationship, create community (O)
- To receive an apology (V)

When it came to future safety, Larissa (V) noted:

I needed to feel safe. I needed people to trust that the decisions that I was making were the right decisions for me. I needed to not be expected to be angry and vengeful. I needed people to give me space to not feel vengeance. I mean, I was angry but angry didn't even begin to describe it. I was devastated. It was life-changing obviously. I needed people give me enough space and not put words in my mouth. That would be the biggest thing.

⁹ (V)=victim, (O)=offender, (S)=supporter, (F)=facilitator

Voluntary Participation

All participants aside from two offenders felt they were given the choice to participate in restorative justice although many participants lacked a solid understanding of what being a part of restorative justice really meant at the start of the process. Facilitators indicated how managing expectations and providing choice to participate voluntarily was an important part of their approach.

When asked about providing “informed choice,” interviewers clarified that they were interested to know how much information participants were given about their justice options. Many facilitators reported that they provided information to participants about various justice options so they could choose freely.

Once participants were involved in the process, many reported being included in some of the decisions to design the restorative justice process to best meet their needs. Others, however, noted that they only had a choice in the outcome or agreement terms, and that the restorative justice process itself was directed solely by the facilitators. When probed, victims who did not play a part in process design said they appreciated the structure they were provided and felt that they were still “in control” although they were not directly asked to make decisions about how things might unfold.

Facilitators themselves mentioned the importance of both flexibility and structure in moving a restorative justice process forward. Many facilitators reported being familiar with several different models of restorative justice and making decisions about the process based on balancing the needs of the individual participants. Facilitators specifically mentioned adapting processes to include culturally relevant protocols and the presence of community members, police officers, and others who might provide support and/or resources and balance power during an encounter. Several facilitators mentioned that given that participants were coming into the process not knowing anything about restorative justice, providing explanations of available options was important when asking for input on what the process could look like. Facilitators mentioned affording participants “as much choice as possible” given that some aspects of the process were non-negotiable such as location of the encounter if the offender was incarcerated.

Accessing Restorative Justice

The most common way facilitators learned about restorative justice was either through their university experience or being exposed to the idea or practice through their work in the justice system or human service field.

Participants most commonly accessed restorative justice by seeking it out based on their pre-existing knowledge, being referred by the police, or through recommendations of others such as a friend or another victim/survivor. There were no notable differences between how victims and offenders accessed restorative justice.

When it came to why victims and offenders chose to participate in restorative justice, both expressed the desire to help themselves. Victims spoke of unanswered questions they needed to ask the person who they hoped would be able to provide answers and

expressed the need to talk with the other party for healing and understanding of what happened and why. Ariella (V), a victim of sexual assault said, “I didn’t want to miss an opportunity to ask some of the questions I had and realizing that he was the only person that was probably able to provide specific answers to questions I had.”

Gord (O), doing a life sentence for murder, turned to restorative justice because

when I came to prison I was still living in the same lifestyle as what brought me to prison. I was into the drugs, I was in to the games, I was in to all the other BS. And I hit a point where I was tired of it. I was tired of the games and I was tired of everything else and I just decided there had to be a better way.

Many victims and their supporters discussed their choice to participate to avoid the legal system. Either they did not get their needs met there or wanted to avoid altogether as they felt restorative justice would be faster and better.

Some victims chose restorative justice to help the offender; to assist in the getting support and facilitating learning from this experience. Kamila, who lost her son, said this about her choice to participate,

We were going down the elevator with our lawyer [after the offender was sentenced] and she said, “Well, how'd you feel about it all?” and I said, “Well, I'd really like to see him.” My thought was that if somebody steals something from you they could pay you back, if they damage something they can repair it. But how do you repay a life? The way a life could be repaid would be if [the offender] could turn his life around and become a sober, responsible member of society and contribute to society.

Fairness, Trust, Care & Respect

Roberts (2010) notes that when seeking to capture the experience of restorative justice participants, both process and values-based questions can be asked. Process based questions ask participants to reflect on their experiences with the process; what worked, what did not. Exploring values through research means asking participants to comment on how these values showed up or were realized through the restorative justice process. Some of the values that were explored in this project included fairness, trust, care and respect.

When asked about fairness, all but two participants reported they felt the process was fair. When probed about what made it feel that way, participants mentioned that everyone had equal time to speak and that they were consulted about the process along the way. For the two participants that felt some of the process lacked fairness, Larissa (V) said “Life isn’t fair” and Magna (V) reported that one encounter out of several did not feel not feel fair was when the other party “did all the talking.”

Several facilitators struggled with how to think about fairness related to restorative justice. While some mentioned their role was to ensure participants felt the agreements were fair or that participants were all treated with the same respect and courtesy no matter their role in the crime, other facilitators said that the process itself was difficult to

conceptualize in terms of fairness given the inequality of privilege amongst the parties at times. Greg (F) noted that

[fairness] doesn't mean putting the same amount of time in for each meeting necessarily. One person might be totally ready to go after a two hour meeting the other one might need 2 years of coaching and so is that fair, it doesn't even seem like the right question. And I don't mean that as a commentary on the research, [fairness] is a term that we use a lot in justice but I'm not sure how it applies here.

Similarly, Mila (V) noted the difference between treating people equally versus promoting equity.

The issue you have is that most of us are privileged working in restorative justice. Quite often we carry a lot of white privilege. For a male, we carry white male privilege, which is the absolute top of the pinnacle. How do you as a privileged person know when you are being fair? How do you as a privileged person, have the capacity to actually treat that person fairly? Because first of all you have to recognize your privilege relative to their privilege and their barriers... we often hear in the health system "oh, well we create everybody equally". Okay, wrong. That is absolutely not going to be fair, because people aren't equal.

All participants reported very high levels of care throughout the restorative justice process and this had a great deal to do with the facilitators approach. Adjectives used to describe the restorative justice facilitators included skilled, kind, supportive, reliable, respectful and non-directive. Care was defined by participants as having choice in the process and feeling no-judgment and listened to by the facilitators and other participants. Their experience of care related directly to feeling respected which was defined as being heard and understood.

Facilitators felt care and respect was of upmost importance in their practice. The way they showed care and respect was through offering choice, taking as much time with the participants as needed, not applying pressure to participate, and listening without judgement. Carmen (F) mentioned how she shows care “by actively listening and having your full attention on them as they share their experience or story and if their needs are to be silent for however long because they need time to process it... allowing them to tell their story at their own pace.” When asked about care, Javier (O) simply said that when interacting with the facilitators it felt like, “I mattered.”

Participants reported trust in both the process and with facilitators which was created through qualities like organization, professionalism, and safety. When facilitators were asked what they did to build trust, they indicated non-judgmental listening and giving lots of time and space for participants to tell their stories were central to their approach.

Participants appreciated the following aspects the most in relation to their experience with restorative justice:

- The opportunity to build connection and relationship with the other party, to humanize the other

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- Facilitating a deeper understanding of the harm and the people involved
 - Sharing their story and have a voice
 - Having important questions answered
 - Having a safe place to talk
 - Moving forward, achieving closure

There were no noticeable differences between victims, offenders, and supporters related to what made the experience of restorative justice meaningful to them. The opportunity to humanize and build a relationship with the other party was the most salient aspect of restorative justice that participants spoke about. Arnold (O) said, "I was able to connect with people heart to heart in [the RJ process]." Aliyah (V), the victim of an assault by a stranger which caused bodily harm reflected,

I think that was probably the more... the most powerful thing [was] I actually told that girl at the end, "You know you could have left here at any moment... you had the option to leave at any time. And you stayed here and listened to all of this. So you need to be proud of yourself. That you've done this. Because this is big. Not everybody can do this."

Offenders shared that greater understanding of the harm caused was what they appreciated about the restorative justice process. Ronald (O) said, "hearing the impact of what I did... helped me so much. Not coming from a lawyer, not coming from media and not coming from police reports. But actually coming from basically her side."

All participants affirmed that if they knew someone else had been impacted by or involved with a similar crime, they would refer them to restorative justice. However, there was some important advice that accompanied the recommendation. Victims wanted future participants to know not to take the decision to engage in restorative justice lightly by considering the options carefully, letting go of unrealistic expectations, and to ensuring careful preparation and support as it is not an easy process. Colleen (V) captures this warning by stating,

Be ready. RJ is very personal and if you are not ready for that exposure and that focus, don't do it because you have to be open to hearing the other person and you have to be open to responsibilities, whether you are a victim or the offender. Victims have to be responsible for their actions too. And so if I was to say, what I always say to everybody is restorative justice isn't for everybody, make sure it's for you. Because it can do more harm if it's not, if you're not ready.

Several victims mentioned that people close to them did not support their decision to engage with restorative justice which meant support needed to be sought elsewhere.

Similarly, offenders like Ronald echoed that sentiment that engaging in restorative justice following a serious harm was difficult but worth it. When asked what he would say to someone else who was offered restorative justice after being responsible for someone losing their life, Ronald (O) says,

Take [the opportunity to do RJ]. It'll be the hardest thing you do but it will be well worth it. It's extremely hard. I'd never tell anyone it's easy. It's probably one of the hardest things I've ever done.

Overall, the experience of participating with restorative justice was positive for all victims, supporters, and offenders. In addition to the process addressing most, if not all, their justice needs both participants and facilitators reported substantial life changes that they attributed to restorative justice. Mila (F) captures this well, stating "[RJ] changed my entire life. How to practice, how to live restoratively. Restorative justice isn't a program. It is a way of life."

For many, engaging with restorative justice changed the way they saw others and themselves, improving self-esteem, enhancing compassion and empathy, and providing for a sense of a shared humanity. Larissa (V) said, "I'm not sure that I would be a fully functioning, filled with love, trusting, wide-eyed, human without it." Another theme with respect to life changes was captured by Kaiya (V) who said, "It has enriched my life. I've thoroughly enjoyed being part of [RJ]. I can't imagine not being part of restorative justice."

Many participants that spoke of how their life had changed for the positive after engaging with restorative justice. Victims, offenders and supporters often reported that restorative justice had enhanced or enriched their lives. Bobby (O) said,

RJ has been part of my rehabilitation. It has helped me in a new life. It has been constrictive in someone's life that wants to do better. I can't speak for the victim, but I think it can be really good for victims too. For victims who want to heal. If someone wants to heal it helps to understand the other side too because you've got two hurting people hurting each other. So, I think it is good for both parties.

These positive impacts resulting from restorative justice also affected people the participants were connected to. Larissa (V) said,

I look at our kids and the paths that they've chosen... I am pretty convinced that they have been highly informed by the [RJ] processes we took as a family to choose forgiveness and to choose a bigger view of justice.

Other participants' stories demonstrated how their restorative justice encounter impacted the lives of those not directly involved in the process. Participants explained how following restorative justice they began helping others through volunteering or paid work and sharing their story publicly. Many participants and facilitators said that they use restorative justice in their daily life. William, a victim turned facilitator, noted that,

Our kids run from [restorative justice]. We have four kids. The oldest is 42 the youngest is 32. They have been subjected to the forum life and resolving things through restorative justice, consensus and this becomes a model.

Although closure was not a word that resonated for every victim/survivor, both offenders and many victims mentioned that their restorative justice experience assisted them with moving forward in their lives. Others referred to experiences of healing and feeling

empowered to put the incident in the past and move on to the future. Being able to ask questions, address assumptions, seeing the other person's perspective, gain greater understanding of the situation and each other, and being able to humanize one another were the benefits gained through the experience of restorative justice.

Research Question #2

What do restorative justice facilitators identify as promising practices?

All, but two restorative justice facilitators interviewed had worked on cases involving serious and/or complex cases. When asked what skills and approaches were most important to work with cases of this nature, they identified the following elements as essential to ensure a safe and respectful restorative justice process.

- Ensuring facilitators have on-going and robust training and are skilled.
- The ability to offer flexible, responsive approaches to meet the unique needs of the participants.
- No surprises. Ensuring that participants (especially victims) are operating on their own timeframes and are carefully prepared for any encounter.
- Clarifying expectations about what restorative justice can and cannot offer.
- Ensuring that people are participating with restorative aims in mind.
- Physical and emotional safety ensured throughout the process.
- Connecting participants to community supports, resources, elders, mentors, where appropriate.
- Engaging with victim-centered practice where those harmed have their needs considered as central to the process, while not detracting from the needs of the offender or community.
- Cultivating healthy and informed relationships with referral sources such as police and Crown.
- Ensuring confidentiality & voluntariness for all participants.

Research Question #3

What can improve the quality of both the process and outcomes of restorative justice for victims/survivors, offenders, and supporters?

Although all participants were satisfied with their experiences, recommendations were sought to enhance the access to and quality of restorative justice for future participants.

Theme: Much more education, training and evaluation is required

No matter what role a participant had in the restorative justice process, victims, offenders, supporters and facilitators highlighted the importance of further educating criminal justice actors (judges, victim's services staff, lawyers) and citizens about restorative justice

and the potential benefits. Giselle (F) sums up this point well by stating, “If you say to somebody, ‘Hey would you like to be involved in restorative justice?’ I know for me personally...my immediate reaction would be no because I am not sure what I am committing to.” Jordon (O) echoes this from a participant’s perspective stating that when his case was referred, “I was kind of going in blind. [I would have liked] a basic idea of how it is doing to be run, more than anything. For me, personally, I get anxious going into situations I don’t know about.”

Facilitators specifically underscored the importance of community members being educated with respect to restorative justice. Paxton (F) noted, “getting more information to the public on RJ would create more of an informed public and if respondents were more knowledgeable of RJ they then would be coming in to it more informed as to the benefits to doing it.” Facilitators also highlighted public’s misconceptions about restorative justice as a soft approach which needed to be addressed through better education.

Theme: It helps! It works!

When asked what messages participants wanted to share back to government about their experience with restorative justice, the expressions of restorative justice “helping” and “working” were almost unanimous. Offenders and victims saw their involvement in restorative justice as an important part of offender rehabilitation that had reduced their likelihood of further offending, therefore increasing public safety. Supporters were clear that restorative justice had been essential for their loved one’s healing. Victims, too, were quick to highlight the healing benefits they gained through participating in restorative justice. Noreen (V) states,

After 40 years in the system as a victim of this crime, which is where I sit right now, the most impactful and transformative experience that I had aside from our offender being caught was my RJ experience. [RJ] was probably 1% of my entire involvement with the system... and it represents probably 95% of my healing. It has been the single most empowering component of my 40-year experience with the system.

All participants were clearly supportive of enhancing access to restorative justice for serious and complex criminal matters.

Theme: Fund it!

The third strongest theme that arose related to enhancing restorative justice in BC was with respect to providing adequate funding to ensure quality and enhance access to more people. Both facilitators and participants were aware of this systemic barrier to access. Many facilitators spoke of the abysmal funding levels for restorative justice programs and the need for more support to be able to expand services to more serious cases and legitimize the work. Given that much of the work done in BC is performed by volunteer facilitators and paid staff are limited, participants felt capacity needed to be increased. Mya (V) summarizes this point by stating,

Fund restorative justice. Just get it happening. Get it available so it doesn't take forever... put the things in place that will make best practices happen and available. And it's not just about getting votes, it's to make a healthy society.

Colleen (V) agrees and says,

I think that if [the government] can fund First Nations court... I think that RJ should be funded for people who don't want the traditional court system and wish to go the RJ system instead. I think that funding should be there for anybody and everybody who wants to know, learn or experience RJ. Because everybody should have a choice.

Theme: Increase access for more people and in more situations

Participants felt strongly that restorative justice be offered to more people in more situations throughout the justice system, particularly in cases of serious crime. Howard (F) summarizes this theme well as he states,

There needs to be a presumption in favour of restorative justice. Any time there is an identifiable victim, restorative justice should be considered. Whether it is through police diversion, extrajudicial sanctions, predisposition, to help with sentencing or in custody, we need to expand it everywhere so it is being provided at all of the stages... It just has to be more available.

Theme: Flexibility of RJ practice is important

Given that many of the facilitators interviewed had experience with a variety of restorative justice models, several took the opportunity to comment on the importance of being flexible in restorative justice rather than relying on a "cookie cutter" approach. Several victims mentioned the importance of not imposing timelines on them through the process, that facilitators should be responsive and elicit input from the parties directly, checking in at various stages through the process. As Rae Anne (F) said in the context of restorative justice and Indigenous participants, "every single circle is different. It is individual. If you take that away from the whole thing, if you made it standard, then it is colonization again. It's not dealing with people as individual human beings. It's just another program to put people through."

Others mentioned how everybody should have access to a restorative response, even in cases where the direct offender or victim is not present. Arnold (O) believes that "RJ is for everybody because, really, if it is not, it is not really RJ. If you are talking about whole communities living and learning and growing together, you can't exclude anybody, right?"

Theme: Restorative justice should be utilized in schools

Several participants mentioned the importance of young people being exposed to restorative justice so they can come to expect it later on in life. Many saw schools as a good place to introduce these collaborative ways of dealing with harm and conflict.

Theme: RJ must be connected with other services to deal with the complexity of issues present in situations of serious and/or complex harm such as trauma, the impacts of colonization, poverty, addiction and mental health.

Facilitators and participants articulated the complex needs of those involved with serious and complex situations. Historical and present trauma cannot be dealt with through restorative justice alone. One process and program should not be expected to effectively address on-going and, in some cases, systemic issues such as poverty and oppression. Most participants expressed how important it was for restorative justice to work with other service providers and advocates to address and help to prevent the harms associated with larger social, emotional, and psychological issues. Rae Anne (F) felt that restorative justice should work with other services providers to ensure a “wrap around” approach. Noreen (V), who was impacted by a serious sexual assault, says,

I'm fairly well resourced and I've been in this [RJ] process for a very long time and I feel fairly good with it and it still was super difficult for me to navigate... I can't imagine what it is like for somebody who is leading a more typical life and then coming into this. The resources... [RJ] needs to be seen as a process and not as an event. It's not just about this one meeting, it is a process and philosophy and the resourcing around it needs to be much more robust.

Finally, when it comes to recommendations to improve the quality of restorative justice for all participants, it is important to discuss a finding that emerged from comparing the justice needs as defined by facilitators with needs self-identified by victims, offenders, and supporters. Consistency between these would demonstrate that facilitators are truly listening to the people they work with. In comparing the needs identified by both groups, there were few differences. Both facilitators and participants reported understanding and answers to questions as primary justice needs. Facilitators identified resources, sharing perspectives, future safety, offender rehabilitation and reparation as other key justice needs which mirrored findings from participants.

While one of the limits to this study is the lack of participation by those who had a neutral or negative experience of restorative justice, data collected from facilitators reports of their least satisfying restorative justice experiences may help enhance service to future participants. When asked about what had not worked well in restorative justice, several facilitators described cases where the offender either did not tell the truth or appeared to “go through the motions,” sometimes failing to meet the obligations they agreed to for reparation. This lack of offender engagement was reported as a stumbling block to restorative justice and underscores the importance of developing skills to work with varying levels of motivation and offering options for victims, notwithstanding the offender's participation. When offender's participation does not align with the values of accountability, fulfilling obligations, and reparation, more flexible options are needed. A victims' or offenders' ability to explore restorative justice should not be dependant on engagement by the other party.

Discussion

The findings align with much of the current research with respect to restorative justice and serious crime. Dispelling common misconceptions that restorative justice should be limited to non-violent, youth offending, it was clear that facilitators and participants found tremendous value in a restorative response to crimes involving violence, sexual assault, and complexities due to familial harm and multiple victims/offenders. Umbreit, Bradshaw & Coates (1999) provided empirical evidence that many of the principals of restorative justice can be applied in crimes of severe violence, including murder, arguing that “an increasing number of victims of sexual assault, attempted homicide, and survivors of murder victims are requesting the opportunity to meet the offender to express the full impact of the crime upon their life, to get answers to many questions they have and to gain a greater sense of closure so that they can move on with their lives” (p. 323). Of course, these authors acknowledge that advanced training for facilitators and extensive preparation of parties is required in cases involving loss of life and other trauma.

Restorative Justice Addresses Participants Needs

Restorative justice is a needs-based approach to justice. Although all stakeholder needs are important, Zehr (2002) writes “a foundational principle of restorative justice is that the process of justice must be victim-centered. This means that victims’ voices must be heard and that victims’ needs - as they define them- must be addressed. Victims should have a right and a place to say what they need to say” (p. 3). Attending to the needs of victims creates opportunities for voice and choice, two things that victims are often stripped of through the legal system. Harm creates obligations on the part of the offender and the community to address the needs of the victim. In addition to attending to their obligations, offenders have needs which include accountability/making amends, encouragement for personal transformation/learning, encouragement and support for integration into community, to be heard, respected and valued and to have hope for the future (Zehr, 2002).

Despite recognition in the field that restorative justice is needs-based, research in this area has been rather silent in this area. Most empirical research on restorative justice focuses on process outcomes such as recidivism and victim satisfaction. The current study offers an opportunity to re-engage with a discussion about needs as participants and facilitators were asked directly about these.

The needs participants reported most often (answers to questions, understanding, safety in future, the opportunity to share my story and the ability to access support and resources) mirrored Wemmers (2002) findings: information, compensation, participation, protection, to address practical and emotional impact. The need for answers and information was also noted by Walters (2015) who said that “... restorative dialogue may help family members of homicide to better understand the meaning of loss; most significantly by allowing participants to ask previously unanswered questions” (p. 1208).

Findings that confirm participants' needs were met by restorative justice in BC, echo the results of a 2005 evaluation of the Collaborative Justice Project in Ottawa. This program aims to bring a humanistic, all-inclusive approach and operates parallel to, and in partnership with, the current criminal justice system" (Rugge, Bonta & Wallace-Capretta, 2005, p.42). Rugge et al. (2005) indicated that victim's central need was for information and needs included addressing the offender's needs/rehabilitation, to tell the offender of the impact, obtain an apology, have active involvement, access emotional support and closure (p. 17). Of those victims who participated in restorative justice in Ottawa, 91% (of 112) felt that their needs had been met through the process, through healing/closure, telling their story, etc. (p. 17). Twelve participants felt that their needs had not been met due to lack of training of facilitators or the lack of adequate support during the process. These results align with the data that emerged from the current investigation whereby facilitators and participants indicated that restorative justice programs need to be working in partnership and the ensuring robust training for their facilitators. A recent resource guide which included a study of 20 victims of serious crime in Alberta identified their most important needs as the ability to receive answers and access to information regarding the offence. Victims also wanted a voice and a say in the outcomes of the justice process, for the harm they experienced to be acknowledged by the person who harmed them, and safety, healing and empowerment (Alberta Restorative Justice, 2018). These findings were replicated in the current study and demonstrate the consistency of justice needs in the aftermath of serious and violent crime.

Victims spoke of how they were side-lined through the traditional court and parole process and the need to gain back control they had lost. It was clear that many victims and offenders chose restorative justice to avoid the legal system or to address needs that were not met through that process. Achilles & Stutzman-Amstutz (2005) found that "[e]mpowering people is more important than our need to fix or lead the way" (p. 216). Being provided a voice in the justice process enables victims to find answers to the questions they have on their own terms and allows them to express their feelings to the person who caused the harm. Speaking directly or indirectly to the person who caused the harm provided a sense of safety because victims were provided information about the crime that allowed them to make sense of what had happened. Lastly, having a role in the justice process was only possible through restorative justice and was reported as both unique and empowering compared to the legal system.

Llewellyn, Archibald, Clairmont, & Crocker (2014) state that "restorative justice takes the relational nature of human beings as a conceptual starting point for understanding the meaning and requirements of justice" (p. 298). These findings suggest that following a serious crime, participants were looking for a genuine, truth-sharing connection. Participants expressed compassionate feelings for one another and appreciated the human connection that was made through the restorative justice process. These results are evidence of the basic elements required for peaceful and productive relationships as defined by Llewellyn et al. (2014) as "equality of respect, dignity and mutual care and concern for each other" (p.298). This project is an important contribution to the body of

work developed by Llewellyn and others which investigate the key role of relationships in meeting the needs of victims, offenders, and supporters.

A subgroup of participants who offered reflections about how restorative justice met their needs highlighted the importance of accessing healing resources beyond the restorative justice process. While restorative justice can meet some justice needs, it is not a substitute for access to anger management, cognitive behavioural therapy, trauma and mental health supports, addiction recovery, or any other helping resource that could address the causes or impact of a criminal harm. Offenders, victims, and their supporters have needs that change over time and options for referrals to resources beyond restorative justice should be readily available. Participants who were victimized often made mention of the importance of accessing other helping resources and the Alberta Restorative Justice (2018) recommends facilitators familiarize themselves with counselling and related services in their area so referrals can be made.

With respect to offenders, Ward & Langlands (2009) note that by failing to adequately address offender rehabilitation, restorative justice does not live up to claims of being needs-based justice. These authors argue for clarity with respect to the relationship between rehabilitation and restorative justice. Providing access to rehabilitative approaches such as the “Good Lives Model” which focuses on offender’s strengths and operationalizes many of the values of restorative justice, can enhance the restorative justice experience for all by addressing accountability and safety needs. Strang, Sherman, Angel, Woods, Bennett, Newbury-Birch, & Inkpen (2006) found, as we did, that victims reported sympathy for the offender and the desire for those that did the harm to heal. Many victims interviewed for this project expressed the same desire to aid the offender in terms of their healing and rehabilitation. Being able to contribute in this way led to creating a meaning-making, safety, and empowerment.

Finally, data demonstrate how participants’ justice needs changed over time. Often beginning with the need to express anger or obtain answers, other needs emerged as time passed and the healing journey unfolded. While restorative justice provided healing opportunities for all participants who were interviewed in this study, the importance of timing requires greater exploration. How did time and access to restorative justice relate to addressing their needs? The data emerging from facilitators and participants both highlighted the fluid nature of needs and the associated importance of restorative justice options to be available at many points along the uneven path that lies ahead following a serious crime.

Restorative justice Helped Me and I Would Recommend it to Others

Van Camp & Wemmers (2013) found that victims of serious crimes were satisfied with the restorative process regardless of the outcome. This finding was reflected in the data that indicated participants felt the process was fair, and respectful, trustworthy. The facilitators approach was often attributed to the positive aspects of the process. Facilitators can either promote or deny a favourable experience for the parties and this study highlighted some

of the excellent work taking place in BC with respect to serious and complex cases. This comes as little surprise given the existence of Community Justice Initiatives (CJI) in Langley which has been offering restorative justice options in the aftermath of serious crime since 1990. Many facilitators in BC have been trained and mentored by people related to CJI which is a valuable resource within the field of restorative justice.

Participants who both avoided and participated in the traditional legal process both preferred restorative justice processes to doing nothing or the courtroom. Many discussed the secondary victimization and unmet needs that resulted from interactions with the legal system. Parsons & Bergin (2010) also reported victims who have experienced restorative justice report significantly high satisfaction rate in contrast to punitive sentencing methods. Similarly, Strang, H., Sherman, L., Mayo-Wilson, E., Woods, D. & Barak, A. (2013) demonstrated that victims and survivors who participated in a restorative justice process were more confident and satisfied with the outcomes than those who do not engage in restorative justice. This is likely related to the opportunities restorative justice responses provide for victims to receive an apology, share the impact of the crime and obtain a deeper understanding of what happened and why. Providing information and answers to questions is critical to addressing to victims needs. Victims often find satisfaction in simply understanding why an offender committed their criminal act, wishing to gain insight into the circumstances that led to the present often describing their experience as creating a sense of “appeasement, liberation, affirmation, closure, feeling valued and feeling reborn” (Van Camp & Wemmers, 2013). Often, victims simply want to be heard more than anything else (Wemmers & Cyr, 2004).

Compared to the legal system, the pursuit for information through restorative justice is on the victim’s own terms. Victims/survivors decide what information is important to receive and when/how they want to hear it. This is vastly different than an experience of the court process. In cases where the accused pleads *guilty*, victims can know the offender is taking some level of legal responsibility for their actions. A guilty plea also means, however, that a trial does not occur so details about the offence and what led up to it are scarce. This often leaves victims feeling dissatisfied and excluded.

When a *not guilty* plea is entered, the trial that follows could mean more information for victims. However, this information comes with an increased risk of revictimization through a lack of voice, being forced to testify, and the perceived lack of accountability on the part of the offender. Therefore, many victims are faced with a lose-lose scenario through the legal process and, therefore, are looking for something more. For victim/survivors in this study, they were fortunate enough to have previous knowledge of restorative justice or a connection through a friend. While peer support is important, many participants indicated that well-informed criminal justice professionals and family members could have helped them more easily access and engage with restorative justice.

According to federal research, “Many victims and survivors have reported that the opportunity to participate in RJ and express themselves reduces their desire for revenge, and they would recommend the process to others” (Ministry of Justice, 2016). This study

replicated these findings as all participants reported that they would recommend this process to others in a similar situation. While these favourable personal testimonials can provide information about justice options to future victims and offenders, it is crucial that government, restorative justice practitioners, and criminal justice actors make collaborative efforts to provide information about restorative justice options to those impacted by serious and violent crime. Given that only 52% of Canadians reported familiarity with restorative justice, significant work around raising awareness needs to be done. Enhanced community education with respect to what restorative justice is, how it can be accessed, and what constitutes ethical, voluntary practice is critical. Further, not all communities have restorative justice programs and those that do often lack the capacity to handle more serious and complex cases. This inequality of access was a prominent concern amongst participants and facilitators alike.

Enhancing Restorative Justice in BC

The findings align with much of the current research with respect to restorative justice and serious crime. Dispelling common misconceptions that restorative justice should be limited to non-violent, youth offending, it was clear that facilitators and participants found tremendous value in a restorative response to crimes involving violence, sexual assault, and complexities due to familial harm and multiple victims/offenders. Umbreit, Bradshaw & Coates (1999) provided empirical evidence that many of the principals of restorative justice can be applied in crimes of severe violence, including murder, arguing that “an increasing number of victims of sexual assault, attempted homicide, and survivors of murder victims are requesting the opportunity to meet the offender to express the full impact of the crime upon their life, to get answers to many questions they have and to gain a greater sense of closure so that they can move on with their lives” (p. 323). Of course, these authors acknowledge that advanced training for facilitators and extensive preparation of parties is required in cases involving loss of life and other trauma.

Restorative Justice Addresses Participants Needs

Restorative justice is a needs-based approach to justice. Although all stakeholder needs are important, Zehr (2002) writes “a foundational principle of restorative justice is that the process of justice must be victim-centered. This means that victims’ voices must be heard and that victims’ needs - as they define them- must be addressed. Victims should have a right and a place to say what they need to say” (p. 3). Attending to the needs of victims creates opportunities for voice and choice, two things that victims are often stripped of through the legal system. Harm creates obligations on the part of the offender and the community to address the needs of the victim. In addition to attending to their obligations, offenders have needs which include accountability/making amends, encouragement for personal transformation/learning, encouragement and support for integration into community, to be heard, respected and valued and to have hope for the future (Zehr, 2002).

Despite recognition in the field that restorative justice is needs-based, research in this area has been rather silent in this area. Most empirical research on restorative justice focuses on process outcomes such as recidivism and victim satisfaction. The current study offers an opportunity to re-engage with a discussion about needs as participants and facilitators were asked directly about these.

The needs participants reported most often (answers to questions, understanding, safety in future, the opportunity to share my story and the ability to access support and resources) mirrored Wemmers (2002) findings: information, compensation, participation, protection, to address practical and emotional impact. The need for answers and information was also noted by Walters (2015) who said that "... restorative dialogue may help family members of homicide to better understand the meaning of loss; most significantly by allowing participants to ask previously unanswered questions" (p. 1208).

Findings that confirm participants' needs were met by restorative justice in BC, echo the results of a 2005 evaluation of the Collaborative Justice Project in Ottawa. This program aims to bring a humanistic, all-inclusive approach and operates parallel to, and in partnership with, the current criminal justice system" (Rugge, Bonta & Wallace-Capretta, 2005, p.42). Rugge et al. (2005) indicated that victim's central need was for information and needs included addressing the offender's needs/rehabilitation, to tell the offender of the impact, obtain an apology, have active involvement, access emotional support and closure (p. 17). Of those victims who participated in restorative justice in Ottawa, 91% (of 112) felt that their needs had been met through the process, through healing/closure, telling their story, etc. (p. 17). Twelve participants felt that their needs had not been met due to lack of training of facilitators or the lack of adequate support during the process. These results align with the data that emerged from the current investigation whereby facilitators and participants indicated that restorative justice programs need to be working in partnership and the ensuring robust training for their facilitators. A recent resource guide which included a study of 20 victims of serious crime in Alberta identified their most important needs as the ability to receive answers and access to information regarding the offence. Victims also wanted a voice and a say in the outcomes of the justice process, for the harm they experienced to be acknowledged by the person who harmed them, and safety, healing and empowerment (Alberta Restorative Justice, 2018). These findings were replicated in the current study and demonstrate the consistency of justice needs in the aftermath of serious and violent crime.

Victims spoke of how they were side-lined through the traditional court and parole process and the need to gain back control they had lost. It was clear that many victims and offenders chose restorative justice to avoid the legal system or to address needs that were not met through that process. Achilles & Stutzman-Amstutz (2005) found that "[e]mpowering people is more important than our need to fix or lead the way" (p. 216). Being provided a voice in the justice process enables victims to find answers to the questions they have on their own terms and allows them to express their feelings to the person who caused the harm. Speaking directly or indirectly to the person who caused the harm provided a sense of safety because victims were provided information about the

crime that allowed them to make sense of what had happened. Lastly, having a role in the justice process was only possible through restorative justice and was reported as both unique and empowering compared to the legal system.

Llewellyn, Archibald, Clairmont, & Crocker (2014) state that “restorative justice takes the relational nature of human beings as a conceptual starting point for understanding the meaning and requirements of justice” (p. 298). These findings suggest that following a serious crime, participants were looking for a genuine, truth-sharing connection. Participants expressed compassionate feelings for one another and appreciated the human connection that was made through the restorative justice process. These results are evidence of the basic elements required for peaceful and productive relationships as defined by Llewellyn et al. (2014) as “equality of respect, dignity and mutual care and concern for each other” (p.298). This project is an important contribution to the body of work developed by Llewellyn and others which investigate the key role of relationships in meeting the needs of victims, offenders, and supporters.

A subgroup of participants who offered reflections about how restorative justice met their needs highlighted the importance of accessing healing resources beyond the restorative justice process. While restorative justice can meet some justice needs, it is not a substitute for access to anger management, cognitive behavioural therapy, trauma and mental health supports, addiction recovery, or any other helping resource that could address the causes or impact of a criminal harm. Offenders, victims, and their supporters have needs that change over time and options for referrals to resources beyond restorative justice should be readily available. Participants who were victimized often made mention of the importance of accessing other helping resources and the Alberta Restorative Justice (2018) recommends facilitators familiarize themselves with counselling and related services in their area so referrals can be made.

With respect to offenders, Ward & Langlands (2009) note that by failing to adequately address offender rehabilitation, restorative justice does not live up to claims of being needs-based justice. These authors argue for clarity with respect to the relationship between rehabilitation and restorative justice. Providing access to rehabilitative approaches such as the “Good Lives Model” which focuses on offender’s strengths and operationalizes many of the values of restorative justice, can enhance the restorative justice experience for all by addressing accountability and safety needs. Strang, Sherman, Angel, Woods, Bennett, Newbury-Birch, & Inkpen (2006) found, as we did, that victims reported sympathy for the offender and the desire for those that did the harm to heal. Many victims interviewed for this project expressed the same desire to aid the offender in terms of their healing and rehabilitation. Being able to contribute in this way led to creating a meaning-making, safety, and empowerment.

Finally, data demonstrate how participants’ justice needs changed over time. Often beginning with the need to express anger or obtain answers, other needs emerged as time passed and the healing journey unfolded. While restorative justice provided healing opportunities for all participants who were interviewed in this study, the importance of

timing requires greater exploration. How did time and access to restorative justice relate to addressing their needs? The data emerging from facilitators and participants both highlighted the fluid nature of needs and the associated importance of restorative justice options to be available at many points along the uneven path that lies ahead following a serious crime.

Restorative justice helped me and I would recommend it to others

Van Camp & Wemmers (2013) found that victims of serious crimes were satisfied with the restorative process regardless of the outcome. This finding was reflected in the data that indicated participants felt the process was fair, and respectful, trustworthy. The facilitators approach was often attributed to the positive aspects of the process. Facilitators can either promote or deny a favourable experience for the parties and this study highlighted some of the excellent work taking place in BC with respect to serious and complex cases. This comes as little surprise given the existence of Community Justice Initiatives (CJI) in Langley which has been offering restorative justice options in the aftermath of serious crime since 1990. Many facilitators in BC have been trained and mentored by people related to CJI which is a valuable resource within the field of restorative justice.

Participants who both avoided and participated in the traditional legal process both preferred restorative justice processes to doing nothing or the courtroom. Many discussed the secondary victimization and unmet needs that resulted from interactions with the legal system. Parsons & Bergin (2010) also reported victims who have experienced restorative justice report significantly high satisfaction rate in contrast to punitive sentencing methods. Similarly, Strang, H., Sherman, L, Mayo-Wilson, E., Woods, D. & Barak, A. (2013) demonstrated that victims and survivors who participated in a restorative justice process were more confident and satisfied with the outcomes than those who do not engage in restorative justice. This is likely related to the opportunities restorative justice responses provide for victims to receive an apology, share the impact of the crime and obtain a deeper understanding of what happened and why. Providing information and answers to questions is critical to addressing to victims needs. Victims often find satisfaction in simply understanding why an offender committed their criminal act, wishing to gain insight into the circumstances that led to the present often describing their experience as creating a sense of “appeasement, liberation, affirmation, closure, feeling valued and feeling reborn” (Van Camp & Wemmers, 2013). Often, victims simply want to be heard more than anything else (Wemmers & Cyr, 2004).

Compared to the legal system, the pursuit for information through restorative justice is on the victim’s own terms. Victims/survivors decide what information is important to receive and when/how they want to hear it. This is vastly different than an experience of the court process. In cases where the accused pleads *guilty*, victims can know the offender is taking some level of legal responsibility for their actions. A guilty plea also means, however, that a trial does not occur so details about the offence and what led up to it are scarce. This often leaves victims feeling dissatisfied and excluded.

When a *not guilty* plea is entered, the trial that follows could mean more information for victims. However, this information comes with an increased risk of revictimization through a lack of voice, being forced to testify, and the perceived lack of accountability on the part of the offender. Therefore, many victims are faced with a lose-lose scenario through the legal process and, therefore, are looking for something more. For victim/survivors in this study, they were fortunate enough to have previous knowledge of restorative justice or a connection through a friend. While peer support is important, many participants indicated that well-informed criminal justice professionals and family members could have helped them more easily access and engage with restorative justice.

According to federal research, “Many victims and survivors have reported that the opportunity to participate in RJ and express themselves reduces their desire for revenge, and they would recommend the process to others” (Ministry of Justice, 2016). This study replicated these findings as all participants reported that they would recommend this process to others in a similar situation. While these favourable personal testimonials can provide information about justice options to future victims and offenders, it is crucial that government, restorative justice practitioners, and criminal justice actors make collaborative efforts to provide information about restorative justice options to those impacted by serious and violent crime. Given that only 52% of Canadians reported familiarity with restorative justice, significant work around raising awareness needs to be done. Enhanced community education with respect to what restorative justice is, how it can be accessed, and what constitutes ethical, voluntary practice is critical. Further, not all communities have restorative justice programs and those that do often lack the capacity to handle more serious and complex cases. This inequality of access was a prominent concern amongst participants and facilitators alike.

Enhancing Restorative Justice in BC

Improving education and access through funding and awareness raising were identified as central to enhancing restorative justice in BC. The overall positive experiences reported by participants provides evidence of what restorative justice practitioners in BC can keep doing or do more of. We must look to those who have experience working with serious, violent, and complex cases as they can support the development of frameworks for training, evaluation, and promising practice.

To enhance restorative justice in BC, participants indicated the need for robust and careful training of restorative justice facilitators. However, it is more than just skills training that is required. It was clear that the relationships participants developed with facilitators and mentors through engaging with the restorative justice process was built upon how present, caring, and respectful the practitioners were. These findings mirror those documented in the Alberta Restorative Justice Association’s (2018) resource guide which includes practical recommendations to restorative justice practitioners and leaders. The tools and approaches contained in this guide provide several “overarching considerations relating to the mindset and skillset of restorative justice practitioners, which challenge the idea of facilitator neutrality in favour of deliberate relationship-building” (p. 6).

The points articulated in the guide align with both what participants appreciated about the restorative justice facilitators and a trauma-informed approach. Victims, offenders, and supporters valued that restorative justice facilitators offered flexibility, predictability, respect, empowerment, and care. These principles mirror the practice of trauma-informed care that has been discussed in areas of health and social services in BC. One size does not fit all, and the flexibility and responsiveness that restorative justice can offer has been noted to be extremely satisfying for participants (Van Camp & Wemmers, 2013).

Trauma-informed services are those in which practitioners “take into account an understanding of the prevalence and effects of trauma in all aspects of service delivery, and place priority on the individual’s sense of safety, choice, empowerment and connection.” Trauma-informed practice is “about the way of being in the relationship, more than a specific treatment strategy or method” (Ministry of Children & Family Development, 2016, p. 8). The needs for such approaches are central for criminal justice professionals and restorative justice practitioners alike to avoid secondary victimization for all participants.

It is notable that many participants engage in restorative justice due to secondary victimization they experience through encounters with the legal system. Van Camp & Wemmers (2016) note that restorative justice can address some of the harmful experiences resulting from interacting with often well-meaning criminal justice actors. Victims subjected to repeatedly recounting events at trial and experiencing high pressure situations for months on end can create trauma beyond that which resulted from the crime. Restorative justice involves directly addressing the crime, however, it can be done in a way that is much more trauma informed. To reduce the negative impacts of the system, professionals could work alongside restorative justice practitioners to offer trauma informed care with victims, offenders, and their supporters. While the legal system can be rigid, it is not immovable. There are many opportunities for people working in the system to develop relationships with clients that could enhance voice, choice, safety, and respect.

Trauma-informed care means attending to a client’s physical, emotional and cultural safety through ensuring welcoming not threatening physical spaces, managing expectations, providing clear information, ensuring informed consent, fostering trustworthiness, providing opportunities for choice, connection and collaboration, and identifying strengths and to (further) develop resiliency and coping skills (BC Provincial Mental Health and Substance Use Planning Council, 2013, 13–14). Such approaches, as described in trauma-informed guides written for health and social services, would benefit all citizens as well as professionals seeking more responsive approaches to those who have been harmed or have caused harm.

The Department of Justice (2018) stated “RJ programs are most successful when they take a trauma-informed and victim focused approach” (p. 24). Trauma-informed approaches are person centered, not process centered. This difference is articulated well in the Alberta Restorative Justice Association’s (2018) guide and highlights the support our participants

had for a combination of structure and flexibility in the restorative justice process. The facilitators can act as those who accompany people through the process, listening carefully for needs through being present and multi-partial. Alberta Restorative Justice Association (2018) identified the core capacities of a restorative justice facilitator as being attune to others, attending, caring, open minded, and curious. These capacities were also central to how both facilitators and participants in this research defined the qualities of a skilled restorative justice practitioner.

This report will not reiterate the detailed information contained in the robust and well-researched resource guide developed by the Alberta Restorative Justice Association (2018), however, the use of this research along with enhanced training provide a good foundation to prepare restorative justice facilitators to work with more serious and complex cases. Other resources such as the BC Ministry of Children and Family Development, "[Healing Families, Helping Systems: A Trauma-Informed Practice Guide for Working with Children, Youth and Families](#)" (2016) and the "[Trauma Informed Practice Guide](#)" developed on behalf of the BC Provincial Mental Health and Substance Use Planning Council in 2013 provide additional sources that restorative justice practitioners will find helpful. The movement towards more flexible, person-centered, trauma informed restorative justice will best serve all parties in cases of serious and violent crime. Following these guidelines also maintains an ethical focus on minimizing the risk of secondary victimization which often has been experienced following interactions with the legal system.

A report by the Department of Justice Canada (2018) concluded that 8 in 10 Canadians believed that "criminal justice officials should be required to inform victims, survivors and accused of the availability of RJ processes." The CVBR (2015) includes the right for victims to be informed of restorative justice, the sentencing principles in the Criminal Code and the YCJA have restorative elements, Gladue encourages the use of non-carceral and restorative options for all offenders, and BC is home to one of the longest standing, well regarded restorative justice programs in Canada. Despite this, the White Paper (2012) and Blue-Ribbon panel recommendations, and the Ministry of Public Safety and Solicitor Generals own web site's commitment to restorative justice, access to restorative justice remains limited. Van Camp & Wemmers (2016) found that individuals prefer to be proactively informed of the option of restorative justice, meaning that they would have been provided information and/or resources in a reasonable time after the impact of the crime. This experience was reported to provide autonomy over the choice to participate in restorative justice which was a preferred avenue of access (Van Camp & Wemmers, 2016). Considering these findings along with the results of this research, a more proactive approach to providing information to victims on restorative justice processes in BC is needed.

This research has demonstrated that restorative justice has been transformational in the lives of victims, offenders, supporters, and facilitators in cases of complex and serious crime in BC. It is prudent that we honour the voices of these participants by enhancing funding, training, education, and access to restorative justice.

Recommendations

These results are timely given the current review of restorative justice that the Ministry is undertaking. The findings articulated in this report also align with the launch of a newly established provincial restorative justice organization (Restorative Justice Association of BC) whose members include many representatives from restorative justice programs, researchers, stakeholders, and practitioners. The time is ripe to seriously consider the recommendations offered by the participants engaged in this study. The following recommendations directly reflect the voices of victims, offenders, supporters, and facilitators who have engaged in restorative justice in cases of serious and complex crime in BC.

- Ensure stable, adequate funding for restorative justice programs.
- Provide opportunities for the development of new programs and initiatives to ensure equality of access to restorative justice for all victims, offenders, and supporters in BC.
- Educate criminal justice professionals with respect to what restorative justice is (in all its conceptions) and how to provide informed, flexible options to clients in a trauma informed way.
- Educate British Columbians about restorative justice, the benefits/risks, ethical practice, and how they can access services.
- Encourage the development of trauma-informed practices and engagement in on-going training and amongst restorative justice practitioners and programs – specifically build about the Resource Guide developed by Alberta Restorative Justice Association (2018) by providing resources for training to use this guide.
- Promote integration between restorative justice programs and other community services to ensure a holistic approach to criminal harm.
- Work collaboratively with experienced restorative justice practitioners and programs when crafting future policy.

Next Steps & Limitations

Future research should include efforts to understand the experiences of participants who had a neutral or negative experience of restorative justice in BC. Further exploration is required into how the needs of victims and offenders following serious crime change over time and where/when restorative opportunities would be most meaningful.

This study involved participants who had most often engaged in a restorative justice encounter such as a victim offender dialogue. Future research should explore the nature and impact of reparative and transformative restorative justice experiences for victims, offenders, and the community.

This study was limited to adult participants. Future research could explore the experiences of youth as both victims and offenders in restorative justice following serious or complex crime in BC.

Given that Indigenous justice approaches have existed in BC for much longer than restorative justice, it would be interesting to research how these formal and informal initiatives interact with restorative justice programs. Given the importance of cultural safety and providing flexible, needs-based justice options for all citizens, an understanding of how these programs might work together to best serve communities is timely in the light of the Calls to Action related to Justice offered by the Truth and Reconciliation Commission.

References

- Abramson, A. (2016). *Transformative Possibilities: A journey through tertiary restorative justice education*. Burnaby, BC. Simon Fraser University.
- Achilles, M. & Stutzman-Amstutz, L. (2006). Responding to the needs of victims: What was promised, what has been delivered. In Sullivan, D. & Tifft, L. (Eds.), *Handbook of restorative justice*. New York, NY: Routledge.
- Alberta Restorative Justice Association. (2018). [Serving Victims Through Restorative Justice Webinar](#). Accessed on March 19, 2019.
- Burman, M.J., Batchelor, S.A. & Brown, J.A. (2001). Researching girls and violence: Facing the dilemmas of fieldwork. *British Journal of Criminology*, 41(4), 443–459.
- Creswell, J. (2007). *Qualitative inquiry and research design: Choosing among five approaches*. Thousand Oaks, CA: Sage.
- Department of Justice (2018). [What we Heard: Transforming Canada's Criminal Justice System: A Report on Provincial and Territorial Stakeholder Consultations](#). Government of Canada.
- Denzin, N., & Lincoln, Y. (1994). Introduction. In N. Denzin & Y. Lincoln (Eds.), *Handbook of Qualitative Research*. Thousand Oaks, CA: Sage Publications.
- Government of British Columbia (2015). [Getting Serious about Crime Reduction: Report of the blue ribbon panel on crime reduction](#).
- Government of Canada. Office of the Federal Ombudsman for Victims of Crime. (2017A). [Canada's Criminal Justice System: Getting Fair Outcomes for Victims in Canada's Criminal Justice System](#).
- Government of Canada. Office of the Federal Ombudsman for Victims of Crime. (2017B). [Restorative justice: Getting Fair Outcomes for Victims in Canada's Criminal Justice System](#).
- Hesse-Biber, S. & Leavy, P. (2011). *The practice of qualitative research* (2nd ed.). Thousand Oaks, CA: Sage Publications.
- Johnstone, G. & Van Ness, D. (2007). The Meaning of Restorative Justice. In Johnston, G. & Van Ness, D. (Eds.) *The Handbook of Restorative Justice*. London, UK: Willan Publishing. Pp. 5–23.
- Llewellyn, J., Archibald, B., Clairmont, D., & Crocker, D. (2014). Imagining Success for a Restorative Approach to Justice: Implications for Measurement and Evaluation, *Dalhousie Law Journal*, 36(2), 281–316.
- Morrison, B., & Pawlychka, C. (2016). Juvenile justice and restorative justice: Reflecting on development in British Columbia. In J. Winterdyke, & R. Smandynch (Eds.), *Youth at Risk and Youth Justice*, Don Mills, ON: Oxford University Press Canada. (pp. 34–46).
- Parsons, J., & Bergin, T. (2010). The impact of criminal justice involvement on victims' mental health. *Journal of Traumatic Stress*, 23(2), 182–188
- Roberts, A. (2004). Is Restorative Justice Tied to Specific Models of Practice? Zehr, H. & Toews, B. (Eds.) In *Critical Issues in Restorative Justice*. Monsey, New York: Criminal Justice Press. Pp. 241–252.
- Roberts, M. (2010). *Evaluating Evaluation: An investigation into the purpose and practice of evaluation in restorative justice based programs*. SFU School of Criminology, Burnaby, BC.

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- Rugge, T., Bonta, J. & Wallace-Capretta, S. (2005). *Evaluation of the Collaborative Justice Project: A Restorative Justice Program for Serious Crime*. Ottawa: Public Safety Canada.
- Saulnier, A., Lutchman, K., & D. Sivasubramaniam. (2011). Laboratory experiments: A meaningful contribution to restorative justice research? *Critical Criminology*. Online journal.
- Silverman, D. (2005). *Doing qualitative research* (2nd ed.). Thousand Oaks, CA: Sage.
- Souza, M. & Dhami, K. (2008). A study of volunteers in community-based restorative justice programs. *Canadian Journal of Criminology and Criminal Justice*, 50(1), 31–57.
- Strang, H., Sherman, L., Angel, C., Woods, D., Bennett, S., Newbury-Birch, D. & Inkpen, N. (2006). Victim evaluations of face-to-face restorative justice conferences: A quasi-experimental analysis. *Journal of Social Issues*. 62, 281–306.
- Strang, H., Sherman, L., Mayo-Wilson, E., Woods, D. & Barak, A. (2013). *Restorative justice conferencing using face-to-face meetings of offenders and victims: effects on offender recidivism and victim satisfaction: A systematic review*. Campbell Systematic Reviews.
- Sullivan, D., & Tifft, L. (2005). *Restorative justice: Healing the foundations of our everyday lives* (2nd ed.). Monsey, N.Y: Willow Tree Press.
- Toews, B., & Zehr, H. (2003). Ways of knowing for a restorative worldview. In E. Weitekamp, & H. Kerner (Eds.), *Restorative Justice in Context: International Practice & Directions*. Portland, OR: Willan Publishing.
- Walters, M. A. (2015). 'I Thought "He's a Monster"... [But] He Was Just... Normal': Examining the Therapeutic Benefits of Restorative Justice for Homicide. *The British Journal of Criminology*, 55(6), 1207–1225.
- Ward, T. & Langlands, R. (2009). Repairing the Rupture: Restorative justice and the rehabilitation of offenders, *Aggression & Violent Behaviour*, 14, 205–214.
- Wemmers, J. (2002). Restorative justice for victims of crime: A victim-oriented approach to restorative justice. *International Review of Victimology*, 9(1), 43–59.
- Wemmers, J.-A., & Cyr, K. (2004). Victims' Perspectives on Restorative Justice: How Much Involvement Are Victims Looking For? *International Review of Victimology*, 11(2–3), 259–274.
- Umbreit, M., Bradshaw, W., & Coates, R. (1999). Victims of Severe Violence Meet the Offender: Restorative Justice Through Dialogue. *International Review of Victimology*, 6(4), 321–343.
- Umbreit, M. & Peterson Armour, M. (2010). *Restorative Justice Dialogue: An essential guide for research and practice*. New York: Springer Publishing Company.
- Van Camp, T. & Wemmers, J. (2016) Victims' Reflections on the Protective and Proactive Approaches to the Offer of Restorative Justice: The Importance of Information. *Canadian Journal of Criminology & Criminal Justice*, 58(3), 415–442.
- Zehr, H. (2002). *The little book of restorative justice*. Intercourse, PA: Good Books.