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Community Members' Experiences and Responses to the Extra Judicial Measures Community Referral Pilot Program in Atlantic Canada

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Community Members' Experiences and Responses to the Extra Judicial Measures Community
Referral Pilot Program in Atlantic Canada

by

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A THESIS

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Abstract

Restorative justice has become central to Canada's responses to youth crime, especially under the Youth Criminal Justice Act (YCJA), which emphasizes significant alternative responses to the formal criminal justice system (Tomporowski et al., 2011). Restorative justice offers benefits that are argued to instill more robust cognitive transformation (i.e., a change in thinking about one's actions in relation to a crime and the harm it caused particular parties and the wider community), and ultimately helps to instill safer communities and prevent crime (LeBel et al., 2008). In relation to youth crime in Canada, restorative justice plays a prominent role under the YCJA. Yet not all provinces have implemented restorative justice programs to the same degree. For this qualitative research, secondary sources were analyzed involving qualitative interviews with community volunteers who were part of a pilot Community Referral Program (CRP) that was implemented in Atlantic Canada in 2013. The tensions between formal and informal approaches to responding to crime are highlighted by the experiences of volunteers of the CRP, including community leaders, as well as how these tensions lead to role ambiguity and other obstacles. Shedding light on the experiences of volunteers, their challenges, and opportunities for improvement will help provide crucial knowledge to inform best practices going forward, and ultimately benefit all parties involved, as well as the wider community.

Keywords: youth crime, Youth Criminal Justice Act, qualitative research, extra judicial measures, rural Canada, restorative justice, formal/informal debate, role ambiguity.

Preface

This thesis is original, unpublished, independent work by the author, Alhan Yazdani.

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List of Abbreviations

EJM = Extra judicial measures

CJC = Community Justice Conference

CJS = Criminal justice system

CSI = Crime Severity Index

CRP = Community Referral Program

RCMP = Royal Canadian Mounted Police

RJ = Restorative justice

UCR = Uniform Crime Report

YCJA = Youth Criminal Justice Act

YCSI = Youth Crime Severity Index

YOA = Young Offenders Act

Chapter 1: Introduction

In this thesis, I focus on exploring the experiences of community volunteers, including their experiences and challenges during the process of implementing an extra judicial measures (EJM) pilot program (details to be provided in subsequent chapters). The pilot program was implemented in rural Atlantic Canada from 2013 to 2018.

Like in any other country, within Canada, youth continue to be an integral and important group within the Canadian population. Today's youth are more diverse, educated, connected, and socially more engaged compared to past youth, leading them to be in better positions to succeed in today's complex global society (Statistics Canada, 2021a). However, not all youth share these benefits since some are confronted with daily challenges in their lives such as concerns with mental health, addiction, homelessness, dysfunctional families, lack of support from friends and family, and limited access to necessary resources, among other factors which may encourage crime involvement. Although youths involvement in risky and delinquent behaviour is not new, over time policymakers and judicial authorities began to recognize that punitive measures are not an effective form of response to crime. As a result, there was a shift in the legal system to a more restorative justice (RJ) approach (Benson, 2003; Greenwood, 2008). The first RJ program was implemented in 1974 in Ontario, Canada, however, over the last three decades RJ approaches have become more popular with responding to crime, especially in response to youth crime (Dhami & Joy, 2007; Souza & Dhami, 2008). Scholars like Anderson (2007) suggest this was mainly due to an acknowledgement by society as a whole that responses to youth committing a crime should be different than when adults commit a crime considering youth generally have different needs than adults.

Community-based RJ programs have gained recognition as an alternative option, which occurs concurrently with the criminal justice system (CJS) capable of diverting offenders from future crime involvement (Souza & Dhimi, 2008). To date, many studies have focused on the perspectives of victims and offenders, and the success of different RJ programs in promoting satisfaction and perceptions of fairness in the justice process. However, these programs rely heavily on members of the community as volunteers who often work with criminal justice professionals in the process of RJ (Souza & Dhimi, 2008). Nevertheless, community volunteers contribution to the RJ process, their experiences, perceptions, qualifications, and motivations for volunteering have been largely overlooked. Keeping in mind that volunteers come from all walks of life, they bring important knowledge and resources that may play an important role in exercising informal control, intervention, and also providing social support (Karp et al., 2004). To gain a better understanding of volunteers in the RJ process, more studies are required to focus on their responsibilities, motivations, the type of qualifications and skills they have, their attitudes, general challenges, and their overall experiences and satisfaction with the program.

The experiences of those involved in RJ and EJM sessions, including volunteers, remain understudied, despite some exceptions (Kenney & Clairmont, 2009; Presser & Hamilton, 2006; Rossner, 2011). In particular, studies in Canada geared to exploring the attitudes and experiences of those involved in programs with youth are still lacking. This research aims to fill the gap that exists in the literature by drawing on a secondary analysis of qualitative interviews conducted with community members, largely community leaders representing Indigenous communities in rural Atlantic Canada, to understand specifically what the processes and challenges of implementing a

new EJM program is like and how the community responds to this type of program. This study, therefore, focuses on shedding light on this gap by focusing on the following research questions:¹

1. Based on volunteer community members' experiences, what are EJM approaches like and how are its processes experienced in general?
2. Based on volunteer community members' experiences, what are some of the challenges around implementing a new EJM program, especially in rural communities?

While a number of studies have examined RJ stakeholder satisfaction, most place the greatest emphasis on the dynamics between (often young) victims and victimizers. As mentioned earlier, there are few studies that examine the challenges of program implementation and the experiences of those involved in the programs, specifically volunteers, which is what is explored in this thesis. The purpose of this study is to explore the experiences of volunteer community members as they get involved in the process of and the implementation of the pilot program (details to be provided in subsequent chapters).²

Using secondary qualitative interviews, I studied community volunteers' experiences who participated in a pilot Community Referral Program (CRP). Although RJ as a legal system has been around for many years, the CRP was just recently implemented in the rural Atlantic Canada in response to youth crime. The analysis included looking at what the process was like based on volunteers' experiences with the implementation of the program, their perceptions, some of their challenges in terms of the obstacles they had to overcome, and opportunities for improving the

¹ Although this is an analysis of a secondary data set, my research questions are my own and I engaged in my own data analysis regarding the transcripts produced through the secondary data set.

² Although elaborated in the methodology chapter, it is important here to underscore that this thesis is not geared to formally evaluate the pilot EJM program. It is, rather, an exploratory study regarding community members' perceptions of the program, and points to opportunities as well as challenges regarding implementation with a view to wider community dynamics.

program i.e., lack of training, issues around role ambiguity, rural community challenges. Through a thematic analysis of the data, the results provided a clearer picture of community volunteer perspectives of the CRP, what some of their overall experiences with the program was like, and the type of challenges they had to overcome while the program was being implemented. Highlighting the voices of community volunteers helps shed light on some of the existing gaps in the literature on RJ. Given that this program is a pilot initiative, this research also provides an opportunity and creates awareness for service providers and government officials regarding what is required if a program like the CRP was to be permanently implemented in the rural Atlantic Canada.

Although various issues and themes will be discussed throughout Chapter 4, the key points to remember from this study is that it is often challenging to find a balance between formal and informal processes when using an EJM program, which is needed since it creates further issues such as role ambiguity. Formal crime control relies on the law and official government agencies for deterring criminal actions and responding to criminal activities. Cases are typically processed through the courts where judicial authorities are responsible for ensuring a just and fair process (Lambert et al., 2012). On the other hand, informal approaches rely on moral and social institutions (e.g., family, volunteers, peers, neighbours) to promote lawful behaviour (Lambert et al., 2012). This approach is often less rule-bound, occurs outside of the courtroom, and focuses on removing legal authorities to a degree (Lambert et al., 2012). Citizens use culture, tradition, religion, and various laws to address the aftermath of the offence, resolve conflict, restore the balance in a just and fair process, and put forward different types of consequences (Aertsen, 2013; Woolford & Ratner, 2008). However, informal approaches do not exist in separate from the formal criminal justice system. Rather, these approaches are implemented parallel to one another, where informal

approaches cannot be completely separated from formal ones (Woolford & Ratner, 2008). Considering these two different systems address the aftermath of a crime using different approaches, there are conflicting tensions between which approach is appropriate and more effective at which step of the process (Benson, 2003; Braithwaite, 1998; Carter, 2013; Dhimi & Joy, 2007; Greenwood, 2008). The second major theme focuses on how throughout the CRP, volunteers are often unsure what their role requirements are at each step of the process. In other words, there are issues of role ambiguity, which are closely related to having limited training or lack of specialized forms of training. These themes are discussed in more detail in Chapter 4, which details the findings, and in the concluding chapter, Chapter 5.

An Outline of the Chapters to Come

Over the next four chapters, I will unpack why it is important to focus on understanding the experiences of community members who are volunteers in an EJM program. Chapter 2 provides an overview of literature, relating primarily to the youth crime rate in Canada and the youth diversion programs that are encouraged and mandated by the Youth Criminal Justice Act (YCJA) to deliver a more effective and timely response to youth crimes. These diversion programs are often volunteer-run by community residents, which is why understanding their experiences, perceptions, and challenges related to operating the programs is crucial. Chapter 3, on research methodology, provides a detailed explanation of the approaches used for answering the two research questions. This includes information on participants' demographics as well as how a thematic analysis approach was used to analyze the results of the CRP. Chapter 4 provides an in-depth discussion of the results of the study, including what the process of the CRP was like for volunteers, their experiences, and the types of challenges they were confronted with while

implementing the pilot program. Chapter 5 is the concluding chapter focusing on answering the research questions, discussing the major themes that emerged from the study, the challenges of the program that are particular to the rural communities of rural Atlantic Canada, and exploring why RJ programs, such as the CRP, are needed in every community to address issues related to recidivism rate (reoffending), the limitations of the study, and recommendations for future research.

Chapter 2: Literature Review

This chapter focuses on reviewing the existing literature focusing on understanding the role of restorative justice (RJ) in relation to youth crime within the Canadian criminal justice system (CJS). The Canadian youth justice system places a strong emphasis on diversion and alternatives to the formal CJS for youth in conflict with the law. The Youth Criminal Justice Act (YCJA) directs police to explicitly consider RJ options, especially pre-charge, extra-judicial measures, where appropriate (Endres, 2004; Tomporowski et al., 2011). Yet the YCJA is provincially administered, with variation in implementation, resources, etc., impacting the uptake of restorative initiatives. Some provinces, such as British Columbia, have a longstanding track record of RJ frameworks in response to youth crime (Parker et al., 2012; Tomporowski et al., 2011). Yet others, such as some Atlantic provinces, have only recently begun more explicit implementation of extra-judicial measures for youth in conflict with the law. A significant part of the success of RJ is the involvement of community members, who signal a voluntary presence to youth beyond formal agents of social control such as the police, court officials, educators, and so forth. The objective of this thesis is to explore, through the perspective of community volunteers, some of the processes and challenges they are confronted with when an EJM pilot program is implemented in rural Atlantic Canada.

The rest of this chapter looks at some general statistics of youth crime in Canada, particularly zooming in on the Atlantic provinces. Next, the role of the RJ process and EJM programs are explored to understand their effectiveness in controlling crime and diverting youth from traditional processing, enabling the courts to focus on more serious youth crime. This is also discussed in terms of understanding the role of the Young Offenders Act (YOA) and the YCJA in RJ processing. The last three sections of the chapter focus on understanding the communities' role

in RJ, exploring who the volunteers are that implement and operate RJ programs, and the formal-informal debate, where there is often a need for some kind of formality throughout an informal process – such as the RJ process.

Painting a Picture: General Youth Crime Statistics

Within Canada, issues regarding youth crime have been a concern for many of its communities, yet it is not clear how many youth commit crimes within a year since there is no one report that captures all information related to crime (Public Safety Canada, 2018). However, based on various types of reports, such as the General Social Survey on Victimization and Uniform Crime Reporting (UCR) surveys, estimates can be obtained on information such as convictions, charges, nature of the crime, type of crime, and use of formal and informal victim services (Statistics Canada, 2015). Therefore, a more comprehensive picture of crime can be achieved when multiple reports are examined simultaneously. The UCR represents data on reported crime that has been substantiated by the police (Statistics Canada, 2015). However, within the UCR and the victimization surveys, limited or no information is collected on alternative sentencing or programs that youth are enrolled in to deter them from committing a crime again.

Canada's YCJA applies to young people aged 12 to 17 (Public Safety Canada, 2018). About 55% of all youth who appear in court are between the ages of 16 and 17, with the remaining 40% being between the ages of 12 and 15 (Public Safety Canada, 2018). On the basis of youth found guilty, approximately 60% receive probation, which is frequently combined with fine(s) and community service, whereas 16% receive custodial sentences, which frequently average a median sentence length of 36 days (Calverley et al., 2015).

When we look at the youth crime rate by gender, females account for about 25% of those accused and arrested by police, whereas males are seven times more likely than females to be incarcerated (Public Safety Canada, 2018; Calverley et al., 2015). Although the overall rate of crime committed by youths has steadily decreased since the early 2000s, the rate of both male and female youths in remand centers has increased by about 20% (Calverley et al., 2015). When looking at gender differences, there are different patterns noted for some offences. Female youths, for example, were more likely than male youths in 2017 to engage in and be accused of sexual assault level 1, non-consensual distribution of intimate images, indecent or harassing communications, and property crimes (including shoplifting, arson, and motor vehicle theft) (Savage, 2019). When it comes to assault, however, the proportion of females accused of assault decreased as the severity level increased, while rates of homicide have remained relatively stable since 2007 for accused females (Savage, 2019). From 2007 to 2017, 6,089 people were accused of homicide, and around 89% were males (Savage, 2019). The most common offences for male youths accused of a *Criminal Code* offence in 2009 involved theft under \$5,000, mischief, drug offences, administration of justice violations, and common assault (level 1) (Public Safety Canada, 2018). Through a quick overview of the nation's crime statistics, especially those committed by youth, we can see it is a problem that needs to be addressed, even if youth crime rates are lower than those of adult offenders (Public Safety Canada, 2018; Calverley et al., 2015).

In Canada, two official measures of crime are often used, which are the crime rate and the Crime Severity Index (CSI). The crime rate measures the "volume of crime, including all *Criminal Code* violations (except traffic) relative to the population size; whereas the CSI measures both the volume and severity of crime, and includes all *Criminal Code* and other federal statute violations" (Perreault, 2019: 5). Police-reported crime statistics in Canada for 2015 provide evidence that

youth's involvement in crime has generally declined over the years (Allen, 2016). The Youth Crime Severity Index (YCSI), which measures the volume and severity of crime for youth who are accused (both charged and not charged), also follows the same trend (Allen, 2016). Specifically, from 2007 to 2015, the rate of youth accused by police continuously declined or remained stable for the most common crimes – mischief and theft of \$5,000 or under (Allen, 2016). The trends for violent crimes committed by youths in 2015 followed a similar pattern. Common assault and uttering threats are the most common types of violent crimes committed by youth, and when examining police-reported youth CSI in Canada from 1998 to 2015, youth accused of violent crimes decreased by 2% and 8%, respectively (Allen, 2016).

Similar trends are also evident throughout various Canadian provinces and territories (Allen, 2016). For example, the largest declines in terms of volume and severity of youth crime were evident in Prince Edward Island (-38%), Nova Scotia (-18%), and the Northwest Territories (-12%) (Allen, 2016). New Brunswick, British Columbia, Ontario, and Alberta recorded similar trends in youth CSIs but at a lower rate. However, Saskatchewan (+11%), Nunavut (+7%), and Yukon (4%), all reported an increase in youth CSIs during the same year (Allen, 2016). Manitoba and Newfoundland and Labrador's YCSIs increased by 1%, whereas for Québec there were no significant changes (Allen, 2016). Even though the overall CSI for Canada increased between 2014 and 2015, the rate of youth accused of crime and the YCSI continued to decline (Allen, 2016).

In the Atlantic provinces of Canada, youth crime typically follows the general national trend, with some differences as well. In 2016, there were 5,462 victims of violent crime and criminal traffic offences, representing 1,067 victims per 100,000 population, which is overall above the national average (Statistics Canada, 2018). Approximately 82% of victims were adults aged 18 and older, 65% were adults aged 25 and older, and approximately 13% of victims were

youth aged 12 to 17, with the rate of victimization being highest for individuals aged 18 to 24 years old and youth aged 16 to 17 (Statistics Canada, 2018). Around 70% of victims were victims of assault. Specifically, 55% were victims of common assault (level 1) and around 11% were victims of major assault (level 2 or 3) (Statistics Canada, 2018). In comparison, assault accounted for approximately 65% of child and youth victims, with the highest rate of assault among youth aged 16 to 17 (Statistics Canada, 2018). Furthermore, approximately 50% of female victims of all sexual offences were children under the age of 12 or young people aged 12 to 17 years old (Statistics Canada, 2018).

The YCSI for Newfoundland and Labrador increased by 2% compared to Manitoba (+14%), Ontario (+11%), and Nova Scotia (-15%) and New Brunswick (-10%) (Allen, 2018). At the national level in Canada, the rate of youth accused of crime decreased by 1% while the youth CSI increased by 3% due to an increase of youth accused of violent crimes, particularly robbery and homicide (Allen, 2018). The youth non-violent CSI decreased by 4% in 2017 due to a decrease in youth who were accused of breaking and entering and theft of \$5,000 or under (Allen, 2018). In the Atlantic provinces for the same year, there was a decrease in the rate of CSI by 9%, a decrease in the rate of breaking and entering (-21%), a decrease in homicide and robbery, a decrease in police-reported fraud (-10%), higher rural crime than urban crime (+11%), an increase in sexual assault, an increased rate of motor vehicle theft (+1%), and an increase in youth CSI (+2%) (Allen, 2018).

Based on the number of youths aged 12 to 17 who were either charged by police or diverted from the formal CJS in the Atlantic provinces during the COVID-19 pandemic – using warnings, cautions, and referrals to community programs – police reported youth CSI was measured for the year 2020 and compared to the overall change from 2010 to 2020 (Statistics Canada, 2021b).

According to the findings, total youth CSI decreased by 27% from 2019 to 2020 and by 56% from 2010 to 2020 (Statistics Canada, 2021b). This pattern in the Atlantic provinces was very similar to trends in overall youth CSI rates in Canada; total youth CSI decreased by 23% from 2019 to 2020 and by 53% from 2010 to 2020 (Statistics Canada, 2021b). In general, there is a decline in the youth CSI; specifically, the youth CSI stood at 103.53 in 2000 and in 2020 it stood at 43.32 (Jeudy, 2022). Moreover, when looking at the overall CSI in Canada in 2020, by province, the Atlantic provinces ranked number ten (out of the total ten provinces and three territories) on the list with a CSI of 68.89, while the Northwest Territories ranked number one with a CSI of 414.46 (Jeudy, 2022). In 2014, 94,100 youth between the ages of 12 and 17 were charged with a crime, with roughly 68% of those charges being non-violent (Ricciardelli et al., 2018). Between 1999 and 2014, the overall youth crime rate in Canada decreased by 38%. In 2014, the national youth crime rate was at 4,016 per 100,000, while in the Atlantic provinces it was at 4,543 per 100,000. In comparison, the reported rate for youth crime in the late 1990s was 6,421 per 100,000 (Ricciardelli et al., 2018). For perspective, in the same year – 2014 – British Columbia’s youth crime rate was at 3,007, while Saskatchewan reported 11,816 per 100,000 (Ricciardelli et al., 2018).

As a result, it is evident there are provincial differences when it comes to youth crime rates and youth CSIs, but in general, there is a declining trend both for overall crime rates and youth crime rates in Canada. The declining numbers over the years are due to multiple reasons, but one important reason is the way we respond to the crime that has been committed. Many youths who have come into contact with the law have been held accountable for the crimes they have committed without having to go through the formal court process since the introduction of pre-charge diversion under the YCJA in 2003 (Endres, 2004; Tomporowski et al., 2011). Therefore, at the discretion of police officers, extra judicial measures (EJM) are used as an alternative to laying

charges to divert youth from the courts, especially those who have committed minor offences, and often RJ approaches are used to address the aftermath of the crime, which is further discussed in this chapter (Endres, 2004; Tomporowski et al., 2011).

Restorative Justice and Punishment

In every society, there is continuous concern about how to reduce crime. However, it is evident that harsh or cruel punishments and long sentences via the formal CJS are not the answer to reducing crime. There is empirical evidence that suggests why extreme forms of punishment are not the key to reducing crime, such as the stigmatizing effects of the criminal process and being labelled an offender, the stimulation and strengthening of a ‘master status’ as a criminal, and, of course, the lack of evidence that links sentence length to the successful rehabilitation and reintegration of the offender (Miethe & McCorkle, 1997; Braithwaite, 1989). Vitiello (1990) suggests indeterminate sentences or long sentences do not necessarily rehabilitate the offender and can have negative consequences. Miethe & McCorkle (1997) define a ‘master status’ as a process where one identity “overwhelms and neutralizes all of the individual's other status characteristics and becomes the predominant attribute in their personal identity” (p. 410). This is often evident in individuals who have been labelled as offenders, since a master status comes to define individuals, recasts and reshapes their social position, limits their opportunities, modifies their personal identity, and alters their subsequent behaviour (Miethe & McCorkle, 1997).

RJ systems began as an effort to change the way society thinks and deals with punishment for different crimes that are committed (Kenney & Clairmont, 2009). It has been a “dominant model of criminal justice throughout most of human history for all the world’s peoples” (Braithwaite, 1998: 323). On the other hand, there is evidence of a variety of cruel and horrific

types of capital punishment throughout history.³ As it became clear that harsh punishment was ineffective in deterring crime, the emphasis shifted to more just and fair punishments, with a focus on alternative measures that can deter offenders from committing future crime(s) (Menkel-Meadow, 2007; Shapland, 2016). While contemporary forms of RJ in Canada emerged in the 1980s under the former YOA, with the implementation of the YCJA, pre-charge EJM and post-charge extra judicial sanctions were encouraged and mandated to deal with youth who had broken the law as a way to provide effective responses to often less serious youth crime (Bala, 2002). Extra judicial sanctions and their relationship to RJ processes are examined in the following section, which relates to the pilot program that was implemented in rural Atlantic Canada and is the focus of this thesis: an EJM youth program focused on helping youth in the community who have come into contact with the law but have not been processed through the courts.

The Young Offenders Act

The Young Offenders Act (YOA) began with a strict focus on formal accountability for youth for the crimes they have committed and the harm they have caused (Anderson, 2007). It was implemented in 1984 as a pivot from the social welfare approach that was adhered to under the previous Juvenile Delinquent Act (1908-1984) (Anderson, 2007). This new law held youth

³ Some of the common methods were being quartered and drawn, Lingchi (slow slicing and bleeding to death), sawing (hung from the feet and sawed vertically down the body), and being burned alive (Medieval Warfare, n.d.). Another common method was scaphism, where the criminal would lie in a boat exposed to the sun over a swamp with their hands and feet tied (Medieval Warfare, n.d.). Honey and milk were applied to the body, which would attract insects, rats, maggots, and other vermin that would eventually eat the body slowly from the inside-out (Medieval Warfare, n.d.). The above methods are not the only types of punishment that have ever existed in history; rather, hundreds of different types of methods were used in order to punish offenders. By the end of the Dark Ages, crime became a matter of breaking loyalty to and felony against the king/monarch instead of against another person (Braithwaite, 1998: 323). As a result, the king not only ordered horrific capital punishments for offenders to demonstrate his dominance, but also to deter others from committing crimes (Braithwaite, 1998: 323). Often, the goal was to scare the public while also sending a message to deter any future criminals who had assassination on their mind.

accountable for their actions while acknowledging and recognizing that they were not yet adults (Anderson, 2007). With this came the recognition that youth have particular and unique needs compared to adults, who also require attention and special consideration when they have broken the law (Anderson, 2007). As a result, community sentencing should be considered whenever possible, and the youth's guardian should be involved throughout the legal process (Anderson, 2007). Under the YOA, youth were now formally defined as individuals between the ages of 12 and 18, who were no longer charged with delinquency but, rather, were charged with a violation of the *Criminal Code* (Anderson, 2007). The sentences reflected the seriousness of the crime committed, and the minimum age covered by the Act was increased from seven to twelve years old (Anderson, 2007). The YOA also legislated for alternative sentencing, and youth were now provided with due process, which also included the right to appeal both their sentence and the right to obtain counsel (Anderson, 2007).

By 1992, police-reported youth crime in Canada indicated a constant decrease in the overall rate of youth crime (Anderson, 2007; Carrington, 1999). Nevertheless, the public's opinion seemed to reflect the opposite of this trend. Based on a public opinion poll from Ontario in 1997, about 88% of the public believed youth sentences were too lenient, and based on a national poll, roughly 81% of all Canadians shared the same view (Anderson, 2007). Although the goal of the YOA was to address the needs of youth who had come into contact with the law, rehabilitate them, provide alternative measures, and highlight the rights of young persons, there was no clear direction for judges on issues such as "proportionality, little guidance as to how to interpret the law, and [they] could only encourage police departments and provincial governments to adopt out-of-court programs" (Anderson, 2007: 23). As a matter of fact, police were confronted with youth more

often, custody terms were more commonly used, there were substantial disparities in sentencing, and previous records had an impact on the sentencing of the youth (Anderson, 2007).

By the early 2000s, Canada had one of the lowest diversion rates for youth, but this was mostly since both police and judges believed there was limited guidance on what measures were available or how to access them (Anderson, 2007; Endres, 2004). Neurological development in young persons' brains is often argued to be emerging, i.e., that youth typically lack the maturity and psychological development that is required for a custody sentence to be considered a humane approach for responding to the crime that has been committed (Anderson, 2007; Bala et al., 2009). Overall, due to the criticism and the discrepancies that existed under the YOA, the liberal government enacted a new statute, the Youth Criminal Justice Act (YCJA), in 2003 (Anderson, 2007; Bala et al., 2009).

The Youth Criminal Justice Act and Extra Judicial Measures

The goal of the Youth Criminal Justice Act (YCJA) began with a focus on accountability through appropriate and meaningful consequences and effective reintegration. Moreover, the YCJA looked into introducing:

measures to address the limitations of the YOA, including an increase in federal funding for the provinces, the development of new restorative justice community programs, increasing public awareness, and education aimed at reintegrating youth back into their home communities (Anderson, 2007: 24).

This meant a shift from the youth court (traditional) system to community-based responses and programs, especially for minor and non-violent offences (Basso et al., 2004). Under the YCJA, personal circumstances, such as poor school performance, mental health concerns, poverty, home

and family situations, family support, and peer influences, among other factors, were taken into consideration for understanding why youth engage in criminal behaviours (Anderson, 2007; Endres, 2004). The involvement of families, victims, and the community was encouraged, and all custody terms were required to be followed by a period of community supervision for the youth to be reintegrated back into their community successfully (Anderson, 2007).

Under the YOA, ‘alternative measures’ were replaced with ‘EJM’ – pre-charge – and ‘extra judicial sanctions’ – post-charge – which are defined clearly under the YCJA (Anderson, 2007). Extra judicial means ‘outside the court’, so these are measures or actions that police take which do not involve legal proceedings yet hold youth accountable for the harm they have caused (Department of Justice, 2021b). EJM can be used for first-time offenders, non-violent offenders, and even youth who have previously been dealt with by EJM or have been found guilty of an offence (Department of Justice, 2021b). Police are encouraged to use EJM as it is believed the process provides a more effective and timely response to an offence (Bala, 2002; Carrington & Schulenberg, 2008). Police and agencies involved in the process are required to keep a record of any EJM that is used to hold the youth accountable (Department of Justice, 2021b).

There are different types of EJM that can be used at the discretion of the police officer who comes into contact with the youth, including taking no further action, giving a warning (informal warnings), a caution (more informal), a referral from the police to a community program or agency, and a Crown caution (similar to police cautions but it is issued by the Crown prosecutor after the case has been referred to them by the police) (Department of Justice, 2021b). If, however, charges are pressed, then extra judicial sanctions (formal programs) are set up by specific agencies (Department of Justice, 2021b). There are also benefits to using EJM. For example, it is an effective, appropriate, and timely intervention that aims to encourage youth to acknowledge and

repair the damage they have caused (Department of Justice, 2021b). It also provides an opportunity for the community to get involved in the process of intervening and responding to youth crime, enabling youth courts to deal with more serious cases (Department of Justice, 2021b). Extra judicial sanctions are usually used only if the other forms of EJM are not sufficient to hold the youth accountable, which can be imposed before or after the youth is charged with an offence (Department of Justice, 2021b).

The goal of the EJM, with the exception of serious crimes, is for police to exhaust all available informal options before considering formal charges (Endres, 2004). Under the YCJA, because there are potentially serious legal consequences facing youth in conflict with the law, certain protections have been established. First, the youth must accept responsibility for the crime they have committed (Department of Justice, 2021b). Next, if they are referred to a community program, both the youth and their parents must consent to enrollment in the program and consent to the course of action for the consequence delivery (Department of Justice, 2021b). Community programs, for example, can be police-based diversion programs or community accountability programs like RJ programs, and recreational programs, such as Boys and Girls Clubs and sporting clubs (Justice Education Society, n.d.). Parents or guardians must be involved throughout the process but are not in charge of implementing the course of action or ensuring its completion (Department of Justice, 2021b). This is the responsibility of the staff of the EJM community programs. Lastly, the victim of the crime has the right to be involved in the EJM process, however, the youth and their parents must again consent to this, as well as the victim (Department of Justice, 2021b).

The *Criminal Code* and the YCJA are federal legislation and are applicable throughout Canada, however, the way in which they are enforced is provincial (Carrington & Schulenberg,

2008). As a result, the way the YCJA is implemented, enforced, and the extent of its success is dependent on each province, which is why there is provincial variation in its implementation (Carrington & Schulenberg, 2008; Parker et al., 2012; Tomporowski et al., 2011). In consideration of the YCJA's goal to decrease levels of youth court involvement and incarceration, it has been generally successful (Bala et al., 2009; Carrington & Schulenberg, 2008). Its success is also dependent on available resources and how police officers use their discretion to enforce its principles (Endres, 2004). To support the police in this work, provincial governments are required to fund and create various pre-charge programs in communities in order to divert youth (Ricciardelli et al., 2018). However, "policy and legislation rarely directly account for differentiations between provinces. Thus, the implementation and support for such pre-charge programs, or lack thereof, within communities are unique to each province" (Ricciardelli et al., 2018: 14). EJM and RJ processes are connected to each other as youth who come into conflict with the law are often diverted to RJ community programs as part of the EJM response.

What is Restorative Justice?

Over time, to address offenders' – especially youth in conflict with the law – varying needs, correctional facilities, and policymakers shifted their focus to reform, rather than punishment, i.e., a shift from using traditional methods to alternative programs and approaches for rehabilitation and reintegration (Adorjan et al., 2019; Shapland, 2016). Restorative justice (RJ) approaches are one such alternative. It is a legal process that takes various forms and aims to provide an opportunity for all parties – offenders, victims, and communities – that have been directly affected by the crime to create a meaningful solution by focusing on repairing damage and restoring balance (Tomporowski et al., 2011). RJ responses to youth crime have become central to Canada's

responses to youth crime, especially under the Youth Criminal Justice Act (Tompson et al., 2011). Although RJ approaches have been more effective and beneficial than the formal CJS (see below), research has neglected to understand the perceptions and experiences of those involved, who play an important role in RJ mediation. This study focuses on recognizing and examining this gap in research.

Within criminology, the initial ‘founders’ of RJ, such as John Braithwaite, Howard Zehr, Mark Umbreit, Albert Englas, and Daniel Van Ness, among many others (Menkel-Meadow, 2007), argued the RJ system is an alternative to retributive and rehabilitative justice (Braithwaite, 1998). In simple terms, rehabilitative justice focuses mainly on offenders’ needs and treatments, while RJ also acknowledges the needs of the victim when a crime has been committed (Bonta et al., 2006). In other words, rehabilitative justice is dominantly offender-centered, whereas RJ aims to restore the balance by involving victims, offenders, and the community in a process that identifies the needs of each party in the aftermath of the crime while collectively coming up with a resolution (Bonta et al., 2006). Based on the founders’ view, RJ systems offer “deliberative justice,” meaning those involved discuss the consequences of the act, a satisfying resolution, and how to prevent the recurrence of the crime (Braithwaite, 1998: 329).

Deliberative justice allows for those involved to discuss the consequences and solutions, while any shame that rises from what has happened can be addressed in a reintegrative way (Braithwaite, 1998; see Reintegrative Shaming section). RJ approaches or programs, such as conference circles, can be reintegrative because such processes have the capability of empowering offenders (increasing self-esteem) and providing purposeful and responsible choices in a supportive environment (Richardson & Blanchette, 2001). As a result, offenders and victims can

meet in a judgement-free environment and any shame that is felt can be forgiven rather than being stigmatized (Dell & Poole, 2015; Braithwaite, 1998).

Menkel-Meadow (2007) suggests that RJ in practice can mean a variety of different methods being used within the justice system. Specifically, RJ is a legal system that focuses on healing and reconciliation not only for the victim but also for offenders and the community. It is also an effort to change the way society thinks about punishment for the crimes that are committed. Based on an early definition, all the parties that have been affected by the crime gather together to decide collectively not only how to deal with the outcomes of the crime but also its implications for the future. In general, the public often wants law enforcement to treat offenders with a ‘tough on crime’ approach without recognizing the negative outcomes or considering offenders’ individual needs (Lynch & Sabol, 1997). There are three general beliefs that support this approach. The public’s belief was that there should be an increase in punishment for serious crimes; “second, that the criminals targeted by the reforms were ‘dangerous’ people who must be incarcerated because lesser sanctions would not be effective in curtailing the proscribed behaviours”; and third, that mandatory prison sentences would directly reduce the rate of crime, since those who were the most dangerous offenders would either be deterred or incapacitated from committing (Lynch & Sabol, 1997).

However, youth justice policies influenced by ‘law and order’ frameworks have been shown to be ineffective in practice. For instance, in the United States, within a period of just 15 years – from 1980 to 1995 – the prison population grew from 330,000 to over 1.5 million prisoners (Lynch & Sabol, 1997). Punishment prior to these reforms was not actually as lenient as it was popularly believed. This was largely based on erroneous or badly used data in addition to how the media highlighted unusually or atypically dangerous offences, which received short sentences,

feeding a moral panic at the same time (Lynch & Sabol, 1997). Moreover, the criminal justice system's (CJS) emphasis on punitive measures can have negative impacts on society as a whole. Consequences can range from increases in taxes for maintaining prisons, increased costs of keeping prisoners behind bars and meeting their basic needs, increases in prison population, increases in divorce rates due to incarceration, and negative impacts on mental health (Benson, 2003; Greenwood, 2008). The U.S. implementation of 'get tough on crime' reforms created other major problems. For example, it provided mixed results in terms of crime reduction, i.e., there were geographical clusterings of incarceration that targeted young Black men (between the ages of 16-34) more dominantly than white men, and it also expanded the definition of who was considered a dangerous offender, including lower-level drug offenders "in the heat of public reaction to the drug crisis of the late 1980s" (Lynch & Sabol, 1997). Therefore, on whom did the reforms "get tough"? For example, the number of non-violent offenders who were charged with comparatively minor criminal offences increased; the number of drug offenders increased, but the population mainly consisted of those who were lower-level dealers and not high-profile dealers who typically led large organizations or dangerous gangs (Lynch & Sabol, 1997). Mandatory penalties and lengthier sentences became key in the process, even though there was no consensus on the definition of who was dangerous or what types of offences were considered dangerous (Lynch & Sabol, 1997). As mentioned earlier, long sentences do not necessarily rehabilitate the offender and can have long-lasting negative consequences (Vitiello, 1990). Interestingly, when the public's attitude towards punishment and the length of sentences was re-examined after the implementation of the reforms, the public viewed and believed the sentences were in fact much harsher than what was initially deemed appropriate or necessary (Rossi & Berk, 1997).

In contrast to the formal criminal justice system's responses to crime, RJ focuses on four Rs: repair, restore, reconcile, and reintegrate in order to help offenders, victims, and the community as a whole; essentially, restoring balance through a just and fair process (Menkel-Meadow, 2007). In practice, RJ takes on several distinct forms, though in Canada, a prominent form is conferences, which include victims, victimizers, and supporters (Daicoff, 2015). In other words, it is a system that aims to restore balance and security while achieving it through different processes that are based on justice and fairness (Braithwaite, 1998). The overall system is based on fairness, respect, opportunity for healing, accountability and responsibility, conflict resolution, a sense of greater community safety, and closure for all involved (Bonta & Motiuk, 1992). Resolutions often include formal letters of apology, the acknowledgment of harm and injury, and material exchanges or payments (restitution) for the damage caused (Bonta & Motiuk, 1992; Bonta et al., 2006). It is argued that to manage and control any type of crime effectively, it needs to be done in a manner that is not retributive or stigmatizing in nature (Braithwaite, 1998). What does that mean when examining the public's perceptions of RJ in response to youth crime?

In a study conducted by Hough and Roberts (2004) in England and Wales, they explored the public's knowledge pertaining to youth crime and justice, as well as their attitudes towards the sentencing of youth who had come into contact with the law. Generally, the public seemed to be ill-informed about youth crime trends—they typically over-estimate the number of youth crimes during a period when, statistically, there was a declining trend. Moreover, even though the sample in the study believed that sentencing practices were too lenient for youth, their support for custody as a sanction fell as soon as a few small details were provided about the offender's life as well as the cost of custody. In other words, they became significantly less likely in favour of imprisoning youth who had come into contact with the law if the youth had engaged in some form of RJ

program. In such cases, the participants of the study were especially less likely to favour custody as a sanction. The participants' mere knowledge that the youth was participating in the RJ program induced less support for reliance on custody. Moreover, participants' views regarding the most effective way to reduce crime differed for youth and adult offenders. Harsher and longer sentences were deemed more appropriate for adults, while increasing discipline in schools was identified as the best way to respond to and reduce youth crime.

Media representation of youth crime is often a key factor that feeds overly exaggerated knowledge of crime to the general public. For example, reports often focus on the worst kinds of incidents committed by youth and certain words, phrases, and images are used that portray youth as violent, out of control, and dangerous (Stanley, 1972). As a result, from the above study and other similar studies, it becomes clear that public perceptions are often driven by media narratives that amplify moral panics about youth crime, narratives that undercut likely support for RJ. While this thesis does not examine Canadian youth crime moral panics nor public perceptions of these narratives, it does examine the views of community members about restorative responses to youth crime and their experience in the implementation of a pilot program. First, however, it is important to detail the theory of reintegrative shaming, which undergirds RJ processes.

Reintegrative Shaming

Restorative justice (RJ) approaches aim to be implemented in a manner that is not retributive or stigmatizing in nature, instilling what Braithwaite dubs 'reintegrative shaming' (Braithwaite, 1989, 1998; Makkai & Braithwaite, 1994). Shaming that is stigmatizing can embolden criminal subcultures and other deviant and criminal peers who may be perceived by an offender as more attractive since, in a way, the subculture is rejecting those who reject them (Braithwaite, 1989).

Furthermore, as the offender becomes more involved with delinquent others, they are not only isolated from positive sources of influence, but they are also exposed to criminal role models (Braithwaite, 1989; Sykes & Matza, 1957). These delinquent role models train offenders on different techniques of crime and techniques of neutralization through denying injury, responsibility, and the victim, condemning the condemners, and appealing to higher loyalties as a way of justifying their involvement in crime (Braithwaite, 1989; Sykes & Matza, 1957). Furthermore, the more individuals are stigmatized, the more likely they are to form criminal subcultures, which in turn creates a group of outcasts who have no reason to conform (Braithwaite, 1989). As a result, when offenders are labelled and stigmatized, especially through their processing in the formal CJS, they become incentivized to engage in criminal activities by being seen as outcasts whose legitimate ways of achieving goals are blocked. This dynamic leads to an increased probability of recidivism (reoffending) (Braithwaite, 1989).

In contrast, when shaming is done in a reintegrative way, it enables different opportunities which can prevent crime (Braithwaite, 1989). So how does reintegrative shaming work? Often, the fear of or the knowledge that we will let our loved ones down can be a greater deterrent than the fear of formal punishment (Braithwaite, 1989). Shaming not only deters the offender who has been shamed, but it also deters others who want to avoid being shamed (Braithwaite, 1989). Those who have stronger relationships and attachments with others are at a greater risk of disappointing their loved ones, which is why it is one of the strongest deterring factors (Braithwaite, 1989). When the loved ones of the offender are shamed as well as the offender themselves, instead of rejecting their rejectors, the offender can seek forgiveness from their families (Braithwaite, 1998). As a result,

instead of sinking deeper into a deviant role, the offender can be forgiven by their family and reintegrate back into the community (Braithwaite, 1998).⁴

The dignity of offenders requires repair due to the shame and stigmatization that are associated with being arrested. This is why, in some cultures, it is seen as uncivilized or even barbaric when offenders stand alone to face the consequences of their actions (Braithwaite, 1998). As a result, it is viewed that one honourable and respectful form of social support should be having offenders' family or friends present during RJ as a way to share the shame (Braithwaite, 1998). In this way, shame shifts from individual guilt – which is degrading and even detrimental – to the shame of letting their loved ones down, which can be overcome through acts of forgiveness (Braithwaite, 1998). Although it is usually immediate family members, it could also be close friends who are involved in the process with the youth. Similarly, through other social support processes, offenders' dignity is restored by apologizing, accepting responsibility and accountability for the harm caused, while also focusing on future crime prevention (Braithwaite, 1998). Likewise, the feelings of disempowerment and insecurity felt by most offenders are often regained in the process of receiving different forms of assistance, such as educational, social and job-related skills, and mental health (Braithwaite, 1998).

Recidivism Rates and Restorative Justice Programs

This section discusses the importance of why restorative justice (RJ) programs are necessary within any community given that the goal of any justice system is to reduce reoffending (recidivism) (McNeill et al., 2012). Youth are often diverted into various types of programs or are

⁴ It is important to note that while stressing informal processes that may produce forgiveness, forgiveness of the perpetrator on the part of those participating in a RJ process, especially victims, are not in any way required to forgive the perpetrator. The goal is primarily on mutual understandings and relational repair, and when forgiveness does occur it is often spontaneous (Adorjan May 2022, personal correspondence).

given alternative sentencing to deter them from committing a crime again, while simultaneously focusing on addressing some of their needs (LeBel et al., 2008). Within Canada, recidivism rates are not available at the national level since there is no consensus on the operational definition of recidivism, which also means there are often significant variations in how recidivism is counted – definitions often look at re-arrest, re-incarceration, or reconviction – and defined both by researchers and by policymakers (Department of Justice, 2021a). A general definition of recidivism is that it is the tendency of a convicted criminal to commit crimes repeatedly (Gilger, 2007). How an individual progresses through the CJS directly impacts their likelihood of recidivating (Alpert et al., 2004; Hinds, 2009; Wiley & Esbensen, 2016); other factors such as age, sex, Indigenous identity, and race also have an impact (Correctional Service of Canada, 2019; Department of Justice, 2021a; Duwe, 2017; LeBel et al., 2008). We may ask what can help in reducing this rate, which has negative effects on victims and their communities but also on the offender? Some argue that diversionary initiatives, RJ approaches, and programs can be an answer to the problem of recidivism. Canada has been at the forefront of RJ programs, often aimed at youth in conflict with the law (Tompsonski et al., 2011).

RJ is a process that simultaneously occurs with traditional criminal justice processing where consenting parties that have been affected by the crime gather together to decide collectively how to deal with the outcomes of the crime but also its implications for the future (Menkel-Meadow, 2007; Shapland, 2016). Yet questions remain – do RJ programs really reduce recidivism rates among youth? Will these benefits continue over time or will they fade away eventually? Does the program itself really reduce the rate, or are other factors at play? Generally, it is predicted that recidivism rates will likely decrease for offenders who are engaged in RJ programs compared to offenders who have never been enrolled in them (LeBel et al., 2008). A study conducted by

Claassen (1996) through the Center for Peacemaking and Conflict Studies at Fresno Pacific University (U.S.) compared the recidivism rates of youth who had come into contact with the law who participated in Fresno's Community Justice Conference (CJC) program versus those who went through the formal court system. It was found that after one year, the juveniles who participated in the CJC program had a recidivism rate of 2%, while those who went through the CJS had a 15% recidivism rate (Claassen, 1996).

Although the success of programs and traditional processing is often discussed in terms of how likely the offender will commit another crime (recidivate), RJ processes and programs look beyond that (Carter, 2013). RJ often looks at who is involved in the process, the experiences of those involved (police officers, offenders, victims, stakeholders, etc.), various factors that influence the implementation of different programs, and also implements consequences while taking into consideration the needs, skills, and interests of the offender (Kenney & Clairmont, 2009). Since RJ involves all parties who have been affected by the incident, there is a need to examine not only their experiences but also the external factors that influence the outcome of the program. Understandably, much of the research on RJ responses to youth crime centers on the youth themselves. However, an important and related but often neglected question is how community members involved in RJ programs for youth experience the processes they are involved in. For example, how are they approached and become involved in the processes? What are some of their experiences during RJ conferences? What are their general perceptions of youth who have come into contact with the law? What are their perceptions, moreover, regarding the effectiveness of RJ programs? All of these questions raise valid points when we examine and compare the effects of RJ programs to the CJS.

RJ has become central to Canada's response to youth crime, especially under the YCJA, and is seen as a crucial alternative to the formal CJS (Tomporowski et al., 2011; Kenney & Clairmont, 2009). RJ offers benefits that are argued to instill more robust cognitive transformation (i.e., a change in thinking about one's actions regarding a crime and the harm they cause particular parties and the wider community) and ultimately make communities safer and prevent crime (LeBel et al., 2008). Research on RJ, however, often neglects the important role community members play in facilitating reintegrative, as opposed to disintegrative, outcomes for youth involved (elaborated on in the literature review (Chapter 2)).

Power dynamics have an important role in RJ processes that is often unacknowledged (Lyubansky & Shpungin, 2016). In general, RJ processes are designed so that those with structural power – law enforcement, school officials, social workers, and so on – have the authority, right, and discretion to determine when, if ever, an RJ process can take place (Lyubansky & Shpungin, 2016). With that in mind, sidelining formal agents of the CJS is also a goal, which is why community residents are often the main service providers for RJ programs. Therefore, it is crucial that RJ approaches are studied *with community members and community problems in mind* to understand and develop the most effective processes going forward.

Restorative Justice in Canada: Standard Meeting Formats

As a society, we have come a long way, moving from cruel punishments as public spectacles to more reintegrative approaches that involve not just offenders in the process, but also victims and communities (Menkel-Meadow, 2007). In practice, RJ involves a variety of methods employed within the justice system, e.g., the use of conference circles. When RJ programs are mentioned, often the first thing that comes to people's minds is the image of the circle where supporters,

victims, and offenders have gathered to help enable conflict resolution; essentially, restoring balance through a just and fair process (Menkel-Meadow, 2007). All the parties that have been affected by the crime gather together to decide collectively on the outcomes of the crime, its implications for the future, come up with a course of action for the offender to repay the harm they have caused that is fair and just, and allow direct communication between the offender and victim (Kenney & Clairmont, 2009; Menkel-Meadow, 2007). Conference circles follow a general format in which an impartial facilitator, the offender(s), the victim(s), and supporting parties all participate and mutually decide on the best course of action. The process of the meetings, or the conference circles, is what is discussed in this section, where the general meeting format is followed, although each course of action is tailored to the unique case.

Conference circles are based on acknowledging that crime is a violation of people and relationships, but through the principles of respect, compassion, and inclusivity, the harm caused can be repaired, and the overall balance of relationships can be restored (Menkel-Meadow, 2007). In practice, RJ takes on several distinct forms, though in Canada, a prominent form is the conference circle, which includes victims, victimizers, and supporters (Daicoff, 2015). Resolutions often include formal letters of apology, the acknowledgment of harm and injury, and material exchanges or payments (restitution) for the damage caused (Bonta & Motiuk, 1992; Bonta et al., 2006). The overall system is based on fairness, respect, opportunity for healing, accountability and responsibility, conflict resolution, a sense of greater community safety, and closure for all involved (Bonta & Motiuk, 1992).

Kenney & Clairmont (2009) provide a simple yet clear outline of what takes place in a standard restorative justice (RJ) meeting within Canada. As mentioned previously, gatekeepers and facilitators, more specifically, police officers or prosecutors, propose that an offender enter a RJ

program (Kenney & Clairmont, 2009). The suggestion is made at the discretion of the gatekeepers, often when the offender has agreed that they are responsible and accountable for the crime they have committed to avoid entering the court system. Victims are then notified that if they wish to do so, they can participate in the program. RJ agencies handle case management, organize and schedule meeting dates, provide a meeting location (e.g., at their organization or a public space such as a church, coffee shop, community center, or a school), and assign facilitators who are usually trained volunteers. Facilitators review case notes and plan ahead of time how to formally begin a conference session and develop certain ground rules.

During each session, the facilitator(s) reminds all parties involved that the session is voluntary, completely confidential, and that all parties involved, including the supporters, will have a chance to talk (participants are usually encouraged not to interrupt each other). After the session starts, Kenney and Clairmont (2009) explain how the procedure begins by describing the events of the crime (the person who has caused harm takes the lead with this description), the impact of the offence (with victims often taking the lead), the consequences and complications that emerge, as well as what steps to take to achieve an acceptable solution that is fair and just for all parties involved (often led by the facilitator), which is then written in a contract format. The rules of the session are also discussed, in terms of confidentiality of information, being respectful, and only one person talking at a time. Moreover, the facilitators also discuss how their role is to speak little but are there to help create an environment where mutual understanding between all parties can develop. Facilitators usually intervene when difficult topics or issues arise that can potentially threaten the result of the session, to guide discussions, or to prevent participants from wandering off topic. There is often the risk of interactions devolving into disintegrative shaming (blame games, invective exchanges, etc.), which is amplified when supporters attack each other,

mediators, or the process as a whole (Kenney & Clairmont, 2009). Supporters may include a victimizer's parent or sibling, who may, for example, take their 'side' in the discussion and refuse to listen to the victim's position and experiences (Kenney & Clairmont, 2009).

Sessions often have two phases, which can vary in length, although each session is approximately two hours long (Kenney & Clairmont, 2009). During phase one, the victim, offender, and supporters discuss the offence and the impact it has had on each party. Phase two focuses on writing a resolution contract. At the end of the session, if an agreement is reached between all parties, then the facilitators write a contract, which is then signed and sent to the agency that monitors the offenders' compliance. However, if the parties do not reach an agreement and the session is not deemed successful, the matter can be sent back to the justice system where traditional processing and procedures will come into effect. It is important to underscore that youth who face serious charges may face a term of imprisonment regardless of the outcome of the RJ process (i.e., even if 'successful', a youth may still be subject to a period of imprisonment, or for less serious charges, may require completion of community service or other sanction). As such, RJ sessions are geared to run in parallel to formal criminal justice sanctions but do not replace them (a common misperception) (Shapland, 2016; Shapland et al., 2011).

In practice, RJ includes – but is not limited to – apologies, the acknowledgment of harm and injury, different efforts to reintegrate the offender back into the community with or without additional punishment, forgiveness, material exchanges or payments (restitution) for the damage caused, and direct communication between the offender and the victim with an impartial facilitator being present (victim-offender mediation) (Hayes, 2006; Menkel-Meadow. 2007). The overall system is based on fairness, respect, opportunity for healing, accountability and responsibility, conflict resolution, a sense of greater community safety, and closure for all involved. RJ does not

dwell on victims' and offenders' deficits; rather it centers around the involvement of all who have been harmed to help enable conflict resolution, for offenders to be held directly accountable, and for victims to feel empowered and supported in order to move beyond their sense of vulnerability (Braithwaite, 1998).

Different treatments or programs can have varying results, which can be promising in the long run or can be less effective than what was originally intended. Today, in correctional facilities, there are a number of different programs available for prisoners depending on what their needs are (Correctional Service of Canada, 2021). Specifically, the programs fit under a general umbrella where the three guiding principles of any treatment are risk, need, and responsivity (Weekes et al., 2007). In other words, programs are implemented based on whether the individuals are at high or low risk, their dynamic needs, and are also designed to take into consideration participants' learning and intellectual abilities as well as their goals (Weekes et al., 2007). High-risk individuals are those who are highly likely to reoffend but also those who have higher needs (Bonta & Motiuk, 1992). In contrast, low-risk individuals are typically those who are less likely to reoffend or are first-time convicted criminals who have needs that are not as intense as those who are high-risk (Bonta & Motiuk, 1992). Typically, prisoners are involved in a general program while some receive additional treatments if, for example, they have anger management problems, language barriers (ESL classes), mental health issues, and many more (Weekes et al., 2007). The need for different programs is based on recognizing that not all prisoners benefit equally from the same type of program (Maharaj & Haney, 2015).

As a consequence of acknowledging that punitive measures and a general program for all prisoners does not work, the legal system within North America slowly shifted its methods to searching for other alternative programs and legal processes (Braithwaite, 1998; Duwe, 2017). As

a result, RJ became an alternative method to the formal criminal justice system (CJS) (Tomporowski et al., 2011). In other words, RJ approaches began as an effort to change the way society thinks and deals with punishment for different crimes that are committed. As a result, how offenders respond to treatment programs requires assessment to meet their learning styles, abilities, and strengths (Duwe, 2017). Considering what we have discussed so far, it is evident there are some benefits to RJ approaches when it is continued in parallel with the formal CJS, not only for providing an alternative to punishment, but to also address the needs of offenders through specialized programs (Shapland, 2016; Shapland et al., 2011).

Therefore, with the introduction of RJ programs to the legal system, many became hopeful that it can provide another form of treatment for offenders, while also teaching them new kinds of skills (Dell & Poole, 2015). One of the general agreements about RJ approaches and programs is that offenders who are enrolled in these programs become more aware of their personal feelings and emotions, which often has a positive impact on their behaviour (Dell et al., 2019). Like every other program created, RJ programs have benefits and certain drawbacks that are associated with them, which means considering other factors that can either directly or indirectly have an impact on their effectiveness (or not) at reducing recidivism rates.

As mentioned in Chapter 1, RJ processes are not separate from the traditional CJS, which is a common misperception (Shapland, 2016; Shapland et al., 2011). In fact, RJ programs are often recommended at the discretion of police officers and are implemented parallel to formal processing, especially for minor offences (Menkel-Meadow, 2007; Shapland, 2016). RJ programs allow the offender to work collectively with their community to reintegrate back into the community more smoothly while also addressing the unique needs of the offender. As a result, restorative processes that occur outside of prisons are crucial for ensuring the individual transitions

back into the community more effectively, but they are simultaneously held accountable for the crime committed. Yet how ‘community’ is conceived, and the role community plays in RJ programs requires further consideration, which I turn to next.

Community and Crime Prevention

As highlighted by Dhimi and Joy (2007), “perhaps one of the most important differences between the retributive and the restorative systems is the level of community involvement” (p. 12). Although this is true, there are a few things that need to be mentioned regarding what ‘community’ means. Based on an Oxford definition, the term ‘community’ refers to “a group of people living in the same place or having a particular characteristic in common” (Oxford University Press, n.d.). The second definition states that the community is a “feeling of fellowship with others, as a result of sharing common attitudes, interests, and goals” (Oxford University Press, n.d.). This is generally what we all think of when we use the term ‘community.’

Second, the concept of community is argued by many scholars to be a social construction, i.e., it is a phenomenon that is socially produced and maintained (including social scientists themselves; see Osborne & Rose, 1999). Other scholars point out how, historically, the term ‘community’ referred to “geographically defined populations that shared similar goals, values, and daily routines” (Gal, 2016: 2) or “homogenous neighborhoods with universal interests” (Crawford, 1994: 107). In contrast, the world’s population today can no longer be defined by the above characteristics. This is due to the fact that today’s population live in large urban cities that are more heterogeneous than ever before (Gal, 2016; McCold, 2004). The term ‘community’ now refers to a more fragmented, dynamic, fluid, and individual meaning (Gal, 2016). As a result, scholars suggest community is no longer understood as a physical concept, but rather a majority of

individuals understand it as a psychological sense of belonging (Gal, 2016; Mannino & Snyder, 2012; McCold, 2004). By expanding and broadening the conceptualization of community, the term is contrasted with a specific place or geographic location with clear boundaries to a psychological sense of belonging and connection (Mannino & Snyder, 2012).

What is captured in this research, therefore, are *understandings* of community from the perspective of the CRP community volunteers. This is not, of course, to suggest that their perspectives are ‘invalid’; quite the opposite. Indeed, despite these epistemological challenges for social scientists, for practitioners, defining the community is one of the first steps in attempting to establish effective RJ programs (Dhami & Joy, 2007), and understanding their perspectives on community is crucial. Whereas policymakers and RJ program organizers often perceive the community based on its geography, some scholars propose it is a feeling and the perceived sense of feeling connected to others (Dhami & Joy, 2007; McCold & Wachtel, 1998). However, “in modern societies, a sense of community has often been eroded and there are few meaningful interrelationships among people living in the same area and little common interest ... [and] a lack of collective responsibility” (Dhami & Joy, 2007: 13).

Regardless of how we understand the term ‘community’ (as a geographic location or a psychological sense of belonging), it is crucial to highlight that even if the community steps in, the problems that exist within it are not automatically resolved. Addressing the issues within the community takes time and resources, but it is the steps that are taken towards controlling or resolving some of the existing issues that matter. Community-based RJ programs were promoted to reduce crime, by having community residents gather with the offender and the victim to find specific solutions to crime and injustice. Scholars suggest community ownership of the process is evident through three different ways:

Community members are actively involved in doing justice; the justice process draws from community resources and, in turn, contributes to the building and strengthening of community; and the process focuses on prevention and early intervention to address the needs of victims and the accountability of offenders. However, very little is known about ‘what actually happens’ in community-based RJ. (Gal, 2016: 3).

Therefore, the initial goal is to define what the community is, where the community is, and whose community it is (Dhami & Joy, 2007). It is also important for organizers to recognize there are various levels of community, such as family, friends, neighborhoods, and local organizations that all make up the community that individuals exist in. Once the community the program serves is clearly identified and defined, it is important to develop and maintain awareness, interest, and support for the RJ programs. This is a very key step because it allows organizers to inform community members about the principles and practices of RJ, the need for the program, and the success of similar programs in other communities, but mostly to allow community members to understand that this is not a ‘soft’ response to crime (Dhami & Joy, 2007). In addition, for RJ processes, the community is involved through its members actively volunteering and helping organizers guide youth and their parents. It is a process where community resources are used, and in return, this process contributes to building a stronger community by mending relationships, and it promotes changes in the community to both prevent and intervene in future offences while still holding youth accountable for the harm that they have caused and addressing the needs of the victims (Dhami & Joy, 2007).

Apart from offenders and victims themselves, the role of the wider community is an important and essential third party in RJ programs and processes (Crawford, 1994). Scholars

suggest the role of the community is encouraged for two main specific reasons: creating and implementing a ritual that occurs simultaneously with traditional criminal processing and creating a process an offender can utilize to reintegrate more successfully into their community (Rossner & Bruce, 2016). In practice, the community's involvement in RJ takes numerous forms, such as when volunteers participate as facilitators in RJ conferences or as parties during victim-offender mediation conferences as a neutral third party to help steer the victims and offenders towards reconciliation (Gal, 2016). Community members who symbolize and represent the community's beliefs, values, and wider interests are known as the 'macro-community' (Rossner & Bruce, 2016). However, volunteers are not the only representation of the community; rather, the community may also include what McCold (2004) conceptualized as the micro-community. Members of the micro-community are often close family and friends of the victims and offenders who actively participate in various parts of the RJ process, whereas the macro-community members are not directly related to the victim or the offender (McCold, 2004).

Although it is important to understand who is involved and who represents the community in the RJ process, I argue that it should not be the only focus for understanding the community's role and what it can represent. In other words, the concept of 'community' is made up of more than its residents, such as external factors that represent and make up the role of the community, which can then in turn have an impact on the outcomes of RJ processes and programs. These external factors – although not an exhaustive list – may include the types of resources available, the community's geographical location, some of the general problems (drugs, crime, economic issues, employment, etc.), the culture, values, and beliefs of the overall community, the shared attributes of the people in it and/or the strength of connections between them, a sense of belongingness (we-feeling), and having a common culture and a social system that organizes residents' daily activities.

Constant change within the community can impact the dynamics of RJ and can potentially lead to reintegrative possibilities or disintegrative risks.

In general, the role of community within RJ programs and processes are complex, but McCold (1996) highlights some key points that are argued to be the community's key responsibilities:

The responsibilities of local communities are to: (1) act immediately to protect victim and offender; (2) hold offenders accountable and insist on active involvement of interested parties in the resolution process; (3) provide the local resources for victim and offender to seek their healing; (4) provide public education and serve as a model for peaceful resolution processes; and (5) seek the systematic sources of recurring conflicts and encourage amelioration at their etiological source.

McCold (2004) agrees that the community is an important stakeholder in RJ but highlights how it also has a dual role in the process. The dual role is explained in terms of how the community is both a secondary victim that endures the impact of the crime, but it is also a secondary perpetrator since it has failed to prevent the crime in the first place (McCold, 2004). However, the role of the community in crime prevention and control is complex. For example, if the responsibility of crime prevention is shifted from the state to the community, it becomes problematic (Crawford, 1994; Kelly et al., 2005). The notion of community as a resource for crime prevention not only places the onus on the community to use its resources for the purpose of strengthening informal community control, but it also implies that those necessary resources exist within the community and they just need to be simply tapped (Crawford, 1994). However, research on crime prevention has revealed that many programs and projects put in endless efforts and long hours to raise enough

funds and resources to implement or continue their program (Crawford, 1994). The reality is that for crime prevention programs to be implemented and to continue, government involvement is needed and cannot be rejected (Crawford, 1994; Woolford & Ratner, 2008).

Others argue that because crime is the product of failing community life, then the abnormalities (different types of crimes) that do occur are a direct indication of a pathological community and not a product of government policies (Crawford, 1994). Scholars suggest the community has come to take the place of governments where it has not only been burdened with the responsibilities and costs of crime prevention, but it has also become a source for the transfer of guilt and blame (Crawford, 1994). The reality is that community-based RJ programs may use informal approaches to address crime, but formal state support is required to ensure community-initiated efforts are developed and facilitated at a level that is necessary for responding to crime (Kelly et al., 2005).

Community-based programs that use crime-prevention through social development approach recognize there are connections between the crime that occurs and the social, environmental, political, and economic context of it (Kelly et al., 2005). By being aware of the context in which the crime occurs, this approach seeks to address the root cause by investing in and involving individuals, their families, and their communities (Kelly et al., 2005). This approach also recognizes that community diversity should be a core component of crime prevention. For example, programs in Canada that use this approach have integrated the idea of diversity into their processes, acknowledging Indigenous peoples, youth, and visible minorities are at a great risk of coming into conflict with the law (Kelly et al., 2005). Yet these programs are far from perfect, considering the needs, interests, and the voices of these groups are often missing from the program, which leads to community hostility and/or withdrawal (Kelly et al., 2005).

In summary, the responsibilities of the community are complex in terms of how they become involved, the extent of their involvement, and how agencies as well as the state intervene throughout the process. As discussed earlier in this section, how we define community has changed from a more geographical definition to a more psychological sense of belonging and feeling of connection (Mannino & Snyder, 2012). While traditional approaches to crime prevention have solely focused on the state intervening and preventing future crime, modern approaches have shifted the responsibility from the state to the community to intervene and use its resources (Crawford, 1994). Nevertheless, even though RJ programs have gained growing support since its introduction in the early 1970s in Canada, there are still conflicting tensions between how much control and intervention from the state is needed or required and at what point (Benson, 2003; Braithwaite, 1998; Carter, 2013; Dhimi & Joy, 2007; Greenwood, 2008). This is where the debate between formal and informal processes in community-based programs are also salient. Before discussing the informal approaches introduced to RJ approaches and their clash with the formal approaches of the CJS, the role of volunteers is explored, as the majority of RJ programs are volunteer run.

Volunteerism in Restorative Justice

At present, there are a number of RJ programs within Canada and globally, with a majority of them promoting community engagement through community representatives, such as family and friends, community volunteers, and process facilitators. As mentioned in the last chapter, most of the existing literature on RJ centers on victims and offenders to understand their experiences, attitudes, and level of satisfaction with the process and the program (Karp et al., 2004; Souza & Dhimi, 2008). However, volunteers' experiences with the program are crucial to examine

considering they play a pivotal role in operating the programs. Who are the volunteers of RJ programs? What motivates them to choose to become a part of the RJ process? What types of skills and qualifications do they have? How are they trained for their roles? These are also the same questions I will be exploring in this section. In Chapter 4, the above questions are also explored in terms of the challenges, experiences, and perceptions of the community members of rural Atlantic Canada who are part of implementing a pilot EJM program.

The studies that have examined who volunteers for RJ programs have typically found that volunteerism is highest among older adults, who are typically affluent and well-educated. The median age is between 45 and 54, typically older White women with college and professional degrees (Karp et al., 2004; Souza & Dhimi, 2008). It is important to note that although RJ programs can unquestionably benefit from the knowledge and skills of volunteers who are also professionals, the goal is to avoid “domination by professionals” (Souza & Dhimi, 2008: 51). This refers to the impact of professionals who can somehow impose on the process of RJ, jeopardizing impartiality and objectivity that are required for the process (Souza & Dhimi, 2008). As a result, participation is encouraged “from individuals from all walks of life” especially ensuring representation of those who are marginalized and disadvantaged (Dhimi & Joy, 2007; Gal, 2016; Souza & Dhimi, 2008: 51).

When looking at gender differences, men are often seen as volunteers in the more risky and physically demanding aspects, while women are more likely to partake in the roles that require them to be more emotive and nurturing (Souza & Dhimi, 2008). Age differences and the average amount of time spent volunteering are argued by scholars to be due to an “individual’s personal and financial stability” and the fact that many older service providers are early retirees who see “volunteering [as] a meaningful substitute for paid work” (Souza & Dhimi, 2008: 35-36). In

contrast, younger adults often become involved for career-related reasons (Souza & Dhami, 2008). This idea is consistent with the findings that suggests younger adults are often motivated to volunteer for vocational development and career exploration (Okun & Schultz, 2003).

Volunteers do not just engage in RJ processes because they are community residents and citizens who have a stake in the quality of community life. Indeed, there are many factors that motivate them to participate and influence their ongoing commitment. Although this is not an exhaustive list, volunteers' motivation includes being safe, helping others, feeling like they belong and are a useful member of their community, growing, gaining new experiences, practicing and learning new skills, an opportunity to meet new people, and even feeling guilty for being more fortunate than others (Karp et al., 2004; Okun & Schultz, 2003; Souza & Dhami, 2008).

Although volunteers typically have a wide variety of skills and qualifications, they are all nonetheless required to have specialized training to be as effective as possible in their roles. In a study by Nassar-McMillan and Lambert (2003), they present how it is possible that motivation plays a key role in the work that is performed by volunteers, but ultimately there is also a stronger correlation between volunteers' level of training and how committed they are to their position. It is not surprising that RJ volunteers may encounter cases that may challenge the scope of their knowledge and expertise. Therefore, how they are trained, and the amount of time spent training can have an impact on how they effectively resolve a broad range of issues (Dhami & Joy, 2007; Souza & Dhami, 2008). Training is extremely crucial for volunteers as it ties directly to having an understanding and "clarity of [their] roles and responsibilities," which is also a determining factor in their satisfaction with their roles (Souza & Dhami, 2008: 52). Studies show that volunteers who are well-trained and satisfied with their roles are also more likely to spend a longer time volunteering for a specific program (Karp et al., 2004). This translates into "knowledge and

experience, [the] diminish[ing] workload associated with recruitment, and [it] indirectly indicates that [volunteers] like their work” (Karp et al., 2004: 503). Similarly, scholars discuss how role-specific training can be an effective approach considering the tasks and objectives of each role can be significantly different (Souza & Dhimi, 2008). Volunteers’ lack of experience and training may, to a certain extent, be reflected in difficulties acquiring case referrals and also ensuring the completion of the process for the individual who is involved in the program (Dhimi & Joy, 2007). Given that RJ approaches and programs take place outside of the courts, they are considered a more informal process (Tomporowski et al., 2011), but volunteers from various programs, including those in this study, remind us of the tensions that exist between formal and informal – such as the need for more training and a policy manual.

Formal-Informal Processes in the Criminal Justice System

In modern, Western, capitalist societies, the law is often discussed in terms of ‘formal’ and ‘informal’ approaches to responding to crime. ‘Formal’ processes commonly refer to “state-administered and bureaucratic justice processes,” while “negotiated and mediated justice processes are designated as ‘informal’” (Woolford & Ratner, 2008: 1). In other words, ‘formal’ approaches refer to processes that are “regulated by official law and handled by judicial authorities,” which includes the legal assessment of and responses to cases regarding punishment and reparation (Aertsen, 2013: 414). In the United States, ‘informal’ approaches are not strictly regulated by state law, meaning it is a process that is less rule-bound and adversarial, which occurs outside of the formal courtroom (Aertsen, 2013; Woolford & Ratner, 2008). The three forms of informal justice are mediation, restorative justice (RJ), and reparations (Woolford & Ratner, 2008). This thesis specifically focuses on RJ approaches.

These informal approaches typically focus on interpreting and responding to the case using culture, tradition, religion, and national and international law and involve offenders, victims, and the community throughout its processes (Aertsen, 2013). The parties – offenders, victims, friends and family, and community residents – involved are able to offer input not only on how the offence may be remedied, but they can also suggest different types of consequences and how to approach the aftermath of the offence (Woolford & Ratner, 2008). Early informal approaches are believed to have manifested in ‘acephalous’ kinship-based societies where re-establishing community harmony was the main goal, although punishment and restitution were not uncommon for correcting deviance (Woolford & Ratner, 2008). There is also evidence that simplified versions of informal justice – without a focus on punitive responses as a form of conflict resolution – were employed in Indigenous communities (Woolford & Ratner, 2008). Disputing parties would gather together to understand the root cause of the problem and offer different remedies for resolving the matter peacefully (Woolford & Ratner, 2008).

Woolford and Ratner (2008) highlight how informal approaches are meant to be more participatory and empowering forms of justice where judicial agency is removed from legal authorities and is instead passed on to citizens. However, a complete rejection of the involvement of the state and the criminal justice system (CJS) is near impossible since, for example, RJ depends on the CJS for referrals, funding, and to even enforce parts of the process, i.e., compensatory payments (Woolford & Ratner, 2008). RJ programs are required to cooperate with state agencies to maintain their operations, receive funding for renting offices or to pay for administrative costs, and to also ensure paid staff receive professional training in the latest RJ techniques, where the information is then relayed to program volunteers (Woolford & Ratner, 2008).

As mentioned previously, using informal approaches – through various programs – to hold youth responsible without traditional processing enables youth courts to focus on more serious cases. (Bala, 2002; Carrington & Schulenberg, 2008). The programs provide a cheaper and more efficient means of responding to youth crime, especially for minor offences (see Claassen, 1996). Therefore, informal justice is not an alternative to the formal CJS, rather it is a form of response geared to complement or run parallel to the formal system (Shapland, 2016; Shapland et al., 2011; Woolford & Ratner, 2008). In this sense, Woolford and Ratner (2008) suggest informal approaches offer:

A form of dispute resolution that decreases state involvement, while potentially reinforcing state objectives (e.g., maintaining social order). By providing justice options that are less regulated and more fluid, informal justice coincidentally serves the needs of capital (p. 12).

Informal approaches, such as RJ processes and programs, are typically applied in different settings because they are not rigidly bound by rules and are rather adaptable to different types of conflict (Woolford & Ratner, 2008).

As discussed earlier in this chapter, RJ programs are operated largely on a volunteer basis where representatives from the broader community (including family, friends, neighbours, etc.), the offender, and the victim gather focus on conflict resolution (Woolford & Ratner, 2008). However, it is not atypical for legal professionals to initially work with the offender and the victim. For example, police officers are often the first to come into contact with the offender since they are the face of the CJS and the first point of contact with the community (Schulenberg & Warren, 2009). The offender is typically referred to a diversionary program by a police officer and/or the Crown attorney once it is recognized and assessed that the offender has taken responsibility for

their actions (Woolford & Ratner, 2008). From there, the case is referred to a RJ agency (or program, such as the CRP from this study) that focuses on repairing the harm. Therefore, we can see how the role of formal processes and legal professionals comes into play even when an informal approach is used.

Overall, the formal justice system disempowers the disputing parties by making legal professionals the key participants. Rigid rules and formal laws are used, which inhibit creative solutions to conflicts (Aertsen, 2013). Moreover, the primary focus of the law is to “reinforce state legitimacy rather than restoring positive community relations” (Woolford & Ratner, 2008: 3). In contrast, informal approaches focus on acknowledging the harm that has been caused, taking responsibility for the crime, (symbolic) reparation, and healing through repairing the harm (Aertsen, 2013). Informal approaches help with the backlog of the formal courts and help reduce the cost of responding to crime, but it is also recognized that informal approaches cannot exist without receiving resources and endorsement from the state (Woolford & Ratner, 2008). Through the involvement of disputing parties and the inclusion of the wider community, informal practices “hold the promise of a justice that is more empowering, participatory, and accessible, while, at the same time, less alienating, costly, and adversarial” (Woolford & Ratner, 2008: 1). Nevertheless, as my findings will show, volunteer community members express challenges largely relating to how informal processes intersect with the formal aspects of EJM programs.

Summary

In this chapter, I discussed extensively some of the literature related to restorative justice (RJ) approaches and its programs. First, I began by discussing general youth crime rates across Canada to highlight the important role RJ programs can play in intervening in youth crime and how

traditional methods of punishment may not be as effective in addressing the aftermath of a crime. The shift from traditional legal approaches to RJ was indicated by the changes that came into effect as new laws emerged, acknowledging and recognizing that youth were not yet adults (Anderson, 2007). This resulted in the implementation of the YOA, and later on, the YCJA. Under the YCJA, the goal is to hold youth responsible for the crimes they have committed, while ensuring the process is completed in a timely manner (Bala, 2002; Carrington & Schulenberg, 2008). This process also includes diverting youth from future crime involvement by consistently involving the micro-community (McCold, 2004).

The level of community involvement in RJ programs such as the CRP, in terms of crime control and prevention means taking advantage of the available resources within that community. Community-based RJ programs also aim to create awareness around existing community problems by finding different strategies to address them. However, due to the fact that there has been a shift from using formal approaches to more informal approaches to address crime, the complex relationship between the two different systems often brings to light the tensions that exist while these two different approaches are placed in parallel with one another. Informal approaches are not an alternative to the formal CJS, rather they are complementary processes that simultaneously takes place while a youth is processed. Informal approaches take advantage of RJ approaches such as EJM programs, which are often implemented and managed by community volunteers. Although the role of community volunteers is crucial to the success of these programs, studying their roles, experiences, perspectives, characteristics, and motivations has been understudied. Since the majority of RJ literature focuses on understanding the experiences of offenders and victims in RJ programs, this study's goal is to shed light on understanding the experiences, perspectives, and

challenges of community volunteers in a community-based program – the CRP. Before examining the findings, I turn to research methodology in the next chapter.

Chapter 3: Research Methodology

Extrajudicial measures (EJMs) are a mechanism of the Youth Criminal Justice Act (YCJA) that intends to address less serious youth crime outside of the formal criminal justice system (CJS) (Tomporowski et al., 2011). Often, youth who commit minor offences or who are first-time offenders are referred to restorative justice (RJ) programs. In addition to holding youth accountable, the goal is to ensure that the consequence is proportionate to the crime, the program is completed within a timely manner, which also benefits them and the community at large (Bala, 2002; Carrington & Schulenberg, 2008). While some provinces, such as British Columbia, have a longstanding track record of RJ implementation (e.g., conferences in response to youth crime), Atlantic Canada only recently implemented a pilot EJM program with an emphasis on RJ responses to youth crime (Parker et al., 2012; Tomporowski et al., 2011). This thesis draws on secondary data related to research on this pilot program. The wider project from which this thesis draws its data is led by a team of researchers based at Memorial University (Ricciardelli et al., 2018).⁵ Since youth diversion is both encouraged and mandated under the YCJA, police officers can decide on EJMs, which can include taking no action, issuing a warning (verbal and/or fines), or referring to community programs and services (or person) – depending on available resources and programs (Department of Justice, 2021d). Since no youth diversion programs existed in the Atlantic provinces prior to the pilot study, the Community Referral Program (CRP) was implemented in 2013.

EJM was introduced as an alternative for youth who have committed less serious crimes, while still holding them accountable for the crimes they have committed to avoid formal charges,

⁵ This chapter draws details of the wider project from a formal report issued by the project Primary Investigator Prof. Rosemary Ricciardelli (see Ricciardelli et al., 2018). The report is currently internal and is not publicly accessible.

the courts, and incarceration (Bala, 2002; Department of Justice, 2021d). The CRP is one type of EJM that is designed to help such youth. Based on the Community Referral Brochure (not publicly available as it is also part of the Ricciardelli et al., 2018 report), the CRP has three objectives. First, the program is designed to respond to the crime that has been committed in a timely and effective manner outside of the traditional court system. The second objective is to help youth understand they are responsible and accountable for repairing the harm they have caused both to the victim and the wider community. Lastly, the CRP aims to create a process where the consequences of the crime are proportionate to the seriousness of the offence while simultaneously respecting the rights and freedoms of the youth involved.

The CRP pilot program project began with a partnership between Prof. Rosemary Ricciardelli and the Royal Canadian Mounted Police (RCMP) (B Division). Initially, according to Peter Clark, the Assistant Commissioner and Commanding Officer, RCMP B Division, the goal was to find detachments and communities that were interested in participating in the pilot program. It was decided to focus the pilot program at community CD and CG. These locations were chosen because of the perceived workload at the detachments, the location of the detachment, and the need for more resources as perceived by police to support the policing of youth. It is important to note that the police officers are the ones who use their discretion to determine whether EJM can be used to address the situation(s) in which a youth has been in conflict with the law (Bala, 2002), and this will be the referral passed to the core committee members. As a result, the next step for the program was for the partnership to establish the core committee, which included an RCMP member and community members, where the youth cases would be accepted or not as a referral. The core committee members assess individual situations and acknowledge the events of the incident while taking into consideration the external factors that could have potentially influenced or led to the

incident, such as the situation of the youth, their living arrangements, their family, their interests, and some of the challenges they face on a daily basis. In other words, the EJM and divisionary programs are not solely focused on the crime that has been committed; rather, the program's practices and procedures, community resources, volunteers' experiences and challenges, and community context in general are also assessed.

While the CRP involves restorative processes, the data did not reveal direct experiences of running conferences or community members' perceptions of them. It does focus, however, on core committee members and community volunteer experiences with the program. My analysis thus centers on two research questions (see also Chapter 1):

1. Based on volunteer community members' experiences, what are EJM approaches like and how are its processes experienced in general?
2. Based on volunteer community members' experiences, what are some of the challenges around implementing a new EJM program, especially in rural communities?

As mentioned in Chapter 2, studies on RJ have mainly focused on offenders and victims experiences with the process, while scholars have only recently begun to examine community member volunteers' understanding and their experiences with the RJ process and its programs. This research aims to contribute to filling this gap.

More specifically, and in line with this secondary data set, the purpose of this study is to explore the experiences of community members as they get involved in the process of EJM and the implementation of the pilot program. The interviews also examined the experiences and perceptions community members (the volunteers) held regarding crime and safety in their community as well as the wider issues within the community, though my focus for this thesis are

responses regarding the CRP in particular. Drawing on particular sociological and criminological frameworks (see the literature review in Chapter 2), the interviews contribute knowledge to volunteer community members' understandings, their daily experiences, and challenges with how they approach the problems youth are confronted with. While the YCJA provides guidance and a legislative framework regarding the use of EJM in response to relatively minor forms of youth crime, ultimately, this data set points to implementation processes and challenges related to community dynamics for provinces seeking to implement EJM and emphasize diversionary responses to youth in conflict with the law.

The Original Study's Sample

As mentioned earlier in this chapter, particular regions are not named to protect the identity of participants and their communities, since some regions have only a few hundred residents. Community members were recruited through their participation in either a committee, a police detachment, or their role being involved in restorative justice. Recruitment was through a verbal invitation and email, with the focus of recruitment being community members who were recognized for their longstanding leadership in their communities. Many of the communities the participants come from have largely Indigenous residents, and many of the participants are themselves Indigenous (see Table #1 on the following page). The interviews were all conducted in a rural Atlantic province. Participants drove from their respective areas to an agreed upon meeting point to conduct the interviews. Interviews were conducted in the summers of 2016 and 2017, after the program was operational for three to four years. Semi-structured interviews were conducted and although a total of 35 predetermined questions were developed (see Appendix B), the results of this research focuses only on questions that are most directly related to understanding

volunteers' perceptions, experiences, and challenges with the CRP. These questions are differentiated by an asterisk (*) in Appendix B. It is also important to note that participants were not all involved in the same cases, but the committee core members were aware of all active cases.

The following table provides an overview of all participants' information (including the projects' main investigator/leader, R) who were volunteers of the Community Referral Pilot Program (CRP) or worked for an organization called the Friendship Centre, which partnered for the program (specifically specified in the table). Information includes (when available) the participants' age, gender, ethnicity, employment status, and level of education. The table on the following page provides a summary of participants' demographic information which was collected using a form (see Appendix A).

Table 1. Participant Demographics

Participant	Gender	Age	Ethnicity/ Race	Education	Role in Community/EJM	Employment Status	Length of Residence
R (project leader) *	Female	N/A	White	University	Project leader; trainer for EJM	Employed	N/A**
B	Male	20	Mi'kmaq	High school	Volunteer; cultural leader; drum carrier and a dancer; circle conductor; community representative for CA	Stock clerk	Entire life
B2	Female	45-54	N/A	N/A	Community representative for CA	N/A	Entire life
C	Female	24	Mi'kmaq	High school	Local crafter; community representative for CA	Youth Representative	Entire life
C2	Female	29	Mi'kmaq	College	Youth representative; secretary/minute taker for the core committee	Executive Assistant & Powwow coordinator	Entire life
D	Female	57	Mi'kmaq	University	Cultural leader/teacher; community representative for CB	Retired schoolteacher	Entire life
G	Male	N/A	N/A	N/A	Volunteer	N/A	Entire life
G2	Female	49	Mi'kmaq	College	Community representative for CB	Bookkeeper; administrator assistant	Entire life
J	Female	N/A	N/A	N/A	Employed at the Friendship Centre	Employed	N/A
K	Female	50	Mi'kmaq	College	Community representative for CF	Bookkeeper/ Membership clerk	Entire life
K2	Male	50	Mi'kmaq	University	RCMP representative for CB; core committee member	Retired RCMP	Entire life
L	Female	53	Mi'kmaq	College	Community volunteer; community representative for CM	Fisherwoman	Entire life
M	Female	55-64	Mi'kmaq	University	Co-chair of the core committee	Retired RCMP	Entire life
P	Female	N/A	N/A	N/A	Employed at the Friendship Centre	Previously in the navy.	N/A
T	Male	19	Indigenou s	High school	Volunteer	Unemployed	Entire life
R2	Male	50	Mi'kmaq	University	Community representative for CA	Probation Officer	Entire life

* The interviewer's information is included in the table to remind the reader who "R" represents throughout the interviews.

** N/A = not available

As presented in Table 1, a majority of participants are female. Participants are aged between 19 and 65, most are Indigenous (i.e., Metis (Mi'kmaq)), and several of whom are Elders. Participants are all community leaders and representatives of their community. With the exception of three participants who have completed their high school, the remaining participants have a college or university degree. Participants have a diverse career background, including probation officer, RCMP officer, schoolteacher, bookkeeper, and stock clerk to just name a few. All participants have lived their entire lives in their respective communities, except for participant D2 who has lived in her community for only six years.

Secondary Data Analysis

This research entailed the secondary data analysis of existing interviews conducted with community members involved in a pilot RJ program for youth, as part of new EJM initiatives in the rural Atlantic Canada mentioned earlier. While the wider project has produced results examining various aspects of the pilot EJM programs (e.g., police and youth perceptions (see Adorjan et al., 2017; Ricciardelli, 2018; Ricciardelli et al., 2016; Ricciardelli et al., 2017; Ricciardelli et al., 2018), up to this point community member interviews had not been analyzed. Therefore, this research focuses on community members' – interchangeably referred to as volunteers – perceptions and reflection, as they discuss general perceptions of youth crime in their communities, the program's process, their experiences with the program, and some challenges as they get involved in the process of implementing an extra judicial measures (EJM) pilot program. The community members included mostly volunteers who participated in a RJ referral program and conference 'circle', involving youth in conflict with the law.

The interviews are aligned with the research goals explicated above, insofar as they ask participants involved in restorative ‘circles’ with youth about their perceptions and experiences (i.e., with being approached for participation, regarding the processes involved, their views on the potential benefits, and challenges, etc.). However, it is important to note the questions stated at the end of Chapter 1 are specific to the current thesis and are separate from the original CRP study, i.e., *they are my own questions framed from my original analysis of this secondary data set*. A total of 15 interview (15 interview sessions with a total of 16 participants) transcripts were examined, and as suggested by Creswell (2013), it is a minimum number of interviews, on average, where data saturation can begin to be achieved (i.e., where no further new material or themes are identified), although arguably this depends on the data set that is available to the researcher. Results from the research will produce beneficial knowledge for various audiences, especially those involved in producing and steering RJ programs for youth, community members for whom recruitment may be difficult depending on public perceptions of youth crime and RJ programs, and youth themselves, for whom, of course, such programs are conceived and directed.

Data Analysis and Coding

To analyze the results of the CRP, I used a thematic analysis process to determine common themes both within an interview and between all fifteen interviews. NVivo (version 12) was used to conduct my own data analysis, which was geared to discovering both different and similar themes among participants (Bazeley, 2012). This method allowed me to discover any similarities or differences between the interviewees’ answers as well as find general themes that can be applied to multiple interviews.

To generate themes from the fifteen interviews, several stages of coding were completed in order to achieve the final codes and themes. To begin with, I initially read the already transcribed interviews in order to become more familiar with the data before I began coding them. For coding the data (interviews), I used NVivo 12 software to generate distinct themes. After becoming more familiar with the interviews, I used an open coding and an axial coding approach (Saldaña, 2016; Forman & Damschroder, 2007; Corbin & Strauss, 1990). Open coding consists of reading through the interviews, interpreting, and labelling them based on the properties of the data (Saldaña, 2016; Corbin & Strauss, 1990). Each piece of data (parts of the interviews) that were related to the same subject was labelled with the same code (Saldaña, 2016; Corbin & Strauss, 1990). After the open coding phase, I had a total of 74 codes that were rather specific to either one interview or only a few interviews. Once I had this set of codes, I was ready to identify connections between them and narrow down the codes into broader categories. As a result, the process of axial coding was used next, which involves finding connections and relationships between the already existing codes (Corbin & Strauss, 1990; Saldaña, 2016). At this point in the process, I aggregated and condensed the codes into broader categories (Corbin & Strauss, 1990; Saldaña, 2016). Data reduction is a common method that is used when analyzing qualitative data because the reduction and transformation of data makes it more easily understandable and accessible, which in turn allows the researcher to draw out various themes (Berg, 2004; Saldaña, 2016). Furthermore, this process enabled me to find insights that are representative of my data and the human stories behind each interview.

In addition, to establish the codes and to find themes and patterns, I engaged in an inductive coding process and analysis. Inductive analysis is a bottom-up approach which is used when there are no codes to begin with but eventually develops as the dataset is analyzed (Saldaña, 2009). In

other words, the researcher does not start with preconceived notions of what the codes should be, but rather the narrative or theory emerges from the raw data itself (Saldaña, 2009). Once I began finding connections between various codes, I started to merge them together. However, before merging, I copied the 74 original codes and created a second set of nodes with the same original 74 codes. At this step, I began to merge codes that touched upon similar topics as a way to broaden the themes that were emerging. Once the process of merging various codes was completed, it yielded a total of 19 codes as seen in the table below.

Table 2. Coding Nodes

Nodes (Code Names)	
Adult Diversion Program	Participant's (some) Background Information
Challenges of the Organization	Police-Community Relations
Community Involvement	Prescription Drugs, Addiction, Role of Doctors
Community Problems	Program Impact and Effectiveness
Community Resources	Program Process
Culture and Training	Referrals
Domestic Violence	Staff Feedback on their Role
Family Support and Accountability	Supportive Reporting
Immediate Consequences	Youth Experiences
Indigenous Populations	

I kept a copy of the original 74 codes as a point of reference but worked largely with this merged set of 19 codes. Moreover, every time I merged a code into a broader code or label, I wrote it down to document the process of reduction and transformation of the data and to also remember what

subthemes had merged into the broader final 19 codes (see Table 2). By going through this last step, I was able to draw comparisons (both similarities and differences) between the interviews, which yielded the broader but final 19 codes/themes. This process not only created clearer themes but also enabled a distinct roadmap to emerge, which provided guidelines for how to approach my empirical research in order to write more concisely about the theoretical framework and the results of the study.

Although NVivo findings will be reported in the following chapter, it is worth mentioning how the findings will be reported. Sources and references are specified as “n” and “r”, respectively. Sources indicate how many interviews used a specific node (or theme), whereas references indicate the total number of times that specific node (or theme) was used. For example, in the codebook there is a node called ‘program process’ (n=9, r=19), which means a total of nine interviews used that specific node or theme, and there were a total of nineteen times that specific theme was referred to in those nine different interviews. Lastly, throughout the results section, community names and participants, including youth, victims, parents, or anyone else who was participating both in the actual pilot program as well as the original research, are all changed to preserve privacy and confidentiality. Specifically, I changed the names of each participant (including those who participated in the actual program and participants of the original research study) to only include the first letter of their first name. If there are multiple participants who share the same first letter of their first name, then they are just numbered. For example, participants are referred to as participants D, D2, or D3 to indicate different participants who share the same letter of their first name. For community names, they are referred to as CA, CB, CD, CG, and CX. To sufficiently anonymize the communities that were involved in the study, the community acronyms are randomly chosen to ensure there is minimum risk of the public identifying them.

It is also important to note the language that I use throughout the thesis when referring to the participants of this study. Community representatives refer to the individuals who represent their respective regions, which at times I may also refer to them as committee members. The core committee represents individuals who coordinate and oversee the EJM process for all regions (usually involves a smaller number of people compared to the community representatives). However, if an individual is part of the core committee, it is clearly specified. The following chapter will focus on providing the results regarding the implementation, the process, and the challenges of the EJM pilot program based on community members perceptions and experiences with the CRP.

Chapter 4: EJM Pilot Program in the Rural Atlantic Canada

Within Canada, the restorative justice (RJ) movement began about 30 years ago since there was (and continues) to be a gap in the traditional justice system in relation to how the system deals with the victim, offender, and community in the aftermath of the crime (Tomporowski et al., 2011). As previously stated, the current (traditional) justice system is retributive in nature and focuses on blame and determination of the guilty (Braithwaite, 1998). In contrast, RJ is a response to crime that concentrates on restoring the losses suffered by victims, holding offenders accountable for the harm they have caused, while simultaneously focusing on building peace within communities (Braithwaite, 1998). It is also important to note that RJ is not just a program but a way of looking and responding to crime, which uses certain key values and principles to approach the crime that has been committed and the parties who are involved (Braithwaite, 1998). Furthermore, RJ programs and processes aim to understand and address some of the external and underlying issues that exist for each party involved (Barclay et al., 2007; Bone et al., 1993). For example, many young people in conflict with the law have underlying mental health issues, come from dysfunctional families, and have drug dependence issues, all of which may have contributed to or led them to commit a crime (Levitt & Lochner, 2001).

For victims, RJ programs try to also focus on having their voices heard, having the victims play a greater role in determining the outcomes of their cases, and also focusing on addressing problems around shame and being traumatized from the offence. For the community, the focus is often on addressing the lack of programs and implementing new ones, understanding police-community relationships, and the community's population and their needs, including their expressed concerns with problems such as drug (ab)use. Although for each party, these are some of the common issues that are addressed by RJ programs and processes, this is not an exhaustive

list. Moreover, researchers commonly examine the effectiveness and impact of RJ programs as well as how the community is involved, the role of supporters and facilitators, and how the police use their discretion to divert first-time offenders, especially youth who have committed minor offences, to RJ programs rather than going through the court system.

This chapter presents the central substantive findings from the interviews with community representative and core committee members in rural Atlantic Canada who agreed to be interviewed about a pilot EJM program implemented in the Canadian Atlantic provinces. I explore the following subthemes: the program's process, referrals' process, program impact and effectiveness, role of circles, supportive reporting, challenges of the organization, the need for immediate consequences, having more training (especially role specific training and culturally sensitive training), and staff's feedback on their roles. Within the different sections of this chapter some subthemes may be discussed in more than one section since the subthemes are not separate from each other and are rather interrelated, though each section will illuminate a particular subtheme.

The Pilot EJM Program in Atlantic Canada

Canadian RJ programs emerged in the late 1970s, and the first contemporary RJ program (internationally) was implemented in Canada in 1974 in Kitchener, Ontario, in response to property crime (Dhami & Joy, 2007). The use of RJ in response to pre-charge diversion was only recently formalized after the implementation of the Youth Criminal Justice Act (YCJA) in 2003 (Endres, 2004; Tomporowski et al., 2011). As mentioned in the methods chapter, the types of resources and programs that are available across Canada vary from one province to another. For example, western provinces, such as British Columbia and Alberta, have had various types of RJ programs available for many years now, compared to the Atlantic provinces, where there has been a lack of or limited

availability and accessibility to programs and resources (Parker et al., 2012; Tomporowski et al., 2011). A pilot extra judicial measure (EJM) program with an emphasis on RJ responses to youth crime was implemented in 2013 due to collaboration between Memorial University and the RCMP B Division in the Atlantic provinces. Considering youth diversion is both encouraged and mandated under the YCJA, police officers can use their discretion to decide on pre-charge EJMs, depending on available resources and program (Endres, 2004; Ricciardelli et al., 2018; Tomporowski et al., 2011; Wilson et al., 2018). However, no matter the degree of discretion offered to police officers, within Atlantic Canada, their options were originally limited to either giving youth a warning or laying charges, which meant directing the youth into the justice system through traditional processing (Ricciardelli et al., 2018).

As a result, coupled with the need to respond to high youth crime rates – based on official statistics mentioned in Chapter 2 and community members’ perceptions of high crime rates – the communities within the Atlantic provinces were incentivized to implement the EJM provisions available more fully under the YCJA. This was a necessary action because the YCJA not only encourages using youth diversion strategies, but measures outside the formal court system can often provide more effective and timely responses to youth crime (Bala, 2002; Carrington & Schulenberg, 2008). In addition, it allows communities to become involved in responding to youth crime while enabling youth courts to focus on more serious cases. A collaboration between Memorial University and the RCMP B Division in the Atlantic provinces led to the implementation of the customized measures for youth diversion through the Community Referral Program (CRP) over a five-year period (see Chapter 3; Ricciardelli et al., 2018).

This chapter focuses on exploring the CRP based on community members’ (volunteers) experiences and it is divided into two sections. The first section will provide a quick overview of

the general EJM process and its steps, which were followed for the implementation of the CRP. Section two focuses on committee members' responses to the program's process, understandings of the impacts of circles, the process of referrals, the organization's challenges, the importance of immediate consequences, culture and training, and staff's feedback. Lastly, from community members' perspectives, the program's impacts, and its effectiveness are also discussed. It is important to keep in mind that many of these volunteers are leaders, often Indigenous leaders representing Indigenous rural communities in Atlantic Canada. Their reflections are based on their longstanding, direct engagement with these communities.

Section I: The EJM Process

In what follows, I detail the EJM processes that were used in the Community Referral Program (CRP) from the time RCMP officers came into contact with the youth until the end of the process, where the case is sent back to the local RCMP detachment indicating the outcome of the diversion, i.e., as a compliance or non-compliance case. As mentioned in the methodology chapter, this thesis used secondary data and, as a result, certain information on the CRP is provided in various unpublished internal reports written by Dr. Ricciardelli and colleagues who conducted the original study. Although these reports are not available to the public due to privacy and confidentiality reasons, it is important to note all the information in this section (including the names of the eight steps) is based on Ricciardelli et al. (2018), which is an EJM report on the CRP and refers to the steps of the program, role of members, summary of some cases, etc.. Within this report, the eight steps of the EJM process are outlined, which are reviewed in detail below as it will allow for a clearer understanding of the results in section II of this chapter.

The first step is referred to as the pre-referral detachment process. During this initial step, the problematic behaviour is detected by a police officer, but no charges are laid. At the discretion of the officer, the community-based referral program may be chosen rather than giving a warning, laying charges, or processing the case traditionally through the courts. Although the community referral program is chosen by the officer, both the youth and their parents or guardians *must* agree and sign to participate. If the parties agree to participate, then information about the EJM processes is provided to the youth and their parents and a referral form is filled out by the officer. It is important to note that referrals can also be used in lieu of a fine, where the youth is given the opportunity to complete a task that is deemed equivalent to the fine. These types of referrals are acceptable for offences that do not fall under the Highway Traffic Act, such as petty or minor offences, small property offences, fish or wildlife offences, mischief or loitering, underage drinking, etc. Lastly, the referral form is passed to the committee liaison, who brings the referral to the EJM core committee for processing. Both the community's knowledge of this program and parental support are key to the program's overall success. This is key as committee members sometimes expressed their view of the general community members' perceptions that the RCMP's response to youth crime is generally more of a 'slap on the wrist', which can presumably mean the wider communities may feel the same way towards the CRP. Therefore, educating the public on how these measures are not 'soft' responses to youth crime is also very crucial.

The second step is known as the referral step, which involves the RCMP representative bringing the referral to the EJM core committee. The composition of the core committee includes the core committee chairs (usually two people), RCMP representative, and a recording secretary. In addition, there are typically two to three community representatives (volunteers) who are on the greater committee who represent each region. The third step involves accepting or declining the

referral file by the core committee; if accepted, the youth's file is considered an active EJM file, which is then assigned to the EJM community representatives. The core committee chairs are available to discuss and assist community representatives throughout the process. The fourth step involves the community representatives receiving the file, meeting with each other – and sometimes with the core committee chairs – to discuss the youth's case and their needs before contacting and meeting with the youth and their parents (or their legal guardian).

The fifth step consists of discussing the EJM process, signing the consent form, and conducting the intake interview with both the youth and their parents. This is perhaps one of the most important steps of the process, as during the intake interview, committee members try to develop the most suitable course of action while always taking into consideration the youth's needs, abilities, and skills. Together, committee members, youth, and their supporters come up with a meaningful consequence, which includes acknowledging and recognizing the harm done but also clearly articulating and agreeing upon how the damage that has been done is going to be repaired. This is key to the entire process as the consequence of the crime committed is catered to the particular situation of the youth while also considering their social circumstances, community dynamics, etc. The goal is to have the intake interview completed within the first 14 days that the referral is received. In addition, during this phase of the process, if the youth wishes to contact anyone else to be involved in the consequence delivery, then another written consent must be provided. Similarly, if there is a victim who wishes to participate in this process, they are welcome to be as involved as they wish as long as, again, the youth and their guardian consent to the victims' involvement.

Step six requires the youth to fulfill the meaningful consequences, which the committee members oversee to its completion – not the parents – to ensure the course of action that was

originally designed to hold the youth accountable for the harm they have caused is upheld. There are various types of consequences that youth, committee members, and their parents can agree upon, such as writing an apology letter, healing circles, painting, general repair and cleaning, and maintaining parks, picnic areas, and so on. Traditional (cultural) methods are also available – working with Elders, making and setting fish nets, curing and preserving wild meat, embroidery, etc. – but they cannot be imposed on the participants. Once the course of action is agreed upon and finalized, the youth begins the process. Committee members contact youth throughout the process at various intervals, which is also agreed upon during the intake interview to ensure a successful completion. Throughout this phase, one of the goals for committee members is to build a strong relationship with the youth for them to have someone external to their immediate family who can listen to them and help them when they need it. In general, the amount of time it takes for each youth to complete the process can vary, however, the mandate encourages and insists on the process being completed within 30 to 45 days to keep the momentum going, maintain willingness to continue to participate, and, of course, to maximize the experience of accountability. However, with RJ approaches and EJM programs the goal is not solely about implementing the process of punishment, but about repairing relations between the victims, offenders, and the community as a whole (Tomporowski et al., 2011).

Step seven is the completion of the referral process, during which committee members notify the referring officer through the core committee members to participate in the final discharge meeting. The signed discharge forms are an indication of cessation. Committee members have one final meeting where the youth's compliance or non-compliance is confirmed and included in a report that also includes all forms (intake and discharge), which is sent to the core committee. The final step of the process involves the core committee returning the youth's case (including all

forms) back to the RCMP referring detachment, indicating the final outcome of the diversion program. The RCMP detachment closes the case for the youth once they receive the file, regardless of its compliance or non-compliance status as far as a referral case, however, there is no information available on what happens to the youth and their case once the RCMP receives it, especially if it is a non-compliance case.

As mentioned above, one of the goals of the program is to develop strong and lasting relationships between the volunteers and the youth. As a result, the EJM process was designed with the idea that as youth spend more time with the community representatives, they are more likely to connect with them. This resulted in the implementation of the supportive reporting process – discussed in section II of this chapter – in the hopes that the process will encourage greater transparency between youth and the police, such as incident reporting and trust building. It is worth noting that I did not have access to these self-reported incidences by youth through the secondary data set, since the purpose of the referral project was to encourage youth to report incidents without the fear of retaliation and their confidentiality and privacy being jeopardized.

Increasing the implementation of different diversion programs while also promoting community engagement in the process can pave the way for a movement towards the decriminalization of youth and desistence. In section II, based on community volunteers' experiences and perceptions, I examine how the above eight steps are applied, allowing an understanding of the pilot program's process, its impact on youth and the community, its overall effectiveness, and some of the challenges experienced by volunteers. One of the major themes which is underscored in this chapter is the role ambiguity community members express, i.e., they express uncertainty about their role in the RJ process, including practicalities such as how to contact youth, the role the core committee plays, how records are kept, the appropriate amount of

control (or lack thereof) to exercise, and lack of formal steps to be taken in the referral process. These concerns indicate a longstanding tension in RJ – that between the formality of processes and protocols germane to the CJS, and the informality introduced in RJ processes (see for example Aertsen, 2013; Lemley and Russell, 2002). This tension between informality and formality, I argue, presents the biggest challenge facing RJ implementation and community onboarding. Together, the understandings expressed by community members may provide a more in-depth understanding of what the Atlantic provinces, especially the rural communities, require in creating a permanent youth diversion program.

Section II: Results of the EJM Pilot Community Referral Program

In this section, the focus will be on unpacking the results of the EJM pilot program. While the first section of this chapter focused on providing an overview of the design and steps of the EJM process, within this section the results of the program's process are explored in detail to understand its outcomes in the real-world setting. Moreover, various components of the EJM program are explored, such as circles, the process of referrals, and the development and implementation of supportive reporting. Like any other new program that is implemented, there are certain challenges the pilot program was confronted with, such as complications with delivering immediate consequences, challenges around culture and training of service providers, while also being confronted with obstacles by government agencies and community members. Lastly, the core committee's feedback in relation to their role, including the role ambiguity mentioned above, the program's impact, and its effectiveness will be examined. It is also worth mentioning that by referring to 'results', I do not mean a formal evaluation of the pilot program, because epistemologically the data is limited to community members' understandings of the program. It is

crucial to formally evaluate the program and link the results to other evaluation methods, such as stakeholder satisfaction surveys, while that is beyond the scope of this thesis, it is an important gap future research can explore.

The Process of the Pilot Program

When examining the outcomes of the program in terms of its process (n=9, r=19) and asking participants to reflect on what is working and what is not working, the major theme that arose was the limited awareness of the fine details of the EJM process. In other words, based on various different comments, some committee members highlight how they are not aware or are unsure of certain processes, what to do next, and what their role entails. Some committee members refer to more general problems with the process, such as not having proper pamphlets that have all the necessary information in terms of the steps of the EJM process, which can be provided to both youths and their parents at the beginning of the process. This is a very crucial component of the EJM process as both youth and their parents must be aware and well informed of the entire process, whether this is something that is done throughout the process at every step or provided at the beginning of the process (Shapland, 2016). This is especially important for providing informed consent (Shapland, 2016), which was also discussed in section I of this chapter.

Moreover, a few committee members suggest and agree that having a policy manual as a reference guide can be effective to refer to so that certain parts of the process are not only clearer but also it can provide instructions on some of the options available to committee members that they can recommend to youth. The following excerpt, as discussed by one of the committee members (who will be referred to as K, who is female and 50 years old, living in her community her whole life), is a clear reflection of the need for and importance of having a policy manual:

K: My only thing would be, I guess we do need more training. We need to know more of, I guess what options are open to us, which we're going to learn as we go along. And you know that's what we have the core committee for. You know, mentor us or whatever right? Which are, [M] and [D] who were awesome. And I felt so good after our meeting with them ... But yeah more training we definitely need more of that. And we need, like I said we need to know, I guess kind of not what we can, not what we're allowed to do I guess. But in a sense [a policy manual] ... Like what do we do in certain, like I know everything's going to be a learning situation and everything is going to be... Each one is going to be different from another. But it's like how far do you go with your action plan? Can you suggest counseling? Can you... You know what I mean?

Participant K reflects on the need for training and guidance pointing to the tension and need to strike a balance between informal response and providing a road map for guidance to community volunteers. Throughout this section multiple comments by community representatives (volunteers) are presented where they suggest that if they are to implement the process and steps of the EJM program successfully, then they must be aware and well-trained in that process to a certain extent, given that each case is unique. However, there are at the very least parts of the process that are common to each case, such as the general eight-step process discussed in section I of this chapter. Without the proper training and understanding of the general process, community members may be left with uncertainty about both the following steps of the process, as suggested by participant K's comment, as well as the outcome. Furthermore, the conversation with K continues to highlight that knowing what each role of the committee members specifically entails can be beneficial and even more effective in helping the youth complete the program successfully. Similarly, reflecting

on the intake interview process, similarly, participant D – a 57-year-old female, community representative, retired, who has lived the majority of her life in the same community – mentions how she does not have “enough information or enough strategies where [she] can keep contact after the intake.”

The problem for most members here relates to the issue of sufficient guidance regarding their role. For instance, some expressed concern over not knowing how long they should wait before they follow up after the youth does not answer the phone or what to do in cases where the phone number that is provided is no longer in service. In other words, as participant K puts it, all members generally “just really [want to] know what [their] role is and how far [they can] go and what [they] can or can’t do.” In other words, there are concerns around role ambiguity. In one incident, participant D (female, age 57, cultural leader for her community) mentions how even though an action plan was confirmed in the contract with the youth and their parents, “when it came time for [the parent] to put into place what was set out for them in their contract,” it was never properly followed through. In this situation, the committee member (D) was not sure whether she should have followed up with the parent, or if the victim had to ensure that what was in the contract was upheld.

As discussed in section I, however, it is the responsibility of the committee member(s) to check in with the youth and their parents to ensure the process is completed smoothly and successfully. The interviewer – referred to as R – explains the role of the mentor/committee members who are in contact with the youth and their parents:

R: Because the idea too with having that mentor role is to have someone other than the parent for the youth to refer to. It shouldn't be, you know, the parent can be involved in terms of building their relationship with their children, but it should

really be, they have to account to their person, so they're accountable to you guys as a neutral person ... So, I think it's really important to have a third party, but then again those are other details that should be in the policy.

As evident from participant D and the interviewer's comments, it is important to have the necessary information available on the policies and know what the next step is since a guideline can provide some options on what to do if a certain situation were to arise. Volunteers appear to recognize each case is unique; however, general guidelines can assist them in making the best decision possible under challenging and sometimes time-sensitive circumstances. As a result, in addition to having more training on the process of the program, committee members suggest having clear and open communication with youth is a must and a communication clause should be part of the intake forms since failing to contact youth or their parents is of great concern due to missing phone numbers (on forms) or expired phone numbers and not having fixed addresses, which is further discussed below.

Another concern that volunteers discuss is how, due to the communities not having cellular reception, it is often challenging to contact youth (or their parents). Participant G adds:

G: Out here too it's a big one with a lot of lower-income youth; they use cell phones, and they don't even have SIM cards, they just use it for Wi-Fi, and they use text me apps and Facebook phone calls and that's it. They don't use any service provider.

R: Which is really interesting, not something I was aware of.

G: You'll catch them around McDonald's, or someone who's got an open Wi-Fi connection, they'll be lingering around their house.

R: So, maybe one of the things too is to take an email address.

G: Yea, sure. That's definitely a possibility.

R: So, a contact number for the parent or guardian and an email address. Maybe I'll add it to the form.

R2: And for rural areas, if you could put a description of where the house is located.

As evident from the above excerpt, few people have cellphone numbers due to the limited access to cell towers, making communication and contacting youth and their parents that much more challenging. Another concern regarding communication is how community residents find alternative methods to contact each other, Facebook Messenger being the most common, which creates privacy concerns for volunteers. For example, participants discuss both the benefits and some of the concerns that arise around youth having access to their mentor's Facebook files:

R: One of the things would be, because you found him on Facebook, would be to message him?

P: I thought of that, but I was thinking I don't really want him to have access to my... you know what I mean?

G: Yea, I'm going through that right now. I have a few youths that text me all the time; they'll message, not text right, they message me on Facebook. A few of them found me. Because I just use my normal name. They like me and some of them are like hey man I'm having trouble with parents, what's up?

R: So, I think we'll add to this form; we'll add a parent contact number and email address for both. And you were right about the Facebook, I didn't even think about that because if they message you, they now have your information.

P: I thought about it, I could always create a fictitious Facebook account, you know.

R: Yea, you shouldn't have to do that much.

P: But if they get a message from me and then they look and there's nothing there, and I have no friends. They're gonna be like, something's up here. Next thing you know, I'll be arrested for contacting fourteen-year-olds by messenger. [Laughs]

Since there is no text service in certain communities within the Atlantic provinces, one committee representative states that youth tend to use Facebook as a texting tool, where they find their mentor on Facebook and contact them using Facebook Messenger. Even though youth having constant access to their mentors can be beneficial for them, committee members express their concern regarding their privacy as youth gain access to their personal information through different social media platforms. On the other hand, some committee members feel it can be a quick way for youth to reach out to their mentor when they are in trouble. As seen from the above conversation, participant P reflects on how she has even thought about creating fictitious or fake accounts, but volunteers are reminded by the project leader (R) that this is not necessary. Based on participants' various comments within this specific interview session, they seem to generally agree that although Facebook is a great option for communication, perhaps it should not be advertised to youth as an option given the privacy concerns and, rather, phone calls, in-person communication, or emails should be encouraged. In broader terms, these discussions reflect questions about the informal processes – including communication channels – that take place during the CRP.

An additional theme regarding the process of the program is that volunteers are reminded by the core committee chairs and the project leader that if they need help with making a decision regarding a case, they can always reach out for support and guidance. While committee members often seem to be unaware that this is an available option, they are reminded by the project leader that, as she states, volunteers or anyone else who is involved in the program “are not alone in making a decision,” but rather the core committee is there “to share the responsibility,” especially

in incidences where the next step may not be clear. This process is also true for the core committee members themselves; the project leader continues to state that the core committee also “have an advisory that they can talk to when uncertain” of both the steps of the process as well as what kind of action plan is suitable and equivalent to the crime the youth has committed. The core committee members also mention how they are uncertain at times who is part of what committee. It is suggested that this type of confusion can be potentially prevented with better communication, having a policy manual, streamlining the process, and meeting regularly with all community representatives to keep better track of things.

During one exchange, the core committee chairs – M and D2 – try to clear up the process of how a case is passed to the community representatives when they receive a referral:

M: I knew that what we’re doing here was our mandate; we would decide whether this went forward or not, as a core committee. But I thought once it passed through that, once it went through that process, then the community reps would work together.

D2: Well, I understood that at the beginning, and I think the reason why it was set down like this is that you’re dealing with the youth; you then have two adults involved, which could be intimidating to that youth. We may not be able to reach them if we do that. That’s what I see. And as far as handing this off, I think from a healthy community perspective, we need to allow V or anyone else to speak to the youth, get back to us, and we’ll sit together and come up to how we’re going to move forward with this. That’s how I see it.

As mentioned earlier, although it is usually two community representatives who oversee the youth’s file, often the goal is to have a primary contact who develops a meaningful relationship

with the youth, which the youth can depend on for guidance not only throughout the process but also after the completion of the program. As a result, the core committee chairs go further to suggest that it is useful to have two people (community representatives) working on a case, especially when it comes to following up with the youth.

Therefore, overall, the role of the core committee is to initially accept or decline the referral, and once the referral is passed on, if the community representatives need help with coming up or confirming a course of action, the core committee is available to help. One volunteer (R2, male, 50 years old, probation officer) believes that meeting with the core committee twice – once before speaking with the youth and their parents and again after a plan of action is finalized – is unnecessary. He justifies this point by suggesting:

R2: I don't think the core needs to meet. I only need to meet with the resting officer, and then I'll take that information and the referral. I'll meet with the kid; I'll get a sense of where he's coming from and maybe ideas of what we can do to help him. Then I'll bring my report back to the core, and the core can review it and then we'll go from there.

The point that can be concluded from the comments above is that because the program was in its pilot stages, parts of the process were at times confusing for both the core committee members and the community representatives before it was finalized, which participants agree is also part of the learning process of knowing what works and what does not work. For example, even when it comes to filling out the reports, both committee members and core committee members are unsure of how much detail should be included. However, they are informed by the project leader that “as many details as [they] can give would be” (R) more beneficial as it keeps track of everything, preventing miscommunications. This process also allows committee members to follow through

with youth and know whether they have completed their community work or not, or at what phase of the process they are at. This also ties back to participant D's comment made earlier about how she was not sure who had to ensure the agreed course of action in the contract was followed through.

In addition, another challenge, especially for the community representatives, was to initially decide how long the entire process should be. In an interview session with participant K, the project leader (R) suggests that by the end of the intake interview, it might be feasible to decide on how long the next step of the process is going to take. However, R reminds K that an important factor to keep in mind is that to keep the momentum of the process going, the case must be resolved within a short time frame, such as roughly 30 days. As seen in section I of this chapter, 30 to 45 days is a recommended time frame for the completion of the process. As encouraged by the YCJA mandate, the goal is to deliver the consequences in an effective and timely manner (Bala, 2002; Carrington & Schulenberg, 2008). The project leader suggests that "every time there's a referral, [they] could have a debrief after and see what's working and what's not. So, [they] can keep polishing the process" – they in this case is referring to the core committee members meetings with the community representatives or vice versa – to which the core committee chairs also agree with. In addition, committee members referred to some cases where no documentation was kept on the process, which is crucial to understanding and evaluating the extent to which each step of the process was followed and how effective the overall process was in each case. However, two of the participants agree this would allow tracking of outcomes while also recognizing and using best practices going forward.

As a result, the core committee chairs, and the project leader try to solve the issue of files being stored in different places, documents not being filled out properly (or being incomplete) and keeping a general paper trail of cases by centralizing everything. Specifically, they all agree that by centralizing at the location where the core committees' office is, it will allow for centralizing the process of information, keeping the original paperwork, information on any guidance that is provided, collection of any and all information, and even keeping the policy manual. This is suggested to allow for a more organized flow of information and process of the EJM steps (the eight steps mentioned in section I), since each member of the committee (regardless of which committee or community they represent) will know who is responsible for what part of the process, and any time some type of information is required, it can be easily funneled out to whoever needs it. In other words, by centralizing everything, the core committee members are advised by the project leader to keep track of everything by writing a "little report of where the cases are at, what the involvement is, who's leading it, and what the outcome is." This is an interesting point highlighted by the core committee members and other volunteers, who often emphasize the need for both formal and informal processes, which are at times in competition with each other in terms of which method is effective at what point. Balancing these two competing interests is what is at stake.

Another challenge of the program expressed by committee members was how youth respond to the process, where some provided the wrong contact information, while others would not respond at all during intake interviews. However, one of the core committee chairs discusses how she has recognized these challenges are part of the process and suggests the important thing to remember is to listen to youth and give them options:

D2: I am a retired family relations mediator. In my profession before I started with the youth justice, I did the youth and parents agreements where when youth at a certain stage in their life were acting out and what I would do is I would go in and say to the parents now, what do you really see happening with your child in five years? It started making [parents] think that yes, maybe we need to step back a little bit and let go of the reins of control and allow [their youths] to sort of explore outward.... I'm always trying to reach youth at their level because if you try to listen to what they are saying, you can pretty well give them some options. You can never tell them what to do because they will certainly become quite rebellious, but if you give them options, they are open to that. They are exploring their own [world] at that point in their life and some of them are in a situation, where they are really taken from many people because we live in a world where people don't have these long-term marriages or relationships. They are having to draw from all these people who have come into their lives and that is a horrendous thing for youth to have to do.

Participant D2 underscores how a balance must be achieved to allow youth to explore their world and make sense of it while navigating through challenging circumstances. Moreover, by acknowledging youth's distinct needs, background, and challenges, volunteers can create stronger and more trusting bonds with youth. This a goal of the committee that is raised consistently during the interviews. Parents are often worried about their youth's involvement in criminal activities or socializing with 'delinquent' youths who may encourage them to engage in delinquent activities (Booth et al., 2008). As a result, youth's free time is often filled with after school-activities to prevent the likelihood that the youth engage in risky behaviour and serious delinquency (Booth et

al., 2008). However, as the above participant (D2) also suggests, there must be a balance between how much they are controlled and how much freedom they have. As discussed by Booth et al. (2008) the right balance allows youth to freely explore their world, while ensuring they have some level of control. The balance between having no control and too much control over a youth's life may lead to rebellion and/or criminal involvement (Booth et al., 2008).

Bone et al. (1993) studied youth who lived in rural communities of northern Queensland (Australia) and found that due to limited (or lack of) activities, youth experienced a higher sense of boredom, alienation, and marginalization, which manifested in youths using alcohol and/or drugs more excessively, and it also negatively impacted the police-youth relationship. This notion is also similar to the findings of this thesis, which will be explored below. Other scholars suggest youth's desire to explore their autonomy as well as the world free of adult supervision is another reason why they spend a great amount of time on the streets in settings where adult supervision is limited and where they may be exposed to the risks of substance use (Barclay et al., 2007; Kidd, 2003). This tendency of wanting to explore and experience the world combined with the "perceived lack of money and behaviour (loitering in groups, running, yelling or fighting, skateboarding, rollerblading or bicycling) makes them an unwelcome presence whether or not they break the law or engage in antisocial behaviour" (Barclay et al., 2007: 107). Participants of this study generally believe youth in the Atlantic provinces might also be facing similar challenges.

The challenges discussed above were some of the overall difficulties committee members faced throughout the general process, often relating to the need for information and communication, and balancing formal and informal processes. As the project leader puts it, all of the above shortcomings and challenges are the "growing pains of every program," which are

resolved as the program and its processes are evaluated. In the next four sections, some of these challenges are explored in further detail.

Referrals: Process and Challenges

In section I, the process of referrals (n=6, r=13) was discussed in terms of what happens after a referral is accepted by the core committee and passed on to the community representatives. Based on the information provided in section I of this chapter, the process seems to be straightforward. For example, one of the core committee chairs, D2, explains how the volunteers (community representatives) would contact the youth and their parents and set up a meeting. She further adds that community representatives would assess the situation, and from there, they would discuss and decide on the best “solution on how to approach [the problem] in the best way” so that the process “happens through a healthy community perspective.” However, based on the results presented below it become clearer that when it comes to the smaller steps in between, the process becomes a bit more challenging for all committee members (both community representatives and the core committee members). For example, D2, suggests this is because some steps of the process are not clear enough and R2 adds the committee as a whole has to also deal with the limited number of community representatives who are available to oversee a case.

Similar to what was discussed in the previous section, one community representative (D) discusses how she had trouble with what happens after the intake interview. For example, she discusses how there are uncertainties around when members can contact youth or what to do if the youth or their parents do not answer the phone. How many times should she follow up if no contact is made after the intake interviews? Should committee members visit the youth’s house even though they were unable to reach them over the phone? Participant C asks about if committee

members see the youth outside of the agreed upon time and place of meetings, can they informally or even formally still discuss the case? At what point should they stop trying to make contact? These are some of the questions community representatives were concerned about. However, in the following excerpt the idea of adding a communication clause – regarding how to contact and communicate with youth (and their parents) – is brought up again as a solution for these challenges:

R: So, we need more policy about what happens after intake and making communication. And then maybe, we need to, would you think that maybe it would help in the forms that they sign to participate that there's some sort of clause in there.

[All participants agree]

R: So, communication clauses in the form.

G2: So, then that allows us to not feel that we're stepping out of boundaries or something.

C: And have a way to act on it.

G2: Because we have to know our boundaries as well right? You don't want to step on, you don't want to go too far you know right? ... But like [D] said, you always wonder about the follow up.

As seen from the above excerpt, setting boundaries and having a communication clause in the intake form is key for communicating effectively with youth and their parents. The important role communication has in the process of the program, however, does not stop there. For example, between committee members, one of the main recurring issues is also communication, or rather lack of communication. For example, participants discuss how they do not receive any email

updates in terms of what is happening in each committee or receive any case updates. The following excerpt reflects some of these issues and more:

C: Yes, because I don't get no emails, I don't get no updates of anything that goes on. I have no idea what is going on with this committee at all. It's the most unorganized committee that I've ever been in so far. From what I can tell, from my perspective.

D: I got a phone call from [D2] couple of weeks ago regarding this but regarding any other meetings and that I don't have a clue what's going on.

C: Not a clue.

D: I don't know if there's other meetings happening or not.

C: I wouldn't have known about those unless I had seen you, right?

D: I was getting around to, it was only a couple of days prior to when [D2] called me and I was getting around to emailing you to invite you to this too.

G2: I don't think there's been, that's what I said to [D2] on my way out, hopefully we'll have a meeting with the group soon because, just to stay in touch right?

R: We're looking at something in September. I'm going to come down and do some stuff about confidentiality and different stuff like that. We were just talking about it today.

C: I find it confusing because I found out afterwards there was a core committee meeting, and now I'm on the core committee. So, I missed the whole meeting, and I was not informed about it, so the communication is really not there.

R: Okay, that's good to know. So, these are the things we need to talk about.

G2: Like the rest, I don't know if there's been any other cases. We got to come together and find out what's going on. [Laughter]

C: I'm on the core committee and literally, the only case that I know about is this one that we talked about today. And I don't know how many cases there was. And it's concerning, because I don't know what's going on. And my name is tied to something and it's up in the air, I don't know what's going on right?

R: So, I don't know, I don't have the list of who's on what committee, but communication is clearly a facet that needs to be... That was part of the discussions we were having this morning about where the centre point of information is. I think the core committee doesn't actually know, the committee chairs, I don't think they're quite sure. So maybe it's about streamlining the process so instead of being held at [CF] with that committee and in the committee's hands, you know what I mean? I think there's some discussion about what this needs to look like.

As seen from the above interviewees comments, one of the core committee members (C) mentions how she was not even aware a core committee existed until she joined the committee. Even when she became a part of the committee, she talks about how she did not know how many active cases existed, even though referrals are approved by the core committee first. As discussed in section I of this chapter, the third step of the EJM process involves accepting or declining the referral file by the core committee. Once the case is accepted, the file is considered an active EJM file, which is then assigned to the EJM community representatives. As a result, participants agree that they should be updated on who is on which committee and have detailed information on the active cases (i.e., number of current active cases, who is representing that case, what stage it is currently at, and any other relevant but important information).

In addition, committee members discuss below how communication with youth is often jeopardized due to missing (or expired) phone numbers and not having fixed addresses. Specifically, committee members suggest there must be a communication clause in the forms that are initially filled out during the intake interview, where both parents' and youths' emails and phone numbers are provided. Since most of the rural communities in the Atlantic provinces have P.O. Boxes, writing the correct address is an obstacle, which committee members suggest may be overcome by writing an exact description of where the youth's house is located. Participant G (male volunteer who has lived in his community his whole life) elaborates on the above issues:

Now the biggest issue with these rural communities is they don't have fixed addresses; they have P.O. Boxes. Like, we have no numbers on houses out where I work ... There's no house numbers at all. Essentially, he lives up by [T] around the corner in the blue house. That's how they go by. So, I have no fixed address and all his most recent contact numbers are all expired. So, we have no phone numbers for him.

These types of information are, of course, crucial to have since the referrals' foundation is on being able to communicate with the youth and their parents throughout the process of the program. Nonetheless, the project leader advises committee members that if they "can't get in touch with the youth, [then it] shouldn't be a file." In that case, the file would be returned to the RCMP division, but there is no information available on what happens to such cases or even cases where they are recorded as a non-compliance case.

Developing connections with other trusting adults outside of the youth's home is a common theme that emerges throughout the different interviews. During the interview with participant P,

the interviewer asks if youth would benefit from and need more than one chance considering they are often confronted with various types of challenges in their lives.

R: Do you think that kids would benefit from additional referrals and chances?

P: I think some will and you're not going to catch them all. But I think some will, because sometimes they just need that ...

R: Connection.

P: Yeah, that connection from that other person. Sometimes it is because of family that they are out doing those other things, it's situations and stuff like that. They just need that other person.

R: Just someone to talk to. Forcing someone instead of giving them a warning, forcing them to come write a paper, volunteer here for a couple of hours can make all the difference. To have a purpose.

P: Just to see what else is out there.

Similarly, participant L also highlights how youth can benefit from connections – with a trusted adult – outside of their homes:

R: I wonder if that was kind of positive for him as well, talking to other people outside of his normal circle you know what I mean?

L: Yeah. He was pretty pleased with it, that's what he said to me. We gave each other a hug when we left, and [B2] hugged him. Like he was really, I think he really needed the attention to be quite honest with you. And when I got to see his mom several times it was nothing but "hi". I said, "you've got a really good son here he just needs some attention, and he needs someone to listen to him." I'm pretty sure I wrote it in my report, he needs, it's too bad they never had upgrading here,

somebody that can help him deal with his frustrations and everything. He definitely needs a psychiatrist really I think. I guess I'm saying too much now. I met his mom and dad, and his mom, apparently [has] two daughters [who] got little problems too. So, it's how he's being raised and that too. If he had somebody that he could talk to outside that house I think it would make a huge difference.

R: Well, it sounds like he really connected with you guys.

L: Oh, my goodness, he really really did. I'm telling you, he needed just somebody outside of his house just to listen to him, you know?

R: Aw. That's really really sweet. You know to me, just hearing the outcomes it feels like it really had a positive impact.

As seen from the two interviewees' comments, establishing trusting relationships and being able to connect with youth is important. We can see from participant L's view how rewarding the outcome of the process was, both for the volunteers (herself and B2) and for the youth.

Based on different participants' comments throughout the different interview sessions – just to name a few, participant P's comment above and also participant B's comment in the following section – it is evident that volunteers also recognize that the method(s) agreed upon initially for repairing the harm – or even the overall program – may not necessarily be the right fit for every youth. However, it is crucial to provide an alternative for them in order to hold them accountable. One common alternative is the use of conference circles, which is a common practice for EJM programs and is discussed in the following section.

Conference Circles

As mentioned earlier, the goal of any RJ program is to focus on healing and reconciliation not only for the victim, but also for offenders and the community (Menkel-Meadow, 2007). The course of action allows for those involved to discuss the consequences and solutions, while any shame that arises from what has happened can be addressed in a reintegrative way (Braithwaite, 1998). This is extremely critical to note since the process must be completed in a way that promotes purposeful and responsible choices in a supportive environment (Richardson & Blanchette, 2001). As a result, offenders and victims can meet in a judgement-free environment and any shame that is felt can be forgiven rather than being stigmatized (Dell & Poole, 2015; Braithwaite, 1998). Fulfilling the meaningful consequences can usually involve writing apology letters, cleaning certain areas of the community, creating posters, shoveling snow, cutting grass, chopping wood, or engaging in conference circles. Although there is some data on conference circles on the CRP, it is very scarce and overall, very brief. Generally, throughout the CRP, whenever conference circles (n=2, r=8) – referred to circles for short – were chosen as part of the course of EJM action for delivering the consequence and repairing the harm, the outcome in general was perceived to be positive in nature, although some mixed results appear as well. It is important for all parties involved to know exactly what they should expect throughout the process. The project leader emphasizes this point:

R: [R shows R2 a case that has already been signed by the youth and guardians and compares it to the incomplete form] The parent should be informed, the youth should be informed; everyone should have signed off, and then it should be moving forward. So, I think it's also a matter of looking at that and making sure that it's all signed off correctly.

As discussed in the literature review (Chapter 2), under section I of this chapter, and based on the above comment, being aware of what the process entails has a vital role in both the entire process

and for ensuring those who are involved provide informed consent. However, participant C and D reflect on one particular circle session and its outcomes:

C: But [L2] was actually so distraught that he brought his neighbours with him because he needed some support right?

D: I think they thought though, that it was a neighbourhood watch meeting more so than –

G2: The actual circle.

D: The circle, yeah.

C: And they were all really impressed with the outcome.

R: So, this is good too because it's showing that it's also giving more cultural awareness in the communities.

[All participants agree]

R: So, it's having multiple effects in many different ways. It seems like it's breaking down some barriers too. Well, that's positive. So, it's having more positive effects.

D: Oh god, yes.

Committee members explain how, during this incident, the victim and their neighbours actually thought that they were attending a neighbourhood watch meeting rather than a cultural circle. As a result, it is crucial that regardless of the type of consequence that is chosen, specific information about it is provided to all the participating members. I argue that spontaneity is part of the process; however, it can also arguably lead to miscommunication or confusion about the 'definition of the situation' that both volunteers and youth (and even their parents) are confronted with.

With that said, whenever circles were used in the pilot program, participant C discusses how everyone seemed to be "very impressed with the outcome." Some participants reflect on how

it allows for barriers to be broken down, but it also enables all participants to see each other as something other than the label that has been given to them. For example, discussing the same circle session as above, committee members expressed feeling like they really made a difference in the case, which is evident in the conversation below between the interviewer (R) and the volunteers (G2, D, and C):

R: And what was the effect for you guys by just being involved in the circle or hearing the outcomes?

G2: Oh, it was fabulous. I smiled inside because I mean –

R: It's like you're making a difference.

D: I felt like we made a difference and the two neighbours who came to our circle that night they went away feeling a lot more understanding of those children. They saw them, everybody saw them as little children.

C: They felt a sense of community.

Moreover, committee members reflect on how, after each person has had a chance to talk and discuss how the crime has affected them, they often leave the circles with “very positive feelings about the whole thing.” This is evident from the following excerpt between volunteers:

G2: Because one thing that sticks out always with me is what [D] had said to me when they did their circle, [L2], he was the victim, and how his attitude had changed towards the children from the beginning to the end.

D: He came in and he was very bitter against them. Well, somebody defaced your property—

G: Mad, angry.

D: You know? But at the end of it they hugged, and he was very, very nice to them. He saw them as little children who needed a break more so than little vandals that are out for no good.

G2: Savages. [Laughter]. So that was something so positive, and that's what stuck with me with that story.

R: And I'm sure too for the children, they saw a person they hurt not just a studio.

G2: Exactly.

The informal process of the circle, here, helped disabuse the victim here of stigmatizing stereotypes of 'young offenders', to better appreciate the wider circumstances of cases involving youth in conflict with the law. Volunteers reflect on how participating members', especially the victims' attitude, are often seen transitioning from feeling disappointed, angry, and upset to feeling more satisfied with the program outcomes. Based on volunteers' perception, in the above case, the victim comes to see the offenders as youth rather than as criminals, and the youths see the aftermath of their actions, which hopefully prevents them from engaging in the same or similar actions in the future. Similarly, referring to a different circle, participant B adds:

I found they all done well, very good. And even some of my neighbors came, think there was two of my neighbors [who] came down because they were kind of like semi-involved in the situation ... So, they came down too, and the lady wasn't very impressed when she came in, but after she left she was very impressed. She had done a flip completely, you know? She was very negative about the thought of it but when she was finished she said it was really good, she thought it was wonderful.

Again, as evident from B's comment, participating members' - like his neighbour who joined the circle session – views changed to be more positive by the end of the session. He not only reflects

on the outcomes of the session but also adds how his neighbor felt about using circles as a consequence for when a crime has been committed. He specifically mentions how the neighbour felt negative about the approach and yet by the end of the session her views were completely changed for the better, using the term “wonderful” to indicate her positive experience with the session. Likewise, when it comes to recommending the same approach for other cases, participant D adds:

When I spoke with uh, [L2] there a couple weeks ago, I asked him, I said, you know, would you recommend this for another case? If somebody down the street had done something would you recommend this type of a thing rather than going to court? He said definitely.

Overall participants are quite positive about circles, seeing the benefits of the informal interactions and processes as especially helping to transform attitudes and perceptions of victims about the youth involved. This indicates the importance of process in RJ – that, ideally, there occurs a repair of relations during the course of a successfully mediated session.

Based on the perspective of the volunteers and their experiences with circles, the outcomes are typically seen as a positive one. Those who participated mentioned feeling a sense of community, felt negative views were changed into positive ones by the end of the session(s), while others mentioned that if there were other cases, they would still recommend participating in circles than being formally processed. Nevertheless, there are instances where there are mixed outcomes. For example, some of the volunteers talk about incidences where youth who were required to participate in circles did not show up or other cases where youth who did attend refused to actively participate. As suggested by participant B circles “do well with some people,” but they may not be for everyone. Another concern was raised by the project leader, who points to how given the

challenging circumstances of youth and some of the situations they are confronted with daily, there are times they may wish to share the details of certain events with an authority figure or someone they can trust but are reluctant to do so – especially during circles – due to threatening consequences (i.e., retaliation). As a result, supportive reporting was developed through the CRP as a way to address being able to report an incident without the fear of retaliation, which is discussed further in the next section. There are no further discussions from the interviews regarding potential challenges facing the running of circles. A follow-up project examining circles more centrally would help illuminate our knowledge of community member perceptions here (see the discussion and conclusion chapter for further discussion of steps forward). Wider research on RJ, however, has also pointed to challenges related to presumptions of enforced apologies. The idea of ‘forgiveness’ is a controversial topic in RJ programs because some scholars argue if forgiveness is a goal or mandated, then “the process may be slanted toward eliciting apologies from offenders, [and] victims may feel pressured to offer forgiveness and resentful of the implication that they should do so, and resentment may cause some victims to refuse to participate” (Bazemore & Umbreit, 2001: 10). As a result, scholars argue that not forgiving is also a legitimate response from the victim and that there should not be any expectation that at the end of an RJ session or process there will be moments of forgiveness and it should certainly not be imposed (Allan, 2008; Demsas, 2022; Shapland et al., 2011). It is for further research to explore these challenges.

As I have tried to portray up until now, whether it is circles or any other approach that is implemented, there must be a general understanding of the whole process. I argue that there is a link between the formal process involved and the bureaucratically minimal need 1) for everyone who is involved to have a mutual understanding of what this process is about, and 2) to develop an understanding of the general steps youth and their parents will have to follow to ensure the

success of the process, which can be enforced through a modicum of coercion. This may also address cases where they are sent back to the RCMP division as a non-compliance case, which can ensure youth are held more strictly accountable for their actions, but also discards the potential of harm reparation from the RJ process.

Supportive Reporting

Beyond conference circles, the CRP included a number of informal initiatives to help support the youth involved, including a system of supportive reporting. Supportive reporting (n=3, r=3) was developed with the intention of including the voices of vulnerable populations, especially youth within the community, who could report incidences without the fear of retaliation (Ricciardelli et al., 2018). Specifically, the Ricciardelli et al. (2018) report indicates the following regarding the creation of supportive reporting:

This process was designed with the recognition that as the youth spends time with the committee members, there is the possibility that a youth may start to ‘open up’ or connect with the volunteers (or over time this may happen). Thus, the intention was to put “supportive reporting” processes in place in order to help feed information from the youth back to the police (p. 38).

Therefore, this method of anonymous reporting was implemented as a proactive approach rather than directly responding to an incident (Ricciardelli et al., 2018). The project leader (R) explains the details of this new type of reporting to committee representatives who directly interact with youths:

R: When you are meeting with the youth, if they voice any sort of concerns of any sort or anything they feel is an incident that happened to them, or that they

witnessed – this is supportive reporting. So, if someone comes forward, anyone in the community, if they come forward because they have witnessed or they have personally experienced some sort of incident – one of the things we’re looking at is family and domestic violence, but it can be for anything. So, what we’re able to do is anonymous reporting. They can come in and fill out this form by meeting with [C], without disclosing their name. If they want to disclose their name they can say, I want a full investigation, or I want to be contacted or not. The idea behind it is to make an impact on the stuff that happens behind closed doors. Sometimes people know who is doing the drugs but cannot say.

D2: I think that’s a very good way to approach it. I think one of things that’ll happen over a period of time, like in five years you’re gonna see that people have [worked] beyond that fear. This is just a no-no, and I’m gonna tell, right. Because it’s wrong. Right now, there’s a lot of fear and within good reason, because if they get found out...

R: They burn.

D2: Yea, right, so they’re not going to do it.

R: The threats are going to keep escalating, so it needs to just stop. We’re trying to find ways to make it stop.

As suggested by the project leader, this program was developed with the hope that more people within the community would be more inclined to report different incidences, particularly domestic violence, since the reporting is done anonymously. She further adds that supportive reporting can be used by anyone, not just youth, to report any type of incidences that they may have witnessed or been a victim of. Furthermore, smaller populations lead to a greater frequency of mutual

recognition (Barclay et al., 2007). Due to the small size of communities in rural parts of the Atlantic provinces and the fact that everyone mostly knows each other, participants agree this is a great alternative for reporting.

Participants generally point to how, because people know each other within the community, there is a fear that if others find out who has reported a certain incident, then threats can escalate. Therefore, the goal is to encourage people to report while also figuring out ways to prevent threats from increasing. For example, the following participants reflect on how prevalent domestic violence is within the Atlantic communities and how reporting it is an even bigger problem due to underreporting and fear of reporting (mentioned above). Nevertheless, they believe supportive reporting can begin to address underreporting of crimes, especially domestic violence incidences:

R: So, do you think it gets reported to the police?

C: Most times no, a couple times of it does. Like, when family members get sick of it they end up trying to do something. It just discourages family members and causes trouble because they don't quit.

R: And everyone gets pissed off right?

K2: Much higher is not reported, for sure.

R: So, the majority is not.

C: It makes it really hard for families because they want to report, like they have some ties to the victim, and they report them and the victim's like "no, I want to stay with him but now I don't want to talk to you anymore". It's just...

R: It makes it impossible.

C: Yea, it like ruins family relationships and puts family in a hard place.

R: So, supportive reporting is easier.

C: The supportive reporting will be a lot easier, that's why no one is going to get a good response around here because everybody wants to be able to say something without getting involved. They just want to let you know, "hey this is happening."

K2: Yea, I think that's the basis of it, I'm hoping it's gonna be good.

C: Yea, I think it will.

R: So generally, it happens that people are willing to report it, but they don't because they're concerned about the outcome.

C: They just don't want to be involved because they usually go back to the same way anyway, so you're just involving yourself and it makes you look bad or ruins your relationship with them. Yea, it's a complete shit-show and at the end they're like, I'm going home, gonna get drunk tonight. But if you can report it without getting involved, then they can handle it separately.

The above exchange between the participants (here core committee members and community representatives), shows how – based on their perceptions – domestic violence incidences are often underreported. When and if it is reported, it is usually friends or family members who are tired of the situation. However, as participant C highlights this often means the victim's relationship with the person(s) who reported the incident is jeopardized. This is suggested to especially be the case when the victim decides to stay with the perpetrator, and the victim may be upset with the person who reported it. Participant C suggests often the issue is not the unwillingness of friends and families to report the incident(s); rather they are concerned about the outcome if they do decide to report it. As a result, as participants D2 and C mention people may want to report but they often do not because there is a level of fear around the outcomes of reporting while others want to help without getting involved.

Based on these discussions, supportive reporting could help illuminate the ‘dark figure’ of incidents which occur behind closed doors and are hidden from, for example, police officers who are patrolling an area (Gracia et al., 2018; Mooney, 2000; Wilson et al., 2018). However, this initiative was ceased in its early stages due to limited RCMP resources (Ricciardelli et al., 2018). Similar to the idea of supportive reporting, the project leader suggests using a survey that allows community residents to comment on some of the (perceived) existing gaps and needs of the community. As evident from the project leader’s (R) comment below, taking this step can also help service providers recognize some of the challenges community residents are facing that they might not necessarily be aware of. She explains:

R: Because especially as we implement and do stuff, like when we are going with extra judicial measures like programs referrals if something seems like a gap or need we want to be able to pass that information back to you and say, ‘hey this is a challenge and hey people are speaking about this.’ You know what I mean? Because sometimes information comes to me.

J: Absolutely.

R: ... If there is awareness in the community about that because sometimes when there is awareness it can motivate different things. If there is anything specific in the community that comes forward, I can feed that information back to you.

J: Sure, I don’t think that would be a problem at all

The project leader discusses this idea with participants P and J (employees of a local Friendship Centre), mentioning the goal is to have community feedback on perceived problems. Emphasizing that it is “really being used to solicit some input” (R). However, unlike, supportive reporting that was implemented for a short amount of time, the community survey was actually never

implemented. Nonetheless, based on all the participants' comments in this section, I believe the permanent implementation of both community surveys and supportive reporting could have a number of positive outcomes. At the very least, based on community residents' experiences, service providers and government agencies could have had some ideas about the existing problems within the Atlantic rural communities.

Delivering Immediate Consequences

The issue of delivering immediate consequences are explored as participants learn the importance of immediate consequences being more effective in modifying behavior than delayed consequences (Bala, 2002; Carrington & Schulenberg, 2008). It is suggested by the project leader that the consequence can be as simple as raking up leaves, but whatever consequence is mutually agreed on – between the youth, their parents, and the volunteer(s) – it needs to happen as quickly as possible. This is also related to the deterrence theory which considers celerity, or the swiftness of consequences, referring to the idea that when an offender knows how swift the consequence will be, they are more likely not to offend (Clark, 1988). Celerity is important to make note of because of its “mechanism which facilitates the development of a causal association between the offense and the punishment” (Clark, 1988: 110). In other words, it is stressed that the shorter the time period between an offence and punishment, the “greater the deterrent effect of the punishment on the offender” (Clark, 1988: 110). For example, in both human and animal studies concerning the importance of timing of the consequence(s), researchers found the shorter the time between the problem behaviour and the consequence, the more likely the celeritous punishment has a deterrent effect over time (Geller et al., 1970; Clark, 1988).

Although Clark (1988) and others who discuss deterrence theory refer to consequence as ‘punishment’, the goal of the RJ process and the more informal EJM programs are not to enforce a method of punishment in the traditional sense, but rather deliver a consequence that is proportionate to the offence that has been committed, which simultaneously creates an association between the act and its consequence. These notions are also echoed by community representatives who agree having effective and immediate consequences delivered is crucial. For example, the project leader expressed:

R: So maybe one of the things that we need to do is have more immediate consequences. You do the intake interview, sit down, and then it has to be something that happens right away, and it’s done, so there’s not this delayed following up where people lose interest ... We really do need to tighten the process.

As discussed earlier in this chapter, participants discuss the need for more training on the EJM process, its parameters, how to deal with cases in terms of when to follow up, how long they should wait to make contact if the youth (or their parents) does not respond, having a policy manual, and brochures for youths and their parents, which can potentially help guide the process and clear up some of the confusion. Although these can impact the process of the program, the project leader emphasizes on the importance of shortening the time (i.e., delivery of immediate consequences) (n=5, r=7) between when the crime has occurred and the consequence the youth has to face. The consequence can be something very simple, but the goal is that it needs to happen right away, and the following part of an interview highlights this point:

R: Okay, so we have to change it up so it’s all quick and easy. And these are the things we need to know; this is why it’s pilot. So, intake, and one month we have to kind of conclude because it’s just too...

D: Yes, and it can't be dragged on.

R: Because you lose interest.

G2: You have to do it now. [Snaps finger]

R: Because if you can't do it now, everything's gone, the motivation, the feeling.

G2: Especially when you're dealing with youth.

If too much time goes by between the time the crime was committed until when the consequence is delivered, then there is a possibility that the youth may think they got away with it and even commit another crime in the meantime (Clark, 1988; Geller et al., 1970). Another concern is how youth might brag to their peers about how 'easy' the system is, especially when there are delays, which can create other problems. This is an issue brought up by participant B who talks about a case where the youth was bragging to his peers about a crime he had committed:

B: But I must say, the boy came down and he apologized and brought down that wreath, the two of them came down with this mother which was nice, and I left it out all Christmas and that was nice. So, they haven't been around my place after all. A few mornings, and this was before the circle. My wife, I were coming downstairs, and she said, "they're out there now in the driveway" and this was only three or four days after they had done the vandalism. In my driveway, showing other kids what they had done.

R: Oh my God.

B: Yep. You know that's kind of weird.

R: Yeah, but at least that passed after that.

B: Yeah, the police were already involved before that, I guess they were told. Still, they had that audacity to come down to show this other kid this is where he done

that. They were pointing in the backyard and stuff, so I went out and asked them to leave.

As participants begin to become familiar with the process of the pilot program, the issue of delayed delivery of consequences becomes more recognizable. As mentioned earlier on in this chapter by the project leader, these are the “growing pains of every program” as everyone is getting used to the process and knowing who to report to and communicate with regarding the next steps.

Another concern regarding the delivery of immediate consequences is that the issue is not just about the youth losing interest in the process, rather, if enough time passes, both the youth and their parents are more likely to lose interest in the process.

R: The other thing that happens is if even if the kids want to do it the parents might *lose the momentum* right?

B: That’s right, yes.

R: So, it’s sort of and I think that was one of things that I was learning a lot is that if there’s a time delay the momentum goes and it’s less the kids even it’s just as much the parents who then have the kids working on other things and have lost. Because the parents feel the obligation too and when that dies you know you have to kind of maximize it.

B: That’s what’s gonna happen. Because if you go a month or two months things get kind of on the wayside. You know, *you put things off and then you can totally forget it*, you know?

R: Or they start acting up again and they’re sorry for something else they did rather than that initial. So, *they don’t really feel the consequence*. [added emphases]

Therefore, participants argued that the process of the EJM program must be short, from the time the referral is accepted until the course of action is agreed upon and implemented. Based on the above exchange, considering the program is about holding youth accountable and taking responsibility for their actions, if there is a time delay, the momentum eventually fades away. The obligation that is initially instilled in both the youth's parents and the youth can also dissipate, which means committee members will have to work even harder to maximize it for the youth to successfully complete the program.

The last comment in the above excerpt points to another important issue. That is, if the youth commits another crime between the first offence and the start of the agreed course of action (the consequence), then they might not necessarily make the connection between the first act and its consequence. In other words, when trying to change a problem behaviour, the delivery of consequence is most effective when it closely follows the problem behaviour (Clark, 1988; Geller et al., Pavlov, 1904; Pavlov, 1927). It goes without saying that the goal of the program – as also mandated under the YCJA – is to deter youth from committing another crime and considering their case does not officially get processed through the criminal justice system, the program must respond in an effective and timely manner. This means creating a process that delivers the consequence within a short amount of time, while ensuring the youth does not lose interest, and that the consequence is proportionate to the crime that has been committed.

Proportionate responses are a basic feature of the sentencing principles of the YCJA. Proportionality is a basic principle of fairness, which means the less serious the offence is, the less severe its consequences are and the more serious the offence is, the more severe its consequences are (Department of Justice, 2021c). Proportionality also applies to the degree of responsibility of a young person who has committed a crime. For example, if a youth has committed a minor offence

but has serious psychological needs that may have contributed to committing the offence, then the youth should receive a sentence reflecting the seriousness of the offence and not the seriousness of their psychological needs (Department of Justice, 2021c). Although the consequence must be delivered immediately, one committee members highlights that it must also be an appropriate and proportionate consequence. For example, participant B talks about how in one case, a few youths had damaged a property (shed) and creating a poster was a recommended option. Although he agrees the consequence should not be delayed, he points out that it still be proportionate to the crime that has been committed. Participant B highlights this point in the following exchange with the project leader:

R: Something immediate. Or if there was leaves to rake up. Something they have to do it right away. Because I think time is a problem.

B: Something right away, yes. Something that they had to be put to work right away. Raking up leaves or report to the town, the town had them doing some cleaning or whatever, may have been better. You know I thought for sure that they would do the poster. The poster would be a nice project. But that's kind of like, you know, like that's not work.

The delivery of consequences and how they are implemented can have a major impact on how successful the outcome is. As evident in this section through community representatives' reflections, perceptions, and experiences, the type of consequences, timing of the process, the youth's skills and interests, and implementing proportionate responses to the offence can all influence the outcome, which is crucial to consider when deciding on the course of action. As participants point out, these factors are not only important to consider when considering the course of action but are also essential to remember that if there is a delay in the process, it can reduce the

level of commitment and interest from the youth and even their parents. Delays can also mean the youth has a chance to commit another crime, translating to an ineffective association between the original offence and its consequence. As a result, the immediate delivery of a consequence is essential since failing to implement it within a timely manner can lead to a domino effect of negative and unintended consequences, some of which were discussed in this section. Through training and discussions with the project leader, committee members learned about the significance of immediate delivery of a proportionate consequence when a crime occurs. Also related to consequences is the effectiveness of the partnering organizations involved with the CRP, including the Friendship Centre, which two participants represented. These challenges are discussed in the following section.

Challenges with Government Agencies

In this section, the results focus on some of the internal challenges (n=5, r=8) committee members have to deal with and their experiences with government agencies. Specifically, the first part will look at some of the overall challenges of the organization and the problems that members are confronted with, especially when dealing with community residents who are having a difficult time accessing the already limited resources. Following that, challenges regarding government agencies are discussed in terms of how various agencies draw from the community's limited resources, often change the eligibility of who can access what resources, or even move services to other communities, which all have lasting impacts on the communities and their residents.

Participant J is asked to reflect on some of the challenges they deal with as an organization in terms of the population they interact with, and she points to the ever-changing eligibility criteria

that dictate who can access the program. J discusses below how the changing criteria has a ripple effect, especially on people who are trying to access services:

J: The population we are working with, OK. A lot of times we will get into working with somebody-this may be getting into an organizational thing, but I'll start with that- a lot of times when we start working with somebody or start to know the Friendship Centre is providing a certain service. Let's say housing and homelessness program we have here where we assist homeless to find affordable housing. We would keep a relationship open with somebody who is currently homeless and who is currently sleeping on the couch to try and help them transition into better living arrangements. All of a sudden, the provincial government decided to cut that and move that position somewhere else, that we feel is completely out of the way. It is completely out of the way. All of a sudden it comes from a status blind organization and all of a sudden it moved over to that's just purely an Inuit orientated organization. So, someone who is Innu or Métis or White or non-[Indigenous] I should say, goes there, they are not going to feel as comfortable. Basically, we developed that here. We made it really good and really successful and all of a sudden it got moved. A lot of times we are at the mercy of funding of course.

R: Big, political decisions.

J: Yeah, so it seemed like there wasn't much consultation, I guess you could say.

R: So, you start making strides toward implementing something effective and then it just disappears.

J: Yes, absolutely.

Participant J talks about how often an organization may be really thriving and helping individuals transition into better living arrangements, however, since some organizations are at the mercy of provincial governments they may all of a sudden be moved to another community or completely defunded. She highlights how these sudden decisions puts a strain on the community since the resources available in the Atlantic communities are already limited, and if an organization is relocated or defunded, then it can jeopardize the living situation of many individuals who depend on accessing that resource. She further adds that most of the existing organizations within the community are status blind, meaning anyone can access them; however sometimes this is changed through government mandate. In other parts of the interview, she discusses how some politicians may use youth (especially youth crime rates) issues as a way to garner votes and win elections, yet “when it comes time to put money where their mouth is,” the priorities seem to shift, and youth problems are swept under the rug. She further adds that they are “at the mercy of funding” and the organization uses whatever resources they have available so they can help those who need it.

In addition, participant J particularly discusses at length how the very same organizations that are meant to help individuals are unable to do so due to contradictory rules and regulations. She mentions:

J: Yeah, absolutely. I think some of the troubles that we have is with dealing with people too with addiction issues. That sort of thing. It is hard for some of the people to follow our rules, especially the people who use the food bank. A lot of time they need help and that sort of thing and we try and make it continue that we can keep running the food bank but a lot of times substance abuse issues, homelessness and those sorts of things, they affect the way we operate and the way we can offer help. That sort of thing. Or they will become banned from the Friendship Centre because

of our own policies about alcohol and that sort of thing, so they won't be able to come in.

R: Which is really hard because if you are trying to help someone with addiction, the last thing you want to do is ban them because they are having a hard time with addiction.

J: But those are the kinds of things we are dealing with because we have a hostel here and we consider it a drug and alcohol-free facility. A lot of times people are coming here under [the influence of] alcohol and if they are coming here drunk or to cause trouble, then a lot of them will be barred indefinitely and that sort of thing. So those sorts of things make it kind of harder to...

R: To get, yeah.

J: ... reach out to people. Obviously the things that happen are substance abuse, homelessness, not being able to or people who can't afford food. The cost of living in this town is gone up so much and then the demand falls on us because a lot of times, I like to think, we pick up the slack where government organizations leave off, ya know? Because a lot of time government organizations like AES, Advanced Education and Skills, will call on behalf of the clinic looking for a food bank order and that sort of thing. We just feel like we are fighting to try to keep our organization helping [Indigenous] people, helping the people who are poor and helping people who need help, and then the governments, the people who offer funding or who we are getting funding from, are actually tapping into it as well.

R: Which makes no sense.

J: Which makes it kind of weird and it's frustrating and I don't know how to go around that. Obviously we are still going to help the people but anyways those sorts of things are kind of annoying to deal with.

R: So, you have government agencies, drawing, not funding on your services.

J: Yeah, when really they should be using their own services.

R: than there is kind of like the loopholes, because you kind of want to help the people deal with addiction but you also have to maintain the mandate.

J: We have to maintain that this is a safe building to work in and for the hostel.

R: You have no choice, you have to.

Based on the above excerpt, through a hostel that is located in one community and a Friendship Centre, certain services are provided, such as access to the food bank and a temporary place to sleep. People dealing with substance abuse and homelessness are often the ones who access these services, and the main trouble is due to the policies in place in these organizations where, for example, individuals are often banned indefinitely due to their battle with addiction. In other words, because the organizations are drug and alcohol-free facilities, people who come to access resources may often get banned temporarily because of their substance use and abuse, i.e., due to being under the influence of drugs and/or alcohol. As a result, J argues that this is very hard to deal with because if their organization is trying to help someone with addiction, the last thing they want to do is ban individuals due to their battle with addiction. In other words, she is again pointing to the problem of eligibility as well as service providers not being able to help those who need it due to ironic rules barring the behaviours that they are geared to help. In one study, youth who were in the foster care system were required to conform to certain rules, such as drug-testing and mandatory counselling, before they could access resources for food, shelter, and safety — “in

effect, exchanging their right to choose where and with whom they live for basic necessities” (Shoveller et al., 2007: 836). This is an important challenge that service providers and government officials must address since, as participant J also mentions, it creates a situation where the individual who needs to access services because of personal circumstances that originally placed them in that specific situation are also the same ones that prevent them from accessing the necessary services.

Furthermore, she mentions how they – again referring the organization as a whole – are confronted with other particular challenges which are the result of other government agencies accessing the limited resources the communities have. She emphasizes that even though there is already an existing shortage of resources, the problem is further exacerbated by government agencies drawing from the same services they are funding. Therefore, not only are local organizations already struggling to support those who need the resources, but they are also faced with other agencies drawing from the already limited resources. Based on participant J’s explanations, I presume those who need those resources may be at an even greater risk of not having access to them or eventually, if the demand is more than the organization can handle, it can potentially force organizations to set new restrictions on who can access what resources, again negatively impacting those who need them the most. Moreover, participant J expresses her concern about the fact that “more and more people are slipping below the poverty line and [are] not able to sustain themselves with food and adequate housing.” Participant P – also a staff member from the Friendship Centre – explains that this is especially the case with “homeless people or near homeless that need food but spend most of their money on booze.”

Based on committee members’ perceptions, social services and other similar organizations are faced with many challenges, particularly the availability of limited resources. Considering the

CRP's volunteers may recommend youth (and their parents) to use certain resources as a requirement of the process, they are reminded by the project leader that their goal should be to deliver consequences within a short time span. If the consequence is not delivered immediately, it can lead to other challenges, which is discussed in the following section.

The Need for Culturally Sensitive Training on the EJM Process

As mentioned in the previous section, some obstacles are expected at the early stages of implementing any program. Based on the Community Referral Program (CRP) volunteers, one major problem was the limited or lack of training (n=2, r=6) on certain aspects of the CRP. However, since the program was just launched, certain confusions and uncertainties are expected as committee members adapt to the new process. The requirement for more training is explored in this section to have a better understanding of what some of the gaps were in terms of training committee members on the process of the CRP. Participants specifically discuss receiving training with a cultural perspective, considering the majority of the residents within the region where the pilot program was implemented, and many of the participants themselves, are of Indigenous descent. As participant P2 puts it, because "a lot of people [in those communities] are in touch with their ancestry and [Indigenous] culture," more training on both the process and on the culture of the residents who live in the community are needed. P2 adds that this would allow volunteers to be able to understand and communicate more effectively with those who are referred to the program. This is also the same expectation committee representatives have of RCMP officers. Participants suggest having a background and an understanding of community problems allows RCMP officers to be more considerate and cautious in how they respond to certain issues and populations compared to others. For example, participant J suggests:

100 percent, it should be mandatory for any police officer who is going to go into any population that has a high level of [Indigenous] people to understand the implications and impacts of intergenerational trauma. It is absolutely [crucial] to understand where they are coming from. That a person is not drunk simply because they picked up the alcohol and they like it. That is not how it works, it's a cyclical thing- there is a cycle to it. I'm sure there is some general training in that sort of thing, but they need to - it needs to be deeper and that sort of thing. So, when they are dealing with the person, they still see them as a person, and it is an illness instead...

As evident from the above comment, service providers, including the RCMP must be trained on the culture of the community including the population they will be interacting with.

Committee members' expressed that receiving training on the culture of those who will potentially access the program must also be considered, in order to maximize the potential for effective outcomes. As participant P2 and J point out, the same way of thinking should apply to all types of service providers. I suggest even if they have lived in their respective community all their lives, like many of the participants of this study, community volunteers should still receive some level of specialized training on the culture of that community. This notion is also echoed by committee members who suggest having training on, for example, circles with a cultural view is important. Participant C elaborates on this matter further

C: The circle and the way that we did the whole process – I'm sure other people did it a different way – but from a cultural way that's how we did do it, it worked. It was nice.

R: Can you tell me what you mean by, like, what worked?

C: So, we had a circle, and we took it at a cultural view, right? So, they were safe inside the circle, so they really opened up and the outcome was really good. Almost everybody was crying, and it was really good. We came to a good outcome, as far as I know the kids did too, but I mean not to that extent because we're doing boundaries, right? But I would like to have some training in it. Because I think that we all feel a little bit as if we are not trained well enough to be doing it. Not that we don't want to.

R: Yeah there's definitely the need for, just more what's involved in the process. Because it's very grassroots.

G2: Oh yeah, we're making the grassroots.

Regarding cultural circles, another committee member, P3, discusses how it can allow individuals, especially Indigenous populations, to meet, talk, share, and "get in touch with whatever's on their mind and be able to release their anger in a different way." While taking a cultural approach is valuable to understand and take into account when training volunteers, the project leader points out that the most important thing to focus on is learning the parameters and the general process of circles. She clarifies this for to a few volunteers:

R: So, we have to do training here on what the EJMs will look like. And one outcome is a sharing circle, but it doesn't have to be a sharing circle. And a sharing circle worked for what you guys did, but it might not work for the next person. You can't always be cultural because it's not just about culture.

C: Oh yeah, that was an option.

R: Yeah. So, I don't think necessarily, the [CR*] sharing circles is necessary... I think the training is more... But I might be wrong here, I was under the impression,

this could be totally wrong, that really the training on what is involved in terms of parameters and dealing with the case in moving forward.

D: Yes.

G: Yes. That's my understanding as well. And the culture part of it is something that we just offer. Because we know they're [Indigenous] so we just offer it because it's what, I guess we do and it can be very soothing to people who, you know?

R: Definitely. And if you want to do training on sharing circles we can set that up as another component.

*CR refers to a specific sharing circle that is implemented in the Atlantic provinces. However, to ensure volunteers are not identified, the name of the program is given a random abbreviation.

Based on the above conversation, the project leader (R) tries to understand what type of training volunteers require when it comes to conference circles. She suggests that the focus should be on learning the overall process and the different phases of the circle, and then finding the appropriate process that works best within the circle. This can mean offering a variety of different types of circles, while the cultural aspect can be something that is part of what is offered as well. This also goes back to what was discussed earlier, that one general program may not necessarily address the needs of everyone who accesses that program, which is also highlighted above by the project leader (Duwe, 2017).

Overall, based on committee members' perception, it can be concluded that service providers should be trained on the general parameters of any approach that is used within the CRP, such as the conference circles. Committee members also point out that they wish to have more training on cultural circles, since the majority of the residents from their communities have an Indigenous background. Based on volunteers comments, I argue it is crucial for volunteers to be trained on how to implement cultural circles and on various aspects of Indigenous culture to

effectively provide guidance to Indigenous populations who may be accessing the program. For example, participant T discusses how, as a drum carrier who teaches and performs during powwow ceremonies – a sacred celebration where diverse Indigenous nations/tribes gather to celebrate and honour the traditions of their ancestors – certain responsibilities and standards must be met. T elaborates on some of these responsibilities:

So, every big drum has one person, one guy who takes care of it. And so that person needs to lead a drug and alcohol-free life. They need to be respectful of women, they need to, you know...you gotta have a certain standard. Not anyone at all can be a drum carrier. And so, with that responsibility, you have to make sure that drum is kept away from drugs and alcohol. You gotta make sure that drum is in a safe place. You know, it's like a child; you gotta care for it just like a child. You have to take it out and play with it sometimes, 'cause a drum will get tired, a drum will be groggy if you leave it too long. There's so much to it, right? But basically, a drum carrier is the keeper of that drum. He's the man responsible for everything that goes on with that drum.

These are some of the things that the powwow drummer knows and understands, and as a community volunteer, he can recognize the difference between what is appropriate or not, in certain contexts because of his Indigenous background. This might not be the case for a non-Indigenous individual who is not familiar with Indigenous cultures. The excerpt above provides a clearer example of why training and especially culturally specialized training may be required of volunteers in RJ programs. Regardless of how much training or the type of training committee members had, they all generally believed the pilot program was effective and had an overall positive impact, which is discussed more in the following section.

Pilot Program's Impact and Effectiveness

Based on committee members' experiences with the pilot program, they express that the CRP is effective (n=8, r=15) in helping youth address some of the needs they have. Through the CRP, volunteers can at least direct youth to other social services that are available in the community – such as the Friendship Centre – which youth may not be aware of or do not know how to access. Through the analyses of the results, it becomes clear that youth can benefit greatly from the program. For example, participant D recalls how a young special needs girl (referred to as A) who was referred to the program was able to connect and talk to committee members, even though she was generally very shy and did not speak with anyone. Participant D elaborates on how A's behaviour changed throughout the meeting:

D: And the little, [A] is a special needs child, she has a worker, and she has a student assistant in school. And she was very upset at the beginning. Her mom even got her to change places with her brother because, well the mom should have been in the two children in the first place for support. But, after we were able to make her comfortable and we were able to make her feel that her opinion was worthwhile and we weren't judging her on what she'd done, then she came around and she stopped crying and she actually came forward with a few sentences of her own which she wasn't doing before that.

R: So, I'm wondering too in the case in particular, and this comes to that last question of, who was to make sure they behave and do whatever. I think this was a case as well, especially of a special needs kid, a socially excluded child at school,

I think also being able to connect with you guys and have someone else willing to talk to her and see her for what she is, would probably help her own growth a lot.

D: Oh, I think so, and she hugged us when we left that evening. There were hugs all around.

C: It was beautiful.

D: It was just wonderful. It was, it was really, really nice.

Committee members talk about how it is important to make youth feel safe, which can eventually enable them to open up to volunteers. In other words, when youth are made to feel safe throughout the process and begin to trust the volunteers, they eventually open up about some of the challenges they are facing (Ricciardelli et al., 2018). In return, committee members can help and guide them through towards a solution(s). It is important to note that even if committee members are not able to address the youth's concerns – for example, regarding mental health – because they lack the expertise or professional background, they can at the very least refer the youth to the right organization that can help them.

In another case, a youth who has committed a minor offence is referred to the CRP and Participant J reflects on the details of the case. In the following passage, she specifically highlights how youth's problems should not be ignored and rather there should be a recognition that there are root causes for the behaviour:

J: It really sounds like, well the client that I currently deal with he's so young and has so much hope, the thing that he did can just be brushed under the rug. It's something stupid that he did when he was a teenager. It's still very much that could be that and I just think that ...

R: Or it can turn around and define him.

J: But I also think that he has such low self-confidence, because he feels like this is just how it's going to end up being. Maybe saying all this stuff is going to reinforce that. I think once we understand it, then we can deal with it.

R: Like acknowledge it. Recognize it. It doesn't have to be.

J: Absolutely. But we still or we can't ignore it because a lot of people say let's just get over it, let's not talk about it. Let's just move on from today and onwards, that's not realistic. So, we have to understand it and figure out why when a person stops into my office and I ask him one simple [question that] sounds like a survey question, that you would ask anybody, like how many kids in the family, what's your phone number and what's your address. They get really defensive, and they get really angry, like they don't want to tell me these things. A lot of times it comes from the only dealings they have with those types of questions are from law enforcement officials.

R: Or Child, Youth, and Family Services.

J: Exactly. But what happens is, those things trigger something inside of them that unlocks all of this trauma from their past and their sense of hopelessness and sense of loss entity. So, it's not that they are getting mad at me because I'm asking what their phone number is or if they can pick it up between 3:00 and 4:00 because that's when we will have the food bank food ready - it's not that at all. It's just a service thing that brings everything back to life again.

R: It's challenging.

J: That simple thing when you have to deal with somebody, it gets aggressive because of that, *knowing those things will help you deal with the situation a lot*

better. I think that's why a lot of, I guess interaction with anyone in authority a lot of times is hostile or just get kind of nobody goes anywhere and they kind of just end up getting locked up or something. Like they almost don't understand that the person is getting worked up because of those things not because of [added emphasis]

Participant J discusses how youth who have been referred to the program are guided throughout the program so that hopefully, it prevents future crime involvement while also preventing the youth from being labelled an 'offender'. As discussed in Chapter 2, extreme forms of punishment are not the key to reducing crime, such as the stigmatizing effects of the traditional process, being labelled an offender, the stimulation and strengthening of a 'master status' as a criminal, and the lack of evidence linking sentence length to successful rehabilitation and reintegration of the offender (Miethe & McCorkle, 1997; Braithwaite, 1989). Considering the high rates of youth crime in the Atlantic provinces in Canada (Statistics Canada, 2018), the CRP was one alternative measure to address minor offences rather than processing cases through the criminal justice system (CJS), specifically through the courts. In the above excerpt, J mentions how instead of locking youth up behind bars and not understanding why they have committed that crime, the program allows youth to voice their needs and as the project leader points out the problems must be acknowledged, recognized, and addressed accordingly. Participant J echoes this by mentioning that youth's problems should not be ignored and by listening, talking, and connecting with youth through the program, it allows them (volunteers in general) to understand why certain "things trigger something inside [youth] that unlocks all of this trauma from their past" where they may react in an angry manner because of their "sense of hopelessness and loss of entity."

In addition, participants talk about how within the program, especially during intake interviews, youth may be very engaged and open to the process, while other youths are reported to be completely shut down or have a stand-off attitude. However, it is during the engagement with the RJ process that some youth appear to come around. For example, participant C talks about a few youths who had damaged a property, and how their attitude changed from the beginning to the end of the interview:

The little one was standing in the doorway, and just kind of listening. And she was crying. It was the mom we were dealing with, and what she was comfortable doing. They would give a little head nod if they were okay with it right? But yeah, stand-off at first. But it really opened up by the end of it.

Similarly, participant L recalls there being a case where one youth is presumed to have gotten in trouble again in order to have access to the program again, since he “needed somebody outside of his house to just listen to him.” This is an important takeaway from the results since the committee members acknowledge the program is about repairing the harm, but it is also about developing connections with youth, so they have an external “safe place” outside of their homes. Participants agree with the project leader when she discusses how a most of the outcomes of the sessions with youths and their parents seem to have resulted in “positive thoughts and positive understandings.”

However, despite these positive experiences and impressions of the program, participants also raised problems impeding the success of the CRP. One case referred to in the interviews involved a youth’s parents refusal to allow the community representatives to contact the youth, even though the youth may be interested in participating in the process. Participant K discusses this with the project leader:

R: Like we can speculate that maybe he got in trouble again because he wanted to come see you guys again, like you know what I mean? Like we can speculate but I think the end thing there is that there was a lot of good came out of it. A lot of positive thoughts, positive understandings. So, do you think with the EJMs, what they are and what they're becoming is good for the community?

K: Oh, I think so yes. Very much so. Yeah.

R: It's positive.

K: It was just, this was just a tough, it was a tough one. You know? And that we didn't couldn't see it through the way we wanted to. But I mean that was no, that was, it is what it is. They are going to sign a form and want to be a part of a process, and then, I don't think so much for him because like I said we didn't have contact with him after. [The mother] didn't allow it. Our contact with him was through her. So, she said "no he's not interested." And what do you do? You can't go down there, and we didn't have a choice.

R: But the thing is, even no matter how things happen, that child would have known just as he can return to [A2] and now there are two people he could turn to if he needed it.

K: Yeah.

R: And so, it's creating you know, a space and an out.

Based on participant K's reflection of the entire situation, even though the youth was not able to complete the program, a positive outcome was that the youth now knows a trusting adult outside of his home that he can contact, if he needs to.

As seen so far, participants generally believe the program can have a positive impact on youth and the community, nevertheless, participant B points out that the extent of its impact is suggested to “depend on the person, same as anything else.” Some participants discussed the program’s impact not in terms of individual personalities, as participant B does above, but on collective dynamics. Participant K2 suggests that everyone needs to recognize that if the program is going to work and be effective, then everyone must believe in its potential.

K2: I’m proud of this; I think everybody has to get on board for it to work.

R: And what we need to do is to talk about ways to get the detachment more on board. One of the things I considered was doing follow-ups with everyone to talk about what we can do to make it more usable. What do think is going on?

K2: People are just set in their ways. And they’re so busy they think, “oh my God it’s more work.” But it’s less work.

R: But once they try it, they see.

K2: Still, they have the idea that they should be punished; that’s what I think they think. Now, I’m of the mind that young people are still growing, you know, they need that chance. That’s the way I think, but not everybody does. I think that’s an issue as well.

...

R: But, if it’s not understood and it looks like more work, it become irritating.

K2: Yea, I think it looks like more work, I think that’s it. But it is less work, it really is. I believe in the benefit, I really do. Now, I don’t know if we’ve really seen the outcome, but I believe in it, and I believe in the chance.

R: Yea. But, we’re not going to have outcomes unless it’s used.

K2: Yea, right.

As mentioned by participant K2, in order for the program to work, it must be used by everyone, but moreover, have a collective ‘buy in’ to the goals of the program and its effectiveness. Based on his perception, one reason why people – referring to other service providers – are not using the program is because they are set in their ways of thinking, believing that youth should still be traditionally punished. He adds another reason is that this program might look like it is more work, but in reality it will be less work for service providers and less strain on the CJS. Participant K2’s comment about giving youth a second chance is also similar to an earlier comment made by participant P in the referral section. However, as K2 suggests not everybody believes in giving youth another chance, which he believes can create other issues.

When committee members are asked to reflect on whether they found it positive to participate in the project or not, they agree it has had an impact on both the community and the youth who have been referred to, while they also feel like they have personally made a difference in the community. Participant L touches on how the youths she has worked with have all been “pretty pleased with the outcome,” how the community “was scary for a while, and that was about the same time [the program] came about,” and how if the program was not implemented, for many of the youths’ cases, “it would have been a different scenario.” Referring to the conference circles, participants G2, D, and C talk about how they felt like they made a difference through a circle session. They felt a sense of community by coming together and addressing the problem. Participant D talks about how everyone’s view of the youth who had caused the problem changed to a more positive one by the end of the session and G2 specifically mentions that she “smiled inside.” Again, an indication of some of the positive outcomes of the program.

In addition, participant D2 and M – the core committee chairs – reflect on the reasons why they have chosen to be part of the CRP and chairs of the core committee:

D2: I thought I could have the skills to move this forward, I'm very passionate about helping communities and taking things from the bottom-up instead of the top-down. And I know in my heart of hearts, I knew that if we could get this off the ground that it would be a good thing, it would be for the better good of the community. I wouldn't see so many youth reoffending, and even with aspects of adult circling, I also have some sort of knowledge of that ... And I could see the difference in the community. So, for me I had a trust that this was a good thing. And I had to feel bonded to it, like I say bonded like when you bond to something. And I knew that if [M] and I could work together, that it would be bang on right? Because I don't have a lot of knowledge about the community, but she sits there with all that knowledge, so you know, we work together that way.

M: And for me, right when this committee was being put together I had just retired from the RCMP and I absolutely loved working for them. So, I think to me, at the time, it was a way to stay connected to justice world.

Based on participant D2's perception and past experiences, she believes the program can benefit the youth and the community as a whole. Based on her past experiences with similar programs – adult circles – she has seen how it they can make a difference in the community. D2 also adds that she does not have a lot of experience and knowledge about the current community, but with M's knowledge, they can work more effectively. This connects back to what was discussed earlier in this chapter in terms of having training and knowledge on the community and its culture.

In addition, participant D2 opens up about her own sense of belonging to the community, expressing how although there is potential to create a stronger sense of community by working through this program, she often feels like she is treated as an outsider.

D2: Okay. I'll just be honest with you about how I'm feeling. I'm feeling... you know, really... it's just something that I'm going to have to get over, is that I'm treated like I'm not from here all the time. So that really is bothering me, because I think what's important for me is to have a sense of community and I don't have that here, right? I just, I find it very difficult.

R: Well maybe also, maybe with your role in this over time it will give you something to connect with people more and it might help right? Because I think maybe in some ways you're developing more of that like with [M], and how well you guys are getting along. So, it might help in that way right?

D2: It could be [R], and I don't know, I'm being honest with you when I say that, and I think you probably already recognize [how] I'm feeling.

R: Yeah, and it's a difficult one right? But you do enjoy your role in this right?

D2: Oh, I mean I'm very passionate about getting this off the ground you know? It's just a good thing to do.

R: I think maybe it might help in some ways with, you know, having something in common, and a mutual goal, you see it with the different committees when they're working on cases. It helps people to you know, find ways to connect with people in different ways and get to know each other in a different way. So, it might help you create that.

D2: Okay, well, hopefully. And I have connected with some people, you know, I own that. But I am a very private person anyway, and there's a lot of people that I wouldn't connect with on some level just because, because of who I am you know?

R: Yep.

D2: Do you understand what I'm saying?

R: Oh yeah. Well and it's difficult. You're being in a new place in that way, it takes time but it's hard right? I totally understand. But like, that to me, that's something very very different from even the work you're doing, and you have to see that hopefully the work is a venue to feel more like you're a part of the community.

It can be speculated based on the above conversation that the CRP can help not only the youth who are having trouble with the law, but it can also help volunteers find a sense of community and new connections through the program. For example, D2 mentions how she is not originally from the community and is having a hard time feeling like she belongs. Despite that, the project leader believes the program can give her an opportunity to find new connections while working on a mutual goal with other service providers. Unfortunately, there are no further explanations provided on the context of why the core committee member feels like an outsider in the community. Participant D2 does add later on in the conversation that how she feels is separate from the fact that she really does believe the pilot program can make a "difference in the community" and "trust that it is a good thing." The project leader agrees and also adds that having something in common can also allow people within the community to come closer together.

Throughout this chapter, the focus was on the pilot CRP and some of the challenges and successes it had within the communities in which it was implemented as a response to youth crime. The process of the program was discussed in terms of the challenges community representatives

were confronted with, such as not being aware of all the steps that are involved in the general process, ensuring consequences were immediate and proportionate to the offence, how to communicate with youth and their parents if they are not reachable, and acknowledging and taking into consideration some of youth's daily challenges that can influence their behaviours, which can potentially encourage their involvement in delinquent activities and risky behaviours. Furthermore, community representatives discussed how they lacked culturally sensitive training, which could be more beneficial in how they respond to different cases, especially since majority of the residents have an Indigenous background. Participants also reflected on how resources are limited within their communities and yet various government agencies are accessing the already inadequate resources that they should be funding instead of drawing from, which poses further complications for the community organizations.

A final challenge emerges from the ways in which participants sometimes refer to the youth in their programs. Participant R2, for instance, suggests the program is designed to “catch the oddball kid who's hanging around with the wrong people and gets in trouble, but he's not a troubled kid.” In another case, a youth who had committed a minor offence is referred to the EJM program and committee members reflect on the details of the incident. Participant J explains how the offence the youth has committed is so minor that “it's something stupid that he did when he was a teenager... [and] it can just be brushed under the rug ... or it can turn around and define him” if he was to be processed through the formal CJS. Both statements on the surface indicate support for the program, yet they also reflect assumptions about youth who engage in deviance and crime, and the role of the program in response. Here the tension is on how effective the program is with more serious cases of youth crime. It is fair to argue that the EJM program is geared to respond to less serious incidents of youth crime. However, if the program only catches “oddball kids” who do

“something stupid” but are otherwise “not troubled”, there are wider questions regarding the role of RJ in response to more serious trauma, conflict and harm. There are some RJ advocates who argue that RJ is appropriate not only for minor transgressions but more serious forms of crime, including with adults (e.g., Ruge & Cormier, 2013). The interviews do not pursue these questions, indicating fruitful directions for further research in this area.

Although these are challenges volunteers were confronted with, they nevertheless saw the program as an effective response to youth’s needs. For instance, community representatives discussed how youth in conflict with the law are able to access resources through the program and are guided through an agreed upon course of action to repair the harm they have caused. The EJM program also diverts youth who have committed an offence from traditional processing, allowing the courts to focus on more serious offences. Based on what was presented in this chapter, some major themes emerged such as role ambiguity, the tension between formal and informal responses, and having a sense of or belonging to the community. RJ’s goals of relational repair and getting to the ‘deeper’ reasons behind harmful actions and their impacts are applied through informal processes that are necessarily flexible given the circumstances of particular cases, and the sociocultural dynamics of the communities cases occur in. Yet RJ is, necessarily, linked to the formal CJS. The interviews in this chapter underscore how much role ambiguity exists for RJ programs, especially new programs such as the CRP. This role ambiguity is produced, I argue, based on the tensions between formal and informal aspects of RJ. They are as much a strength as a challenge to these programs. The value of these interviews is illuminating these tensions and helping produce conversations about them and best ways to proceed. In the following discussion and conclusion chapter I will elaborate on the major themes raised in this thesis, project limitations, and future directions.

Chapter 5: Discussion and Conclusion

In this chapter the focus will be on returning to the research questions to understand the general outcomes of this study. From there, I will discuss why RJ programs are needed in every community in order to address the issue of recidivism rates (reoffending). Then I will shift to discussing the themes of the study, the rural specific challenges volunteers were confronted with, elaborate on some of the challenges and limitations of the current study, and lastly, explore the future of RJ in Canada, including how to improve programs.

Within every society, offenders tend to be marginalized by the legal system and other citizens. Regardless, they deserve a second chance(s) because they are part of our community. If offenders are required to reintegrate back into their communities successfully, it is the duty of everyone in their communities and the legal system to ensure a smooth transition. There are many different factors that have an influence on why someone commits a crime or why they refrain from it, yet by having a ‘tough on crime’ approach, the problems that exist within our society are not resolved but are rather exacerbated as different factors impact them. Social influences as well as personal characteristics can all lead to conditions where crime may seem like the only choice. In addition, over time, we have as a society recognized that punishment cannot be the answer to helping offenders and our communities as a whole. Eventually, the legal system has shifted away from a more punitive legal system to a more restorative justice (RJ) approach (Benson, 2003; Braithwaite, 1998; Greenwood, 2008). RJ aims to restore balance within society by involving all of those who have been hurt in the process of an act (Woolford & Ratner, 2008). Furthermore, RJ focuses on being just and fair while also recognizing that not all offenders respond the same way to a program due to individual differences. Therefore, methods such as EJM and diversionary programs have emerged to provide the kind of healing that offenders also require.

Under the Youth Criminal Justice Act, gatekeepers are encouraged and mandated to divert youth who have broken the law from traditional processing as a way to provide effective responses to often less serious youth crime (Bala, 2002). Diversions are often in the form of different styles of the RJ process and extra judicial measure (EJM) programs. As mentioned in Chapter 1, this thesis set out to explore community members' experiences and challenges with implementing an EJM pilot program in the Atlantic provinces in Canada. A secondary analysis of qualitative interviews with community members was conducted to gain a deeper understanding of the challenges and processes involved in implementing the EJM program, as well as how this type of program is received by the community. While some exceptions exist, the experiences of the different parties participating in RJ or EJM sessions remain understudied, particularly those related to supporting parties and community members (Kenney & Clairmont, 2009; Presser & Hamilton, 2006; Rossner, 2011).

Specifically, within Canada, studies that are geared towards exploring the attitudes and experiences of those involved in the programs are still lacking. Therefore, this study emphasized exploring the experiences of community members who were volunteers for an EJM pilot program that was implemented in Canada in 2013. Volunteers' experiences with the EJM Community Referral Program (CRP), including the different factors that inform the implementation of EJM programs and approaches, and the particular challenges germane to rural communities, were explored. The following research questions were posed:

1. Based on volunteer community members' experiences, what are EJM approaches like and how are its processes experienced in general?
2. Based on volunteer community members' experiences, what are some of the challenges around implementing a new EJM program, especially in rural communities?

Community members include ‘core’ committee members for the program as well as community leaders who are predominantly Indigenous and represent their Indigenous communities. Throughout Chapter 4, these participants discuss their experiences with the program and the challenges they had personally, as well as the challenges the organization had in implementing the new pilot CRP. The first research question examines what some of the experiences of community members were like with the general processes and steps of the new pilot program. This involved understanding how the volunteers were having difficulties with knowing who is on what committee, what some of their responsibilities were (often raising the theme of role ambiguity), who to contact if there were any issues, how many times they should try contacting youth if they are not reachable, the need for a policy manual, delivering immediate consequences, deciding on the length of the process (30-45 days), centralization of information, and how to increase reporting. The second question examined the challenges with implementing the program, such as having limited training, issues with communication between volunteers, youth having no fixed addresses and expired phone numbers, and developing supportive (anonymous) reporting as a way of addressing underreporting of crime due to stigma in small communities where so many residents know each other personally. These are some of the obstacles community volunteers had to overcome while implementing the CRP.

Key Themes and Challenges Specific to Rural Communities in Atlantic Canada

This section is divided into two parts. First, I will review some of the major themes that were discussed by participants throughout Chapters 4. A prominent theme discussed is the relationship between limited rural community resources and effective program implementation. Another theme focuses on finding the right balance between formal and informal approaches and the existing

tensions between the two different approaches throughout the EJM process. Related to this is the theme of role conflict, specifically, role ambiguity, which is raised consistently by participants. The second part of this section will focus on the rural specific challenges that participants were confronted with and had to find different solutions to overcome. In other words, these are particular challenges facing the volunteers of the CRP in the Atlantic provinces, which they were confronted with throughout the implementation process of the CRP.

Restorative approaches often wrestle with finding a balance between formal systems of response to crime and informal processes designed to both detect and better respond to conflict and harm. As mentioned earlier, under the Youth Criminal Justice Act, it is both encouraged and mandated that youth are diverted from traditional processing to diversionary programs (Endres, 2004). Diversionary programs like the CRP are intended to more informally respond to conflict and harm that youth in the community are dealing with. However, the EJM programs are still a formal response in the sense that they are at the discretion of police officers and used as an alternative – but geared to complement or run parallel to the formal system – to laying charges to divert youth, especially those involved in minor offences (Endres, 2004; Shapland, 2016; Shapland et al., 2011; Tomporowski et al., 2011; Wilson et al., 2018; Woolford & Ratner, 2008). Through an agreed upon contract for the course of action, community volunteers help the youth throughout the steps of the program to ensure they repair the harm they have caused. This process ensures the youth are still held accountable for their behaviour through informal processes (external to the courts).

This leads to discussing another major theme, which is the need for finding a balance between formal and informal processes, which are at times in competition with each other in terms of which method is effective at what point. Participant reflections suggest how there is often a need

for some kind of formality throughout an informal process, i.e., when circumstances get too informal, community members are unsure of how to proceed. As mentioned in Chapter 2, it is often very difficult to reject the inclusion of some of the formal aspects of the process (Woolford & Ratner, 2008). For example, participants discuss how, even though the EJM program is an informal external response to the courts, they express a desire to be better informed about the EJM processes and procedures. This includes having appropriate pamphlets for parents and youth, so they are aware of what they are agreeing to commit to. On the other hand, the formal aspect can refer not only to the process of the courts but in the program it commonly refers to the eight steps that were discussed in Chapter 4 (section I), knowing the progress of the case, knowing who to contact, having a centralized office for keeping cases, and deciding if a youth's case is considered a compliance or non-compliance case before it is sent back to the RCMP division. These formal aspects frequently came into friction with the flexible array of options community members had to respond to youth in the program.

Focusing more on some of the discussions around the informality of the process, a few points are highlighted throughout Chapter 4. Beginning with the process of referrals, volunteers discuss how there is often some level of confusion around the next steps. For example, participant D mentioned that she has no idea what to do if she is unable to reach a youth. This includes being unsure about how long she should wait before making contact again, how many times she should try contacting the youth, or what to do in cases where the youth is unreachable. Volunteers suggest this issue may be addressed by adding a communication clause to the form (an element of formality). There are also discussions around using Facebook as a method of contacting youth, which has its own challenges as well. Other volunteers discuss boundaries regarding if it is acceptable to communicate informally with youth and their parents about their case, e.g., if they

see them outside of the designated time and place. Moreover, there are uncertainties around who is on what committee, which means volunteers are often not sure who to contact if there are any issues or challenges. As a result, some participants, like participant K, suggest that having a policy manual would be useful since it could provide guidance on some general situations while recognizing that each case is unique.

In addition, supportive reporting was another informal initiative of the CRP that was discussed in the results chapter. Supportive reporting is a proactive initiative that is perhaps different than what is usually funded by the RCMP. As noted in Chapter 4, the supportive reporting initiative did not last long due to a lack of funding, but this could be partly due to its informal aspects that made it difficult to categorize and justify ongoing resources. Overall, this could have been a potentially beneficial resource to have in the community, not only for reporting crime, which RCMP officers can address, but also to provide some general indications of the type of problems community members are confronted with, which they may not necessarily be comfortable walking into a police station to report. All of these points highlight how, perhaps, when the process is too informal, there are certain challenges that are inevitable and almost expected. Therefore, the formal-informal discussion is similar to a seesaw where formality is on one side and informality is on the other, and the goal is to find the right balance between the two in each step of the process.

Throughout Chapter 4, various excerpts point to the need for more formal approaches. For example, participants discussed how they need more training on the parameters and steps of the EJM process. Others, like participants P2, C, and J, discuss the need for more culturally sensitive training since the majority of the residents are of Indigenous background, and training is argued to be needed for more effective community outreach and response. In addition, other participants

reflect on how certain steps of the process must be kept track of and documented. For example, there are discussions around the centralization of information at the core committee's office, keeping track of records, and case management. Besides keeping track of cases and knowing how much detail should be included in reports, participants also highlight how certain parts of the process need fine tuning. For example, the project leader (R) reminds participants that delivering consequences immediately is more effective than if there are delays. As pointed out in Chapter 4, if there are delays in delivering the consequence, the youth may brag to their peers about getting away with the crime, they may even commit another crime, or they may lose interest in completing the EJM program. This point also relates to making sure the program is completed within a suitable amount of time, usually between 30 and 45 days.

Another major theme is related to role ambiguity. Volunteers not only highlight that they need more training on their roles and certain aspects of them, but they also point to how they are not even sure what their roles really involve. This is evident by participant K's comment when she mentions she "just really [wants to] know what [her] role is and how far [she can] go and what [she] can or can't do." As mentioned earlier, participants are not sure of some of their own responsibilities. For example, when it comes to delivering the consequence, one participant mentions they are not sure who needs to ensure the process is completed – is it the victim or the parent of the youth? However, volunteers are reminded by the project leader (R) that parents and victims can participate in the process, but it is the committee members' job to make sure the process is completed. The theme of role ambiguity is not only discussed in terms of individual responsibilities but also discussed in terms of knowing who is on what committee and who is responsible for what step of the process. Overall, these three themes are also key opportunities for

future programs to address and be aware of, including if the CRP is to be implemented permanently in the future in the Atlantic provinces.

The second part of this section focuses on the particular challenges of implementing the EJM program in rural regions. Based on committee members' perceptions these challenges include the general lack of resources, recreational facilities, family and social services, and activities that youth can choose from for after school activities. This is one major problem within the rural communities of the Atlantic provinces, which is also raised in the existing literature as an ongoing issue (see Parker et al., 2012). In addition, participants also discuss how, within these rural communities, there are no specific house addresses; rather, addresses are based on descriptions of the surrounding areas where the house is located. These rural-specific challenges make it extremely difficult for volunteers to contact and communicate with youth and their parents. As the project leader mentions, if there is awareness around some of the existing challenges, perhaps it also allows government officials to recognize what resources are missing and needed, how to allocate certain resources, the type of training required for service providers, and work with communities to address some of the challenges they are facing. Overall, the CRP is seen as an effective way of deterring and diverting youth away from criminal activities, but the challenges summarized above, especially those related to the formal-informal tensions of the program and its implementation in rural communities, offer significant knowledge going forward in terms of program improvement and implementation. There are, of course, limitations with the data set I examined, and challenges I faced during data analysis, which I turn to next.

The Challenges and Limitations of the Current Study

As mentioned in Chapter 3 (methodology), I used secondary data analysis of existing interviews conducted with community members who were involved in the CRP in the Atlantic provinces in Canada. The secondary data was to a certain extent in line with the original research questions that I had, but as the process of analyzing and writing began, the research questions for this thesis began to adapt to represent the existing data. As a result, using and having access to secondary data had its own challenges, limitations, and advantages, which is what will be discussed in this section.

When any research project is undertaken, a specific set of research questions are developed to guide the collection of information, how sampling will proceed, and how choices are made regarding which information should be collected. Moreover, there are choices made about who to interview, what type of questions to ask, the design of the study, the instrument, and differences in operationalization and measurements of concepts. However, these choices have already been made for researchers who are working with secondary data sets (Hox & Boeije, 2005). These different decisions can impact the data in various ways, which is a limitation of using secondary data. This was a limitation of this study because I had hoped to also include data on youth's personal experiences with the program, and initially envisioned data that would more directly reflect the processes, from community members' perspectives, of running conference circles and other forms of victim-offender mediation.

However, the knowledge produced from community members, as outlined above, provided valuable insights regarding program implementation. Also an advantage of using the secondary data was that although the transcription of all the data was made available to me, I had the chance to analyze it myself using NVivo for the thematic analysis portion of the research. Other advantages of using secondary data are that it is time and cost-saving. By using a secondary data set, I was able to at the very least save a significant amount of time related to the completion of an

ethics application, participant recruitment, conducting the interviews, and gathering the data before beginning the process of analyzing the data. As a result, other than agreeing to and signing the confidentiality notice, since I was not directly interviewing anyone, I did not have to proceed with an ethics application, which is often a time-consuming but very crucial step in the process of conducting research that involves humans (or animals). Overall, while using secondary data can have drawbacks – some of which are discussed below – the data in this case was appropriate for the research questions.

There were also challenges and limitations with using secondary data. Originally, the intention of this thesis was to focus on the dynamics of RJ from the perspectives of youth, their parents, and anyone who is involved throughout the process, such as police officers, case managers, social workers, etc. However, by using the secondary data, I was limited to the perspective of community representatives who were involved in the CRP. This meant that the perspective of youth, their parents, and other supporters were sidelined as the secondary data only focused on the perspective of volunteers in the program. Another limitation was that I had no control over the quality of the data or the biases that typically arise in any given research. Biases in research are often challenging to address. Accessing secondary data means the information was collected by someone other than myself, and since there is typically bias in the data in favour of the person who originally collected the information, it may not necessarily cover the requirements or align with the original intended research questions I had planned to explore. Although this was true to a certain extent for my research, once I analyzed the data, it mostly aligned well with the research questions with the need for some minor changes. In general, having access to the secondary data set gave me an opportunity to fill in some of the gaps that exist in the literature in

understanding what volunteers' experiences and perceptions are in terms of implementing an EJM pilot program, specifically in the Atlantic communities.

Recommendations for the Future of RJ in Canada

First and foremost, the legal system of any country is continuously evolving, and it is important to recognize that since a process or a program may be effective now, it might not be so over time. Throughout this thesis, I have discussed how society has shifted away from more punitive measures for offenders toward reintegrative approaches that allow offenders to more smoothly transition back into their communities. Focusing specifically on youth, there are often diversionary programs and approaches which are implemented in parallel to the traditional process to divert youth from the courts, especially for less serious or minor offences. The future of restorative justice (RJ) and extra judicial measures (EJM) and their benefits, however, does not stop at addressing only the needs of offenders. For example, Adorjan et al. (2019) provide evidence for how effective RJ responses can be in terms of how schools respond to cyberbullying. RJ practices are led by school leaders who “facilitate settlements that are not imposed, that are voluntary, and that acknowledge responsibility” (Adorjan et al., 2019: 345). Such approaches allow the person who has caused harm to accept responsibility for their actions and participate in various practices such as conference circles, which resolve conflict by including the voices of both the victim(s) and the person(s) who has caused harm (Adorjan et al., 2019). Although RJ practice can take a variety of forms, the goal is to prevent transgression, resolve the conflict respectfully based on “processes of rationality,” and in cases where the harm is more severe, involve parents and professionals who can provide further support throughout the process of reparation (Adorjan et al., 2019).

In addition, based on the results of this study, even though there are provincial differences in the implementation of RJ and EJM programs, similar programs are not only necessary but should be a mandatory part of addressing youth crime. By using RJ approaches, communities can begin to take preventative rather than reactive measures to ensure youth who have come into contact with the law do not become repeat offenders. The programs also allow community members, including parents, policymakers, and service providers to understand and acknowledge some of the ongoing issues that youth are dealing with in their communities. It is also a chance for government officials and agencies to provide more funding for the communities that require program and service development.

Furthermore, one of the focuses of the Youth Criminal Justice Act (YCJA) is diverting youth away from the courts, allowing the courts to focus on more serious crimes. One participant of the CRP program suggests in passing that programs similar to the ones implemented for youth can also be useful for helping adults who have committed minor offences or are first-time offenders. I believe adult programs for non-serious crimes can be useful and effective, especially for individuals who are first time offenders or have committed a minor offence.

Considering the CRP was a pilot program that was only implemented in the Atlantic provinces from 2013 to 2018, there is a valuable amount of evidence that indicates the need for permanent programs and social services. As a result, within Canada, especially within the Atlantic provinces, we need to strengthen the government's response to youth crime by improving the implementation of and accessibility to programs. Some ways communities and government officials can remove barriers and increase access across the criminal justice system (CJS) is to ensure agencies, policymakers, and service providers actively 'buy in' and support RJ programs and approaches. There must also be clear referral pathways and a shared understanding among all

agencies related to the legal system, both directly and indirectly, about the various services and programs available to all parties involved in a crime. Moreover, RJ should be offered at multiple stages of the CJS. Police departments can collaborate with service providers to run RJ awareness days to promote and encourage additional referrals. Lastly, having the resources available and accessible to members of the community is crucial, but it is also key to addressing the growing concern around training for service providers. RJ within the Canadian legal system is not a new process, especially in response to youth crime, though it is evident that provinces have variably ‘rolled out’ YCJA diversionary initiatives such as EJM and this process is ongoing. One of the challenges is how to strike the right balance between informal processes that are best attuned to individual circumstances of a crime or harm and the formal linkages arguably necessary to ensure cases are managed by the courts. This may also help ensure roles are clearly conveyed and the boundaries of those roles understood by community members and others involved.

Overall RJ is recognized as an approach for addressing the needs of the offender(s), the victim(s), and the community using more effective and timely responses (Bala, 2002; Carrington & Schulenberg, 2008). Future research should also focus on understanding the dynamics of RJ sessions, including the perspectives of youth who are in the diversionary programs, police officers, parents, social workers, and psychologists, among other supporters. From the existing body of literature, we have begun to understand the benefits of RJ programs, but more research needs to be done in Canada on what these RJ sessions look like and what typically happens when the victim(s), offender(s), and their family and friends are confronted with one another.

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Appendix

A. Demographic Information Form

<p>What is your gender?</p> <p><input type="checkbox"/> Male</p> <p><input type="checkbox"/> Female</p> <p><input type="checkbox"/> Other (please specify)</p> <p><input type="checkbox"/> Prefer not to disclose</p>	<p>Age: what is your age?</p> <table border="0"> <tr> <td><input type="checkbox"/> 0-18</td> <td><input type="checkbox"/> 45-54</td> </tr> <tr> <td><input type="checkbox"/> 19-24</td> <td><input type="checkbox"/> 55-64</td> </tr> <tr> <td><input type="checkbox"/> 25-34</td> <td><input type="checkbox"/> 65-74</td> </tr> <tr> <td><input type="checkbox"/> 35-44</td> <td><input type="checkbox"/> 75+</td> </tr> </table>		<input type="checkbox"/> 0-18	<input type="checkbox"/> 45-54	<input type="checkbox"/> 19-24	<input type="checkbox"/> 55-64	<input type="checkbox"/> 25-34	<input type="checkbox"/> 65-74	<input type="checkbox"/> 35-44	<input type="checkbox"/> 75+
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<p>Please specify your ethnicity/race:</p> <p><input type="checkbox"/> White</p> <p><input type="checkbox"/> Innu</p> <p><input type="checkbox"/> Inuit</p> <p><input type="checkbox"/> Metis</p> <p><input type="checkbox"/> Black</p> <p><input type="checkbox"/> Asian</p> <p><input type="checkbox"/> Other</p>	<p>Education: What is the highest degree or level of school you have completed?</p> <p><input type="checkbox"/> Some high school</p> <p><input type="checkbox"/> High school diploma</p> <p><input type="checkbox"/> Some college</p> <p><input type="checkbox"/> Trade/technical/vocational training</p> <p><input type="checkbox"/> University/College graduate</p> <p><input type="checkbox"/> Some post graduate work</p> <p><input type="checkbox"/> Post graduate degree</p>									
<p>Marital status?</p> <p><input type="checkbox"/> Single</p> <p><input type="checkbox"/> Divorced</p> <p><input type="checkbox"/> Married</p> <p><input type="checkbox"/> Remarried</p> <p><input type="checkbox"/> Common Law</p> <p><input type="checkbox"/> Other</p>	<p>Employment Status: Are you currently...</p> <p>A. Employed Part Time</p> <p>B. Employed Full Time</p> <p>C. Unemployed</p> <p>D. Retired</p>									
<p>Primary Language Spoken:</p> <p>Which town do you live in?</p> <p>How long have you lived here?</p>	<p>Do you have children? If so how many?</p> <table border="0"> <tr> <td><input type="checkbox"/> No children</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> +6</td> </tr> <tr> <td><input type="checkbox"/> 3</td> <td></td> </tr> </table>		<input type="checkbox"/> No children	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 5	<input type="checkbox"/> 2	<input type="checkbox"/> +6	<input type="checkbox"/> 3	
<input type="checkbox"/> No children	<input type="checkbox"/> 4									
<input type="checkbox"/> 1	<input type="checkbox"/> 5									
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B. Predetermined Interview Questions

Questions that are most directly related to understanding volunteers' perceptions, experiences, and challenges with the CRP are differentiated by an asterisk ().

1. How many years have you lived in Newfoundland or Labrador? _____*
2. Do you interact with youth regularly? (probe for frequency, at work and personal life)
3. What is the nature of such interactions?
4. What about troubled youth or youth in conflict with the law?
5. What types of crime or problem behaviors do you feel youth in your community engage in most frequently? (e.g., underage drinking, prescription drug use, other drug use, vandalism, theft, bullying, online stuff, physical assault, impaired driving, racism, homophobia, sexism).

In Canada, youth are defined in the Youth Criminal Justice Act (2003) as individuals under the age of 17.

6. Do you think youth crime/behaviours are a problem in your community? Why and how so?*
7. What do you think the youth need in your community?*
8. What do you feel is the role of the community in regard to youth? Do you feel the community puts efforts toward working with you? *
9. Are you familiar with any resources available in your area which address youth?*
10. If so, in terms of programmes and services currently offered for youth, what do you find especially effective?*
11. For the same programmes, is there anything that can be improved upon?*

12. What are some particular challenges youth face in avoiding getting into trouble today?
(if silent, follow up with suggestions: other friends, school, parents, the internet?)
13. How do you feel about the quality of youth interactions with police in your community?
14. Do you think police are either lenient or harsh when dealing with youth?
15. What do you think should be done on the part of police to prevent youth from coming into contact with the law?
16. Can the police do anything to improve how they deal with young people?
17. Do you feel youth in your community show respect for the police?
18. Do you feel youth are held accountable for their behaviours?*
19. Do you feel that there are few youths in the community who cause most of the problems?
 - If so, what do you think should be done about this?*
20. When dealing with youth who have commit minor crimes, do you think police should give informal warnings?*
21. Do you feel the youth in your community are able to get help for their problems? *
22. What is your relationship with the local police?
23. Have any of your children been involved in a police incident? (If yes, do you feel the police officer(s) handled the situation well? If no, describe why not?)
24. Can you describe in what capacity you encountered the police?
 - What reasons did you give for [trusting/distrusting] police?
 - Have you had any negative experiences dealing with police?
25. In your view, who has the primary responsibility for dealing with youth who are at risk in the community (ask directly: police; parents of the youth; others in the community)

26. Do you feel satisfied with the police in your community? Why or why not? Do you trust the police?
27. Would you feel comfortable calling the police if you were witness to a crime in the community?
28. Would you comply with the requests of a police officer if asked? Under what conditions?
29. Why are you interested in working with the police to serve my community when it comes to youth?
30. Do you feel safe in your community?
31. How important is it that communities become involved in responding to crime and disorder?
32. Do you think police are aware of the culture in your community?*
33. What would you like to see police doing differently in your community?
34. Which police activities do you value in your community?
35. What do you want out of the EJM program here in (ENTER CITY)? *