

CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



Restorative Opportunities Victim-Offender Mediation Services

2017-2018

Correctional Results for Face-to-Face Meetings

Background

The Correctional Service of Canada's (CSC) Restorative Justice (RJ) Unit provides a safe and constructive process whereby victim(s) and offender(s) can communicate with each other and address the harms caused by serious crime. This is achieved across Canada through the Restorative Opportunities (RO) program.

Initially, the vast majority of requests were generated from institutional staff who identified potentially appropriate offenders for participation. In recent years, however, there has been a significant rise among referrals received from victims for this service.

Victim-offender mediation (VOM) is a restorative process important in addressing the needs of all participants, contributing to public safety and the prevention of future crime. RO is a CSC funded initiative with a focus on safely reintegrating offenders into society by ensuring that they understand the human costs inflicted by their crime, address the harms, and repair some of the damage, as agreed upon by both the victim and offender. It is a critical step towards providing helpful opportunities for victims by having their questions and needs responded to by those directly involved.

All requests for service are carefully assessed to determine the appropriateness of the intervention and the readiness of the participants to proceed with communication. Some of these requests are screened out if the other party is inaccessible, unwilling to participate or if either party's motivation is deemed inappropriate for the program. Others are managed using indirect communication – shuttle communication and/or letter/videotape exchanges. Finally, some are delayed to allow for further preparation.

This report provides information about the requests for VOM services, the services delivered through the RO program and the correctional results of 257 offenders who completed a face-to-face VOM meeting from 1992 to March 31, 2018. An analysis of the data provided, in correlation with data extracted from the Offender Management System (OMS), was used to verify offender status and offence history post-VOM.

A 1995 qualitative evaluation demonstrated high levels of satisfaction for both victims and offenders. For victims, they reported having greater control over their safety and their lives, and that the process offered them a measure of closure. For offenders, in addition to personal growth, they reported having a greater commitment to addressing their criminogenic needs. Staff interviewed confirmed a higher commitment on the part of those offenders to participate actively in their correctional plan.

In addition, Rugge (2006) examined the effects on participant's physical and psychological health. Both victims and offenders exhibited positive changes over the course of the program in relation to the pre-post Physical Health Checklist and to the pre-post Psychological Health Checklist. There was a significant positive difference between participants who experienced a victim-offender meeting and those who did not.

Victim and offender participants of the RO program have also provided feedback on their experience participating in the program to the RJ Unit. Overall, participants show great satisfaction, finding strong support from the RO mediators, who are praised for their level of professionalism, honesty, and dedication. Victims expressed their expectations being met and, in some cases, surpassed. Many offenders expressed an increased level of empathy toward the victim and appreciation for the compassion the mediators provided them.

In May 2013, a [Preliminary Analysis of the Impact of the Restorative Opportunities Program](#) was conducted by CSC's Research Branch. The preliminary examination indicated that the program shows promise in reducing recidivism. The trend suggested that after one year of release, offenders involved in a face-to-face had fewer returns to custody despite lower reintegration potential and motivation ratings.

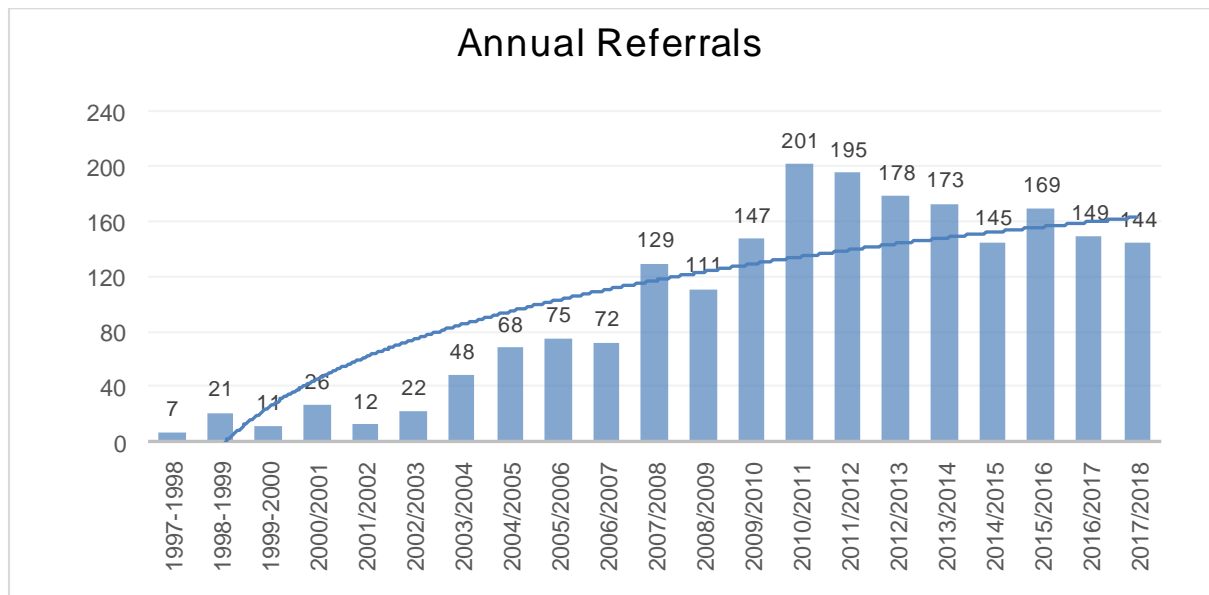
Following the Preliminary Analysis the Research Branch conducted an [Analysis of the Impact of the Restorative Opportunities Program on Rates of Revocation](#). The findings from the study provide support for RO program participation, particularly when meetings were offered in the community. The results also suggested that taking part in RO while in the institutions may reduce revocation rates over time.

REFERRAL STATISTICS

Annual Referrals 1998-2018

Since 1992, the RO program has received referrals from victims, both directly and indirectly from victim representatives, and from offenders. Federal offenders serving a sentence under the jurisdiction of the CSC and who have taken responsibility for their actions may express their interest to participate in the RO program to a CSC staff person. For the purposes of this report, these are represented as institutional referrals.

Although CSC's VOM services have been available since 1992, this graph includes referrals received since 1998. From 1992-1997, program data collection on incoming referrals was not standardized and requests for VOM services were not recorded.



In the last five years, the average amount of referrals has been 156. The total number of referrals received during fiscal year 2010/2011 remains the largest number of referrals received since the beginning of the RO Program. Limited amounts of RO program outreach and presentations were completed in-person from 2007/2008 to 2010/2011 and were effective in referral increases; while the years where the Restorative Justice Unit was unable to deliver any in-person presentations shows the opposite. The slight increase in 2015/2016 may be due to communications about the coming into force of the Canadian Victims Bill of Rights, which provides victims with a right to information about restorative justice programs.

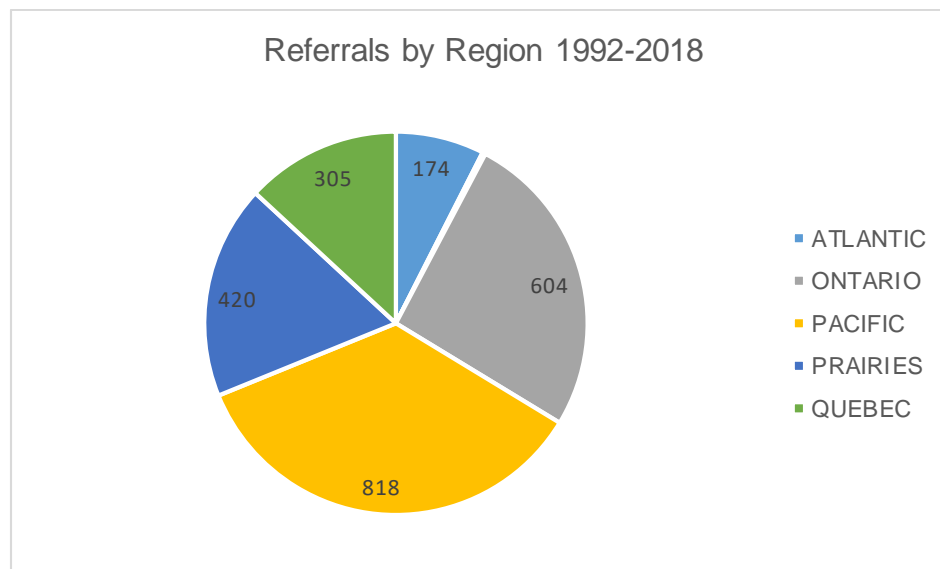
Referral Origin 1992-2018

Victim Initiated Referrals	758	33%
Institutional Initiated Referrals	1350	58%
Other / Unknown¹	221	9%
Total	2329	

The number of institutional referrals continues to exceed the number of victim initiated referrals. The Qu ébec Region is the only region to maintain higher victim initiated referrals versus institutional initiated referrals. This difference is likely due to the collaboration the Quebec region maintains between victim serving organizations, social services, and the criminal justice system. Pacific has the highest ratio of institutional initiated referrals.

Regional Snapshot 1992-2018

The Pacific Region has provided VOM services for more years than any other of the 4 regions in Canada. For this reason, Pacific has the highest number of cases.

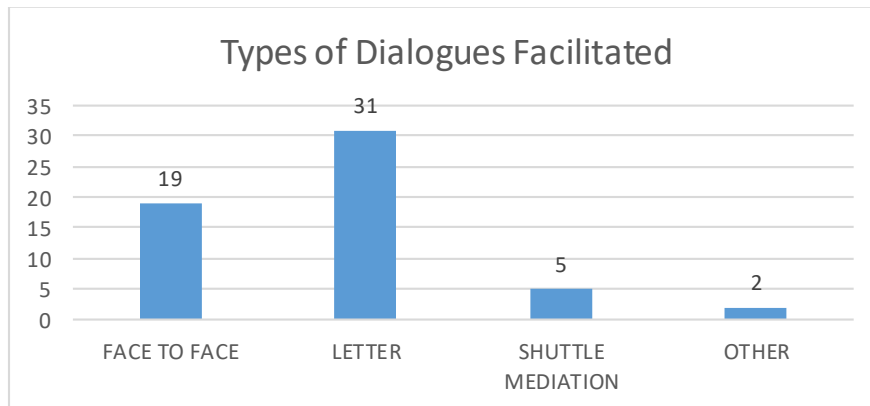


¹ The origin of referral was not recorded during the earlier years of the Victim-Offender Mediation Program (VOMP) which provides VOM services in the Pacific Region, where the program was piloted.

VICTIM-OFFENDER MEDIATION SERVICES FISCAL YEAR 2017-2018

Types of Dialogues Facilitated in Fiscal Year 2017-2018

The RO program provides VOM services that include a number of RJ processes or types of dialogues. The types of dialogue processes used are guided by the needs of the participants. They can meet face-to-face, correspond in writing, have a circle process and exchange video messages. The mediator can also relay messages back and forth between participants (shuttle mediation). During fiscal year 2017-2018, the RO program mediators primarily facilitated letter exchanges and face-to-face dialogues.

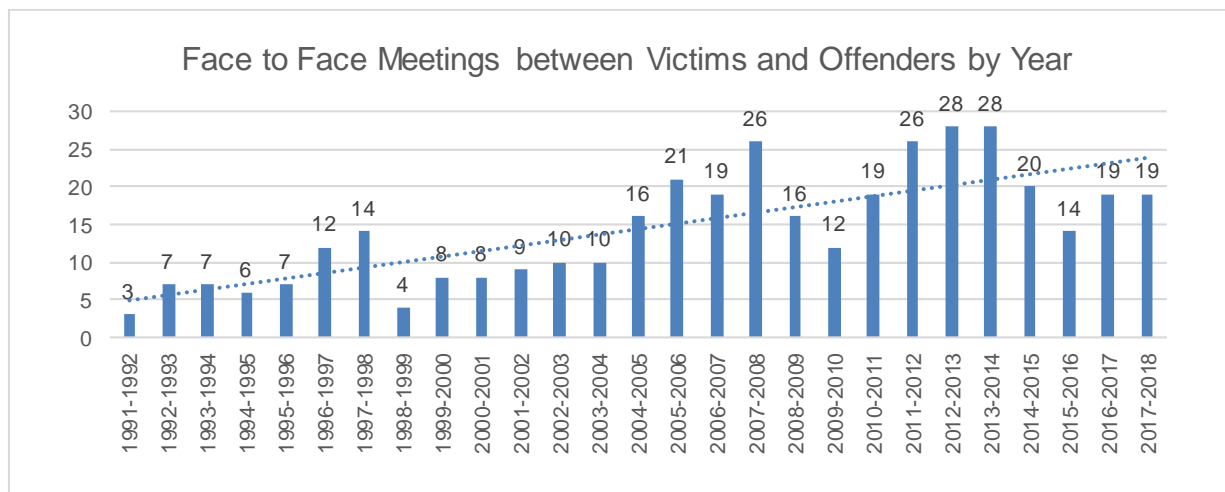


The “other type” of dialogue refers to two face-to-face processes that were completed through videoconference.

FACE-TO-FACE DIALOGUES 1992 to 2018

Face-to-Face Meetings per Year

Between 1992 and March 31st 2017, 257 offenders participated in 417 face-to-face dialogues. The last five years show an average of 20 face-to-face dialogues per year.



Number of Face-to-Face Meetings per Offender

Of the 257 offenders:

1 Meeting	2 Meetings	3 Meetings	4 Meetings	5 Meetings	6 + Meetings
175 (%)	54 (%)	12 (%)	6 (%)	5 (2%)	5 (2%)

OFFENDER PARTICIPANT SNAPSHOT

Age

- The age of offenders who participated in a VOM face-to-face meetings at the time of their offence ranged from 15 to 77, with an average age of 30.
- Their age at the time of their first VOM face-to-face meeting, ranged from 19 to 85, with an average of 41.

The time between offence and VOM face-to-face meeting ranged from 10 months to 44 years, with an average of 11 years.

Gender

- 94% of offender participants were male and 6% were female.
- These ratios are comparable to the general federally-sentenced offender population:

Federal Offender Status	Women	%	Men	%	Total
Incarcerated & on release	1416	6.09	21,822	93.9	23, 238 ²

Indigenous Representation

Sixteen percent (16%) of participants identify as Indigenous. This representation is below the Indigenous representation in the total federally-sentenced and incarcerated offender population of 23%³.

Religious Affiliation

Out of 257 offenders, 187 identified as practicing a religion or holding a spiritual belief. Of the 187, 11 offenders identified as practicing some form of Native Spirituality. The remaining offenders either did not identify practicing religion or indicated that they are Atheist.

² Source: CRS-M 2018-05-27

³ Source: CRS-M 2018-05-27

Risk/Needs

For those rated at the time of intake, the majority of offender participants were rated as high risk and moderate needs.

Risk

53% high risk
37% moderate risk
10% low risk

Needs

41% high needs
47% moderate needs
12% low needs

INDEX OFFENCES

Offence Type

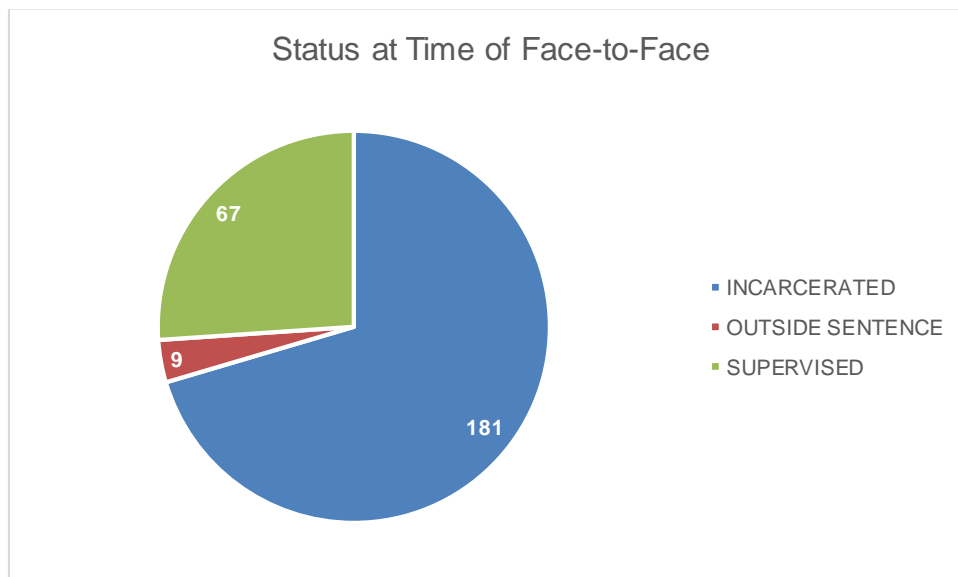
Offences for which a VOM face-to-face meeting was sought:

- 51% murder, manslaughter or attempted murder
- 27% sexual offences
- 7% robberies or break and enter
- 6% driving offences causing death or bodily harm
- 4% assaults
- 3% death by criminal negligence
- 1% kidnapping and forcible confinement
- 1% threat and criminal harassment

This is comparative to the percentages representing the types of offences for which victims register with CSC; particularly with respect to the first two offence types represented above.

CONDITIONAL RELEASE SUCCESS STATISTICS

Participant Status at Time of Face-to-Face



Current Participant Offender Status

Of the 257 offenders, 76 are presently incarcerated, 166 offenders have either reached warrant expiry or are on release, 8 are deceased and 4 offenders were deported.

Sentence Completed	Incarcerated	Supervised	Deceased	Deported
115 (45%)	76 (30%)	54 (20%)	8 (3%)	4 (2%)

Reoffending Following VOM Face-to-Face

Recidivism

Of the 195 offenders who were either on release when they participated in a VOM face-to-face meeting or who were subsequently released:

- 97% had not re-offended within 1 year of their face-to-face meeting.
- 89% had not re-offended within 5 years of their face-to-face meeting.
- By year 10, 88% had not re-offended.

Offences Committed Post-VOM

Of the 257 offenders involved in face-to-face meetings (this includes all offenders since 1992 who were on release at the time of their face-to-face meeting, subsequently released, and incarcerated at the time of this report):

- 231 offenders (90%) have not committed a new offence
- 26 offenders (10%) have committed a new offence

Type of Offences Committed Post-VOM

Of the 26 offenders who committed a new offence post-VOM:

- 7 charged with Robbery as their major offence;
- 2 charged with Sexual Assault as their major offence;
- 6 charged with Assault;
- 2 charged with criminal harassment;
- 2 charged with B&E
- 1 charged with theft of a credit card
- 1 charged with possession of substance for trafficking;
- 1 charged under a provincial statute;
- 1 charged with possession of restricted firearm;
- 1 charged with breach of long term supervision
- 1 charged with kidnapping
- 1 charged with indecent act with intent to insult

Note that 18 (69%) of new charges are for lesser offences than those for which mediation was sought.