

CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



Restorative Opportunities Victim-Offender Mediation Services

2019-2020

Correctional Results for Face-to-Face Meetings

Background

The Correctional Service of Canada provides a safe and constructive victim-offender mediation (VOM) program, known as the Restorative Opportunities (RO), whereby victim(s) and offender(s) can communicate with each other and address the harms caused by serious crime. The RO program strives to meet the needs of all participants and contributes to public safety and the prevention of future crime program.

Since 1991, RO has been 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, such as shuttle communication and/or letter/videotape exchanges. Finally, some are delayed to allow for further preparation.

Methodology

This report is produced annually in order to present the cumulative number of referral statistics from over the years as well as the cumulative results of participating in a face-to-face VOM meeting.

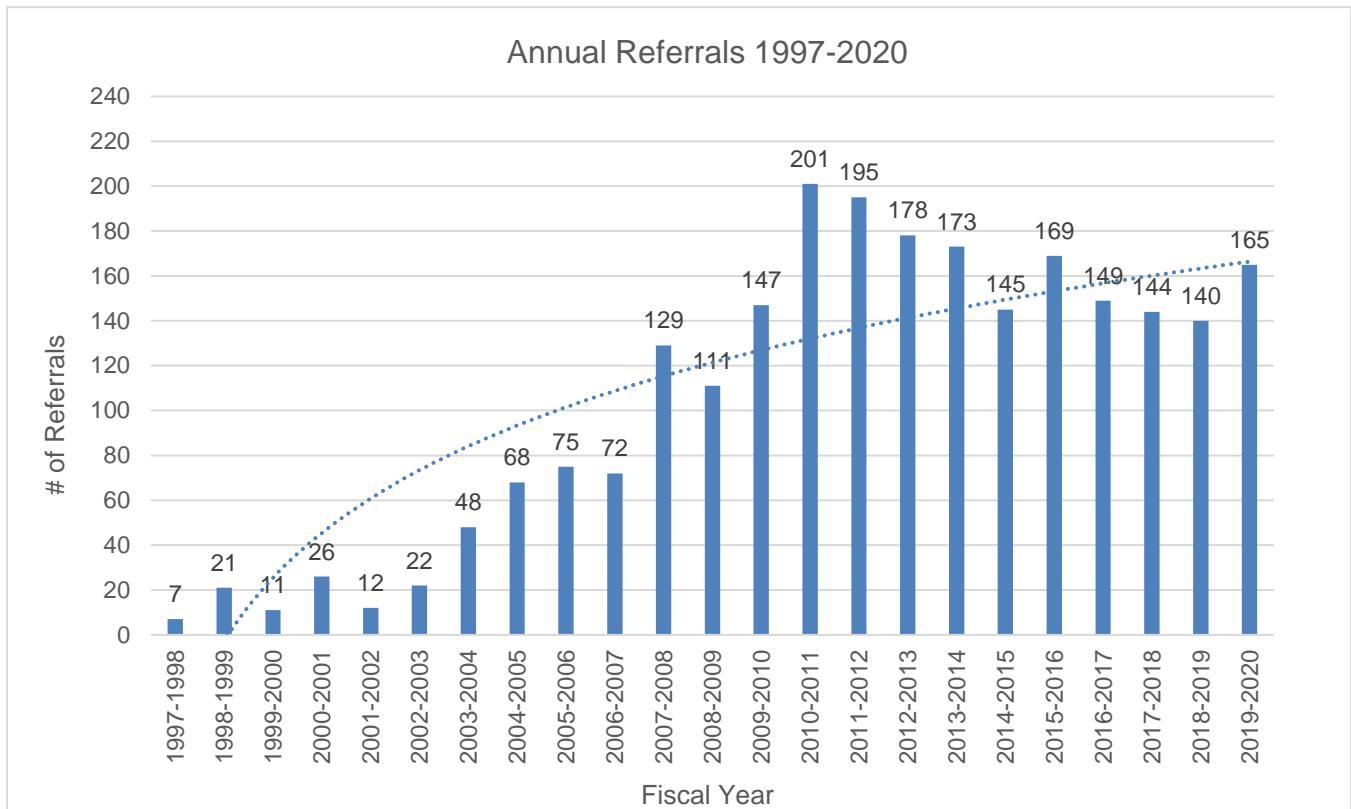
This report provides information about the requests for VOM services; the services delivered through the RO program; and the correctional results of 280 offenders who completed a face-to-face VOM meeting from 1992 to March 31, 2020. An analysis of the data provided, in correlation with data extracted from CSC's Offender Management System (OMS), was used to verify offender status and offence history post-VOM.

For additional background information, see Annex A – evaluations of the Restorative Opportunities program.

REFERRAL STATISTICS

Annual referrals 1998-2020

Since 1992, the RO program has received referrals from victims, victim representatives, and offenders. Although CSC’s VOM services have been available since 1992, this graph only 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 of annual referrals has been 154. 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. 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 CSC’s Restorative Justice Division 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.

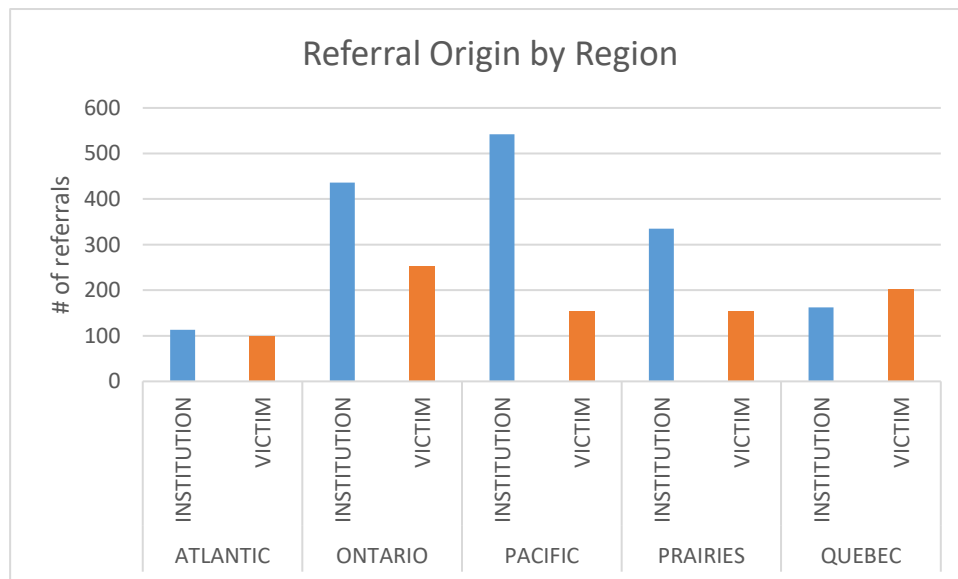
Referral origin 1992-2020

Victim-Initiated Referrals	867	33%
Institutional-Initiated Referrals	1576	60%
Other / Unknown¹	191	7%
Total	2634	

Victim-initiated referrals consist of referrals received from victims registered to receive information from CSC, victim representatives, and non-registered victims. Institutional-initiated referrals consist of referrals from offenders who are currently serving a federal sentence in an institution or the community and have the support of a referral agent (Parole Officer, Chaplain, Psychologist, etc.).

The number of institutional referrals exceeds the number of victim-initiated referrals. The large difference is likely due to more exposure to the Restorative Opportunities (RO) program in institutions through Parole Officers, Chaplains, and community-based restorative justice groups. The RJ Division continues to look towards outreach strategies in order to increase the number of victim-initiated referrals, especially for victims not registered to receive information from CSC.

Referral origin by region 1992-2020

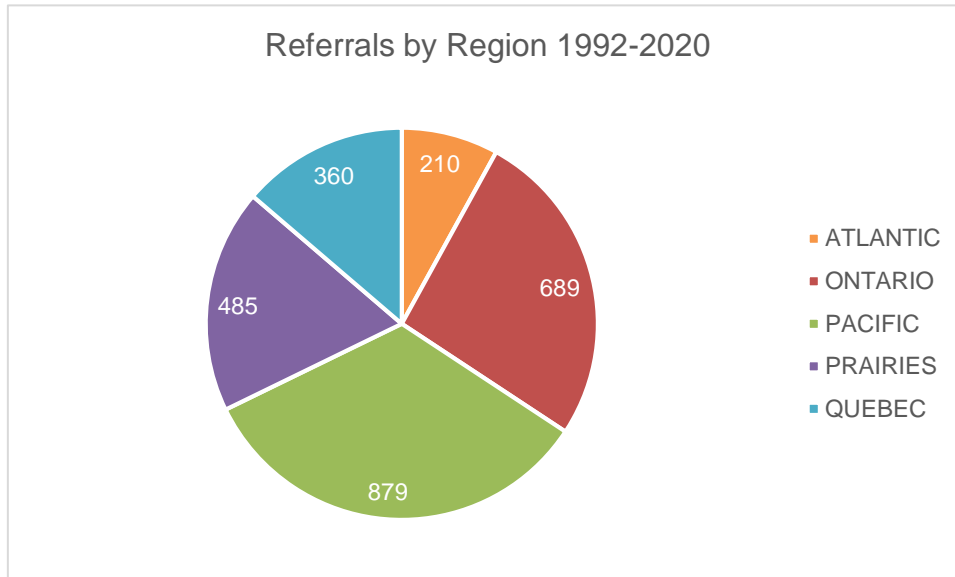


The Quebec Region is the only region to maintain higher victim-initiated referrals versus institutional-initiated referrals. This difference is likely due to the collaboration the Quebec region maintains with victim-serving organizations, social services, and the criminal justice system. Pacific has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

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.

Regional snapshot 1992-2020

The Pacific Region has provided VOM services for more years than any other region in Canada. In 1991, CSC funded a community organization called Community Justice Initiatives (CJI) in Langley, BC to pilot a



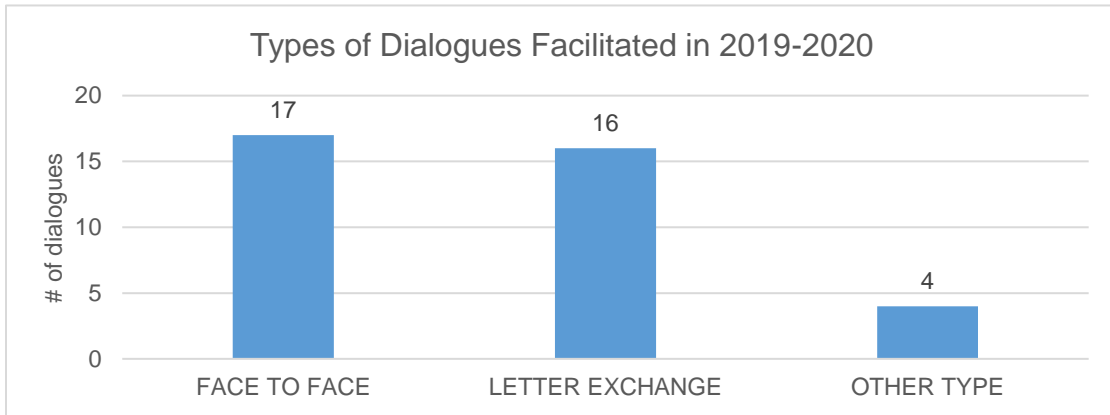
victim-offender mediation program. The RO program officially began to expand services to all regions in 2004. For this reason, Pacific has the highest number of referrals.

VICTIM-OFFENDER MEDIATION SERVICES FISCAL YEAR 2019-2020

Types of dialogues facilitated in fiscal year 2019-2020

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. For example, they can meet face-to-face, correspond in writing, have a circle process and/or exchange video messages. The mediator can also relay messages back and forth between participants (referred to as “shuttle mediation”).

In FY 2019/2020, the types of dialogue consisted of face-to-face, letter exchange, and other type. Other type of facilitated dialogues include teleconference calls and videoconferences instead of in-person meetings.

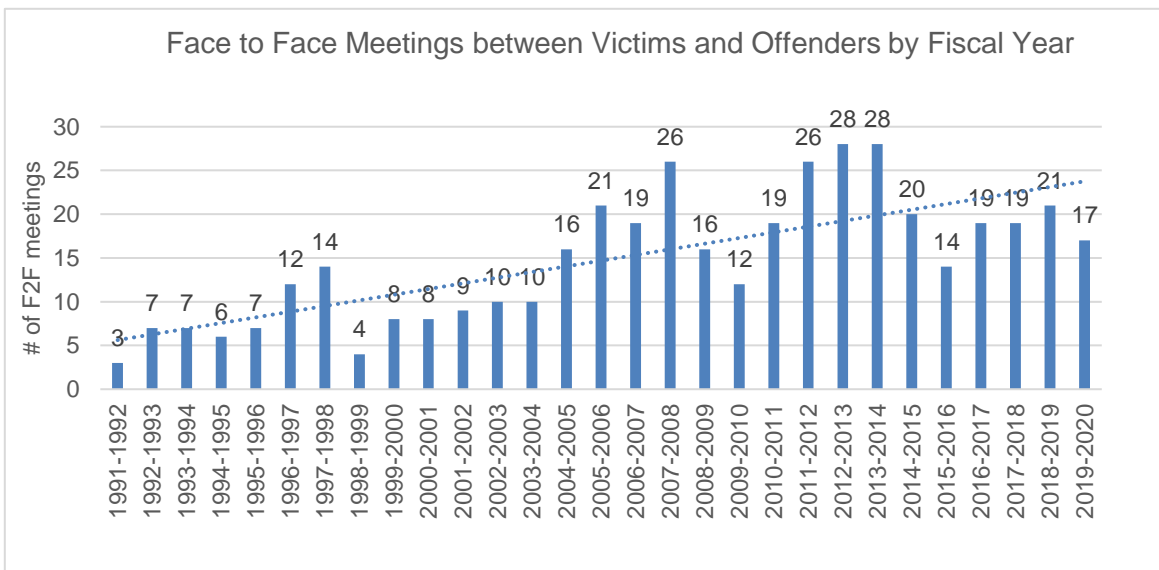


FACE-TO-FACE DIALOGUES 1992 to 2020

Face-to-face meetings per year

Between 1992 and 2020, 280 offenders participated in 455 face-to-face dialogues.

The variance in number of dialogues per year can be due to a multitude of factors. Prior to 2004, the program was being provided mostly from CJI in the Pacific region and was not yet well known. As of FY 2004-2005, there was a significant increase in face-to-face meetings likely due to the program protocols being approved by EXCOM and VOM services being provided nationally. All other variance is likely due to varying numbers of referrals from year to year, readiness of participants, and other uncontrollable factors.



Number of face-to-face meetings per offender

Due to the serious nature of the offences addressed by the RO program, VOM services are flexible and guided by the participants’ needs in order to address the harms caused by the crime. As a participant’s needs may evolve throughout the process, some cases require additional face-to-face meetings. However, to date almost 70% of cases result in one meeting. The following outlines the number of face-to-face meetings of the 280 offender participants who have participated since 1992:

1 Meeting	2 Meetings	3 Meetings	4 Meetings	5 Meetings	6 + Meetings
192 (69%)	56 (20%)	14 (5%)	8 (3%)	4 (1%)	6 (2%)

OFFENDER PARTICIPANT SNAPSHOT

Age

At the time of their offence, the age of the 280 offenders ranged from 15 to 77, with an average age of 38. Their age at the time of their first VOM face-to-face meeting ranged from 19 to 85, with an average of 47. The time between offence and VOM face-to-face meeting ranged from 1 year to 47 years, with an average of 11 years

Gender

Of the 280 offenders, 261 (94%) were male and 18 (6%) were female, and one participant (<1%) identifies as another sex. These ratios are comparable to the general federally-sentenced offender population:

Federal Offender Status	Women	%	Men	%	Total
Incarcerated & on release	1416	6.1	21,682	93.9	23,098 ²

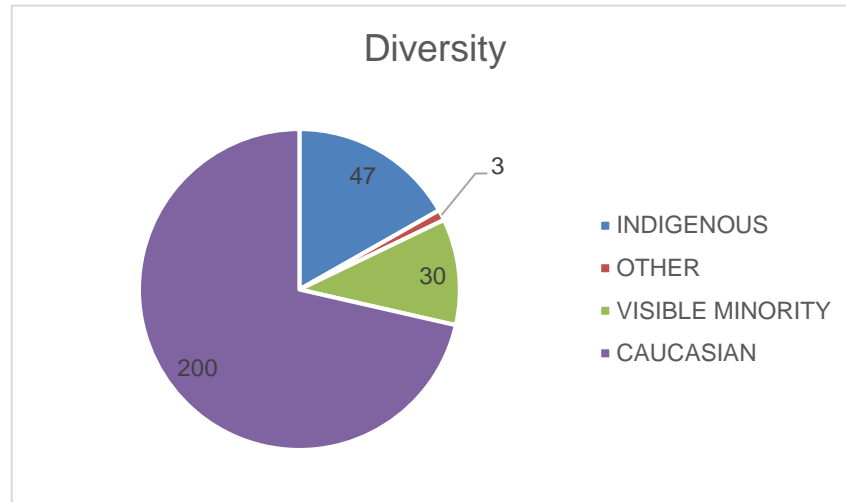
Religious affiliation

Out of 280 offenders who have participated in the face-to-face dialogues, 207 (74%) identified as practicing a religion or holding a spiritual belief. Of those 207, 10 (5%) offenders identified as practicing some form of Indigenous Spirituality. The remaining offenders did not identify practicing religion or indicated that they are Atheist.

² Source: CRS-M 2020-04-12

Diversity

The majority of offenders that participated in a VOM face-to-face identified as Caucasian (71%). Seventeen percent (17%) of participants identified as Indigenous and eleven percent (11%) identified as a visible minority. This representation is below the Indigenous representation in the total federally-sentenced and incarcerated offender population of 25%³.



Risk/Needs

For those assessed at the time of intake, the majority of offender participants were rated as high risk to reoffend and moderate needs for intervention, such as programming.

Risk

52% high risk
36% moderate risk
12% low risk

Needs

40% high needs
45% moderate needs
15% low needs

³ Source: CRS-M 2020-04-12

INDEX OFFENCES

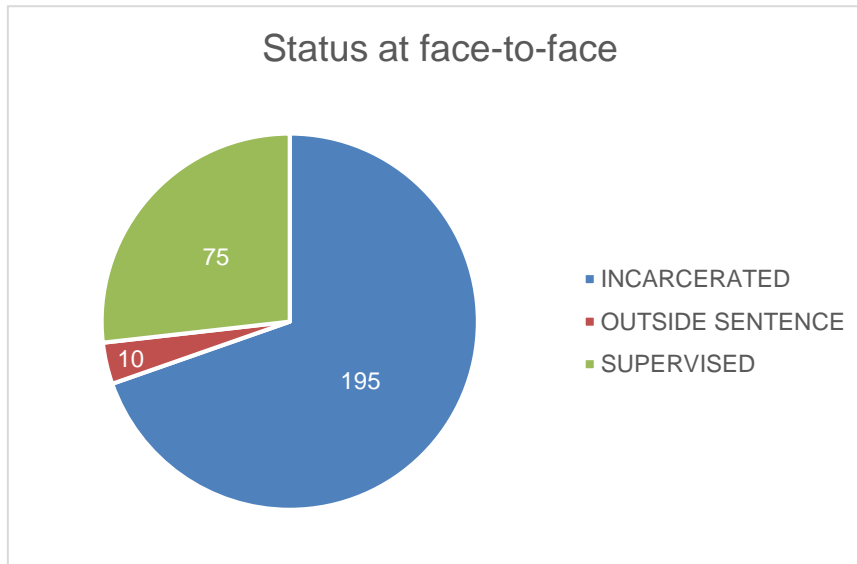
Offence Type

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

- 53% murder, manslaughter or attempted murder
- 25% sexual offences
- 6% 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
- 1% other

CONDITIONAL RELEASE SUCCESS STATISTICS

Participant status at time of face-to-face



Current participant offender status

Of the 280 offenders, 63 are presently incarcerated; 201 offenders have either reached warrant expiry or are on release; 12 are deceased; and 4 offenders were deported.

Sentence Completed	Incarcerated	Supervised	Deceased	Deported
132 (47%)	63 (23%)	69 (25%)	12 (4%)	4 (1%)

RE-OFFENDING FOLLOWING VOM FACE-TO-FACE

Recidivism

Of the 228 offenders who were either on release when they participated in a VOM face-to-face meeting or who were subsequently released:

- 98% had not re-offended within 1 year of their face-to-face meeting.
- 91% had not re-offended within 5 years of their face-to-face meeting.
- 89% had not re-offended by year 10.

The 228 offenders who had participated in a face-to-face meeting were less likely to reoffend than other offenders that finished their sentence between FY 1991/1992 and FY 2019/2020⁴. When comparing re-offending rates after five years, 84% offenders who had not participated in a face-to-face meeting had not re-offended.

There are many factors that may influence an offender's success post-release; therefore, it cannot be concluded that participation in a face-to-face meeting has a causal relationship with success upon release. In addition, the sample size of the comparison group is far greater than the number of offenders who participated in a face-to-face meeting. Nevertheless, those that do participate in a face-to-face process generally do well upon release.

Offences committed post-VOM

Of the 280 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):

- 254 offenders (91%) had not committed a new offence
- 26 offenders (9%) had 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 break and enter
- 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 order
- 1 charged with kidnapping
- 1 charged with indecent act with intent to insult

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

⁴ Source: CRS-M 2020-09-15

Conclusion

For 2019-2020, the RO program has seen a large increase of new referrals for the first time in four years. The number of face-to-face meetings dropped from the previous year; however, this can be attributed to the COVID-19 pandemic and subsequent lockdowns as all face-to-face meetings were delayed in March 2020. In the coming FY 2020-2021, we anticipate a reduction in the number of face-to-face meetings due to the pandemic along with all other types of dialogue. There is a possibility that the number of virtual face-to-face dialogues may increase. We do not anticipate the number of new referrals to drop due to the number of cases that have been referred to the RO program since March 2020.

Annex A: Restorative Opportunities Evaluations

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 Division. Overall, participants show great satisfaction, finding strong support from the RO mediators and highlighting 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.