

Running Head: EXPLORING HEALING

“The Healing Starts There”: Exploring Feelings of Healing through Restorative Justice

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Abstract

While Canada's legal system aims to protect citizens by deterring crime and punishing criminals for their unlawful acts, critics of this system assert that the adversarial model of justice is insufficient for creating harmonious communities (Cooley, 2002). In Canada's recent history, restorative justice programs have responded to criticisms of the criminal justice system, offering an alternative to the retributive model of justice. However, restorative justice programs in Canada and internationally are in a precarious position as they face issues of funding for continuation of services. This study explores the significant impact of restorative justice approaches on participants' feelings of healing and resolution after the event of a serious crime. To approach this issue, we interviewed 8 former participants of the Collaborative Justice Program of Ottawa (CJP). Transcripts were analyzed qualitatively using NVivo 8 software. Findings show that the model of restorative justice employed by the CJP staff had a transformative affect on the healing ability of participants. Interviewees report extremely positive feelings about the CJP and staff and believe that the process was an integral component of forgiveness and closure. Participants stressed their preference of this model to that of the traditional justice system.

Keywords: Restorative Justice, healing, resolution, closure, transformation

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“The Healing Starts There”: Exploring Healing through Restorative Justice

1. Introduction

The Canadian criminal justice system aims to control and prevent crime and maintain justice (Cooley, 2002). While Canada’s legal system may be viewed as protecting citizens and the community, deterring crime, and punishing criminals for the crimes they have committed, critics assert that the adversarial model of justice is insufficient for creating harmonious communities (Cooley, 2002). In Canada’s recent history, restorative justice programs have responded to criticisms of the criminal justice system, offering an alternative to the retributive model of justice. Restorative justice aims to facilitate a sense of healing within its participants and the community (Cooley, 2002).

The Collaborative Justice Program (CJP) in Ottawa applies a restorative approach to cases of serious adult and youth crime. The restorative approach focuses on repairing harm caused by the offense in a manner that holds the offender accountable for his or her actions. All parties directly affected by the crime, including the victim, the offender as well as members of the community, have the opportunity to participate in a process that identifies and addresses the needs of those affected by the offense. In the aftermath of crime, the CJP aims to afford healing to all parties involved through a collective resolution (Collaborative Justice Program, 2006). In an otherwise polarized and adversarial system of justice, the CJP attempts to bridge gaps between the parties affected by the crime. The program provides a vehicle for communication that supports needs of safety and accountability while working through issues of

reparation; CJP effectively creates a venue wherein those affected can regain autonomy and be heard.

The restorative approach employed by the CJP reflects many values that are relevant to social work practice. Restorative justice insists upon maintaining the dignity and worth of all people. This core value, along with its implied recognition of the importance of healthy and respectful human relationships, is closely associated with the social work values (Bradt & Bouverne-De Bie, 2009). The dominant criminal justice system in Canada focuses only on the offender and does not give attention to reinforcing a sense of responsibility in the individual (Gumz & Grant, 2009). Through sentencing, offenders are made to serve long prison terms that strip away the rights of these individuals and contribute to the deterioration of physical and mental health (Cooley, 2002).

This one-dimensional approach does not offer the opportunity for others affected by the crime to achieve a sense of closure, as they are not involved in the process. Since it is the role of social workers to pursue social change with vulnerable and oppressed populations, this issue should be of particular importance to social work practice (Gumz & Grant, 2009). In the case of criminal justice, all parties involved in the crime are made vulnerable and susceptible to oppression through the top-down structure of Canada's criminal justice system. Through collaborative justice programs, all parties affected by the crime have the opportunity to participate in a therapeutic process that holds the offender accountable for her or his actions and allows the victim and the community a voice (Gumz & Grant, 2009).

The following research explores participants' experiences with the Collaborative Justice Program in Ottawa. The research broadly asks: do past participants of the Collaborative Justice Program feel that the collaborative justice process facilitated a sense of healing? Healing, in this case, refers not only to the physical and mental well-being of the participants, but also the participants' ability to move beyond the incident and feel as though justice has been served in a manner that was fair for everyone involved (Consedine, 2003).

Theoretical Framework

This research is framed by theories for anti-oppressive approaches to social work practice, which includes the structural approach, feminist perspectives and Aboriginal theory. Anti-oppressive practice (AOP) emphasizes issues of power and oppression within the provision of social work services themselves, as well as within the lives of clients who have been marginalized (Pollack, 2004). The Collaborative Justice Program closely ascribes to AOP as it empowers all parties to take part in a therapeutic mediation with the assistance of a facilitator. This approach differs from the structure of the retributive model of justice, which is top down, thereby disempowering those affected by crime (Cooley, 2002). In the Canadian court system, convicted offenders are stripped of their rights and placed in institutions that are detrimental their well-being (Cooley, 2002), while the voices of victims and communities go unheard. AOP is closely related to structural social work practice where the structures of society, in this case the criminal justice system, are criticized for oppressing and marginalizing certain populations.

'Giving voice' is a defining characteristic of the feminist standpoint approach which, as previously explained, is also an important aspect of the restorative justice process:

Feminist standpoint theory begins with the idea that less powerful members of society experience a different reality as a consequence of their oppression. Research that is undertaken from this perspective is political in the sense that the research is committed to social action on behalf of oppressed groups (Van Wormer, 2009).

Restorative justice promotes anti-oppressive and feminist practice by encouraging all parties to contribute to the process.

Aboriginal theories and holistic approaches are also vitally important to our interrogation of the CJP; research shows that the origins of the restorative process are rooted in aboriginal practices. Aboriginal practices generally emphasize the importance of community and relationships (Kenny, 2004). Restorative justice allows for the participation of all parties affected by the offense including the community because, as in aboriginal justice practices, the crime is considered to harmful to the community as a whole. The holistic approach also places great importance on 'balance.' The restorative process is thought to restore balance within the participants and to restore balance in the relationships between the participants. This restoration of balance may contribute to the participants' sense of well-being (Kenny, 2004).

2. Review of Literature

Models of Restorative Justice

Restorative justice operates according to four fundamental ideals: personalism, reparation, reintegration and participation (Roche, 2003). Within these ideals,

restorative justice is performed according to various models. Internationally, models of restorative and collaborative justice are generally recognized as falling into four categories: Victim-Offender Mediation (VOM), Peacemaking Circles, Community Conferencing and Surrogate Victim Offender Dialogues (Communities Responding to Human Needs, 2009). All differ slightly, but equally hold the inclusion of both victims and offenders in some dialogue about the offense as a central principle (Umbriet, 2006).

Each model of restorative justice includes the use of a mediator to facilitate the process of engagement between the parties involved (Umbriet, 2006). For the purpose of this study, restorative justice can be defined simply as “a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath [...] and its implications for the future” (Marshall, 1996: 32). The unifying goal of all models is, most generally, to create space for discussing what has occurred between the victim, the offender and the larger community with the overarching goal of facilitating reparation (Communities Responding to Human Needs, 2009).

The VOM model is employed by the Collaborative Justice Program in Ottawa. This approach offers the opportunity for the victim and the offender involved in a crime to meet in a supportive environment with facilitation by a mediator (Communities Responding to Human Needs, 2009). In this process, the victim speaks about the impact of the offense on her or his mental or physical wellbeing. This can occur either through a face-to-face meeting or through verbal or written conversations; in the case of exchanging communication without physically meeting, the mediator acts as the conduit

for exchange of information. Both the victim and offender are given the opportunity to ask questions and discuss apologies and reparative plans (Umbreit, 2006).

The Peacemaking Circle, sometimes referred to as a Healing or Sentencing Circle, is historically rooted in aboriginal traditions. The circles are based on the belief that the whole community is responsible for addressing the events surrounding a crime; as everyone within the community is impacted, all members of the circle have an opportunity to speak (Communities Responding to Human Needs, 2009). Speakers not only address the criminal action, but also ways to build community through an understanding of the underlying issues that lead people to crime (Prentice, 1997).

The Community or Group Conferencing model is similar in practice to the VOM model, except that it *necessarily* involves inclusion of family or close friends and other personal supports. The purpose of including peripheral parties is to hold the offender accountable for her or his actions by demonstrating the wide reaching harmful impact of the crime. This model can be adapted to include family and supports of either the victim or offender, or both (Umbreit, 2006).

The fourth model, the Surrogate Victim-Offender Dialogue, is a variation on the VOM model that is used specifically when it is not possible for either the victim of the offender to meet (Communities Responding to Human Needs, 2009). In this case, surrogates work as actors to provide information directly from the offender to the victim and vice versa. Sometimes this model is used as a preliminary step towards Victim-Offender Mediation: it allows the offender to acknowledge the consequences of her or his behaviour to a surrogate in preparation for a future meeting with the victim (Marshall, 1996).

The Feeling of Justice

There are competing ideas about which elements should be present in order for a restorative justice process to be carried out effectively. Szmania and Mangis (2006) claim that the expression of remorse by an offender is central to the rhetoric of 'taking responsibility' in both a legal and social sense. These authors state that an apology must acknowledge the harm done and make some kind of amends for causing the harm, and that sorrow and remorse are integral to this process. On the other hand, Braithwaite (2002) stresses that victims must be empowered to respond to any apology they receive in a genuine way; their right to reject the apology or refuse to forgive the offender must be respected. He suggests that while respectful listening is key to the restorative justice process, imposing the expectation of forgiveness is not (Braithwaite, 2002). When asked what 'restoring justice' means, Braithwaite's (2002) participants responded: the restoration of human dignity; property loss; safety/injury; freedom; emotional restoration; and the restoration of caring, compassion and peace. These feelings of justice did not necessarily correspond to situations wherein forgiveness occurred.

Some scholars see restorative justice as having little to do with forgiveness and more to do with feelings surrounding the legal processes. The term 'therapeutic jurisprudence,' as coined by Wexler and Winick (1991), refers to the law as having the capacity for acting as a 'therapeutic agent' whereby victims can be affected positively or negatively depending on their interaction with the legal system. Following this proposition, Ellen Waldman's (1998) notion of 'procedural justice' suggests that legal

procedures experienced as fair by the victim will have positive therapeutic effects, and perceived unfairness will result in negative effects.

Related to this notion of therapeutic effects is the idea that authentic participation in the process is necessary for healing to occur. Morris and Maxwell (2001), for example, stress the importance of ensuring that victims, offenders and their communities of care are genuinely involved in the restorative justice process and that they agree with and feel represented in the outcomes. These authors also highlight the impact of family or community support roles, whether they are representing the community impacted by the offense; supporting the victims and offenders prior to, during and after the process; helping determine whether an outcome is appropriate and how to prevent future crime; or influencing public opinion on restorative justice and what it means in a community (Morris & Maxwell, 2001). Katz and Bonham's (2008) findings support the claim that supportive members affect and are affected by the process: 92% of community volunteers for restorative justice programs in Missouri reported personal satisfaction with the role, and 78% expressed feeling an "increased sense of membership in the community" while participating.

Satisfaction with Restorative Justice

High rates of satisfaction are reported across the four models of restorative justice. Research has suggested that within VOM, 9 out of 10 participants would recommend VOM over the traditional criminal justice system (Umbriet, 2006) and 12 out of 13 VOM participants reported high rates of satisfaction (Latimer, 2001). In a 2000-2006 study that explored the individual, community and systemic impacts of utilizing a restorative justice model for youth offenders in Missouri, 90% of victims reported feeling

'satisfied' or 'very satisfied' with their experience, and 90% of offenders indicated that they felt they would not commit further crimes as a result of consideration for the victim's experience (Katz & Bonham, 2008).

Restorative Justice in the Canadian Context

In 2005, Wemmers and Cyr conducted an evaluation of a VOM program in a Quebec City. The research was based on post-completion interviews with victims who had been referred to the program. Of those interviewed, 74% indicated they felt better as a result of the mediation (whether the feelings were directly or indirectly related to the program), and the majority reported finding mediation helpful for putting the incident behind them. In responding to questions on wellbeing, 44 out of 46 participants indicated feeling better with regard to their victimization; the 2 who did not indicate positive feelings stated that this was due to the offenders not taking responsibility for their actions.

This focus on the effect of mediation by Wemmers and Cyr (2005) builds upon Blanchette's (1996) earlier work on mediation in VOM programs. She found that victims who encountered any form of mediation had a stronger sense that justice had been achieved in their cases than victims whose cases went through the criminal justice system. Strang's (2002) work on youth offenders in New Zealand and Australia reports similar findings: victims who took part in some type of 'conferencing' with offenders reported high satisfaction rates and reduction in anger and fear levels when compared with those who went through youth court. Furthermore, 60% of victims reported feeling they could 'put the whole thing behind [them]' (Wemmers & Cyr, 2005). As demonstrated by this collection of studies, there is a discernable trend in restorative

justice research suggesting that victims of crimes feel more satisfied with the outcome of their case and with their experience of the justice system when they participate in restorative justice programs.

As for Peacemaking/Healing Circles, fewer satisfaction-type surveys are published. We predict that this may be due to the cultural inappropriateness of satisfaction survey tools or challenges involved with conducting research in aboriginal communities. However, one study suggested that in Whitehorse, Yukon Territory, victim satisfaction was rated as “very high” (Matthews, 1999) after participating in Peacemaking Circles. Some recent studies¹ suggest that the Community/Group Conferencing model, which operates according to the same principle that the event of a crime has ripple affects in the community, provides a supportive venue for victims to speak directly to the offender about the offence and listen to the offender speak to the reasons behind the offence.

The success of the fourth model discussed in this review, the Surrogate Offender-Victim Dialogue, does not feature prominently in the literature (Communities Responding to Human Needs, 2009). This may be a result of communities not having access to surrogates, challenges around effective training and recruitment of volunteers, lack of funding, or partnership issues (Joy, 2007). As we now surmise after conducting our research, this may also be because the nature of the surrogate role – as it necessarily removes a level of intimacy between the victim and offender – may not lend itself to the level of genuine and authentic interaction that is linked to healing in most studies.

¹ See Lerley (2003); Hayes (2004).

3. Methods

Sampling Procedures

This research team used selective sampling to recruit former recipients of CJP Ottawa services. The agency identified program participants who successfully completed the Program in the 2008/09 and 2009/10 fiscal years. Successful completion entails that there were no incidents requiring any party to withdraw from the program before the process was completed. In other words, 'successful' completion does not necessarily imply satisfaction with the process. Participants included the crime victim (primary or secondary), the offender, or community members who were involved in providing support for either the victim or offender.

Potential participants, once identified, were telephoned first by agency practicum students. The students used an oral script provided by the research team² to introduce themselves and inquire of the former CJP clients whether they would like to release their contact information to the research team to be contacted by researchers at a later date. As shown in the script, at this stage, the potential participants were briefly informed of the nature of the research and the research team. They were ensured anonymity and given the ability to opt out at any time during the process.

As these potential participants agreed to release contact information to the research team, members of the team made telephone contact to discuss the research further. Another oral script was used at this time to ensure that each potential participant was sufficiently informed of the research project and the nature of their participation.³

² See Appendix A, "Oral Script for Telephone: Practicum Students"

³ See Appendix B, "Oral Script for Telephone: Research Team"

After potential research participants agreed to be part of the sample, they were asked to schedule a time for participation.

Demographic Information

A final total of 8 participants were recruited for the sample, representing 4 victims, 3 offenders, and 1 family support person. 5 participants were women and 3 were men. Participants ranged in age from 35 to 60. 6 of the 8 participants identified having a religious affiliation – the other 2 neglected to comment. Reported annual household income ranged from \$51,000 to over \$151,000 with 1 participant not commenting. Reported level of education completed included high school diploma (2 participants), college diploma (2 participants), university degree (3 participants) and Ph.D. (1 participant). 5 participants reported being Canadian, 1 was Franco-Ontarian, and 2 did not report. There was a minimum of 7 different cases represented by the 8 participants.

Data Collection

The data was collected qualitatively, through telephone and face-to-face interviews. Participants were encouraged to engage in a face-to-face interview, but were offered the option of providing a telephone interview if that method was preferred for reasons of privacy, convenience, or others. Face-to-face interviews were held at the CJP office at the Courthouse at 161 Elgin St., Ottawa, and telephone interviews were conducted either from the CJP office or from the private offices of the research team. One member of the research team conducted each interview. For safety reasons, at least 2 researchers were present in the office for face-to-face interviews if the interview

was conducted outside of CJP office hours. Interviews were recorded on audiotapes and then transcribed by the researcher who conducted the interview.

Data Analysis

The data was analyzed using open and selective coding processes. Researchers read closely for freely emerging themes, also coding selectively for passages directly pertaining to the general theme of healing. While a different member of the team analyzed each transcript, the researchers met frequently throughout the coding process to share data as it emerged and to discuss similarities and differences between interviews. To ensure transparency through the coding process, researchers communicated in writing as new ideas emerged.

After a few rounds of initial coding, researchers found many themes repeated across interviews. Researchers then returned to their data with the memoing of other members in mind. Transcripts were recoded according to a merged master set of nodes. The team met after this process to collapse these nodes into broader codes, and finally into fewer primary themes. For the purpose of staying close to the data, the findings are presented here according to several themes as no one or two themes emerged as most prevalent. The team used NVivo 8 software to organize the initial rounds of the analysis. Once the data was collapsed into broader themes, the codes were exported to Microsoft Word documents and moved manually into general categories.

4. Findings

Emotions

Participants reported feeling a range of emotions surrounding the event of the crime. Victims generally reported feelings of *anger* toward offenders: “imagine how outraged we were”; “I was mad as hell.” One participant conveyed their⁴ unsympathetic view of the offender immediately after the offence took place: “I know that most of us were quite clearly angry at first, and uh, ‘throw her out of the country’ or ‘throw her in jail’ or whatever.” Another participant felt anger because they were injured physically as a result of the offence, stating, “I guess I felt rage for awhile. I mean every time when I tried to lift my arm, clean windows, do housework, my whole year was shattered” and “...of course you’re talking to your physio, you’re swearing away, if you could only get this guy... you know, you’d fix his wagon. I mean, I said enough in [the emergency room], said enough to the cops. I mean, I just vented my rage!”

Participants also expressed feeling *stressed* as a result of the offence: “I couldn’t eat, I couldn’t sleep, I didn’t know what I was gonna do”; “I guess I did feel that the stress, lack of sleep, wondering... waking up and not being able to sleep, having to go for walks, how am I going to get on with this?” One participant claimed: “I thought to myself, ‘it’s the end of my life’.”

Fear was conveyed by the majority of participants. Participants stated the following about the discomfort and fear they felt as a result of the offence:

Well I guess when you get attacked you feel vulnerable and you think, why me, for god’s sake? I mean, you could take anybody on. And the next guy touched me on the shoulder and I was ready to wing him in an

⁴ The choice to use the plural pronoun in place of the singular she or he is made intentionally throughout this paper to be gender neutral.

elevator and... Or I had to look at people eyes to see...is this guy after me? You know? The fear. The fear level.

It surprised me how much it bothered me someone coming into my house...it was like oh my God and I was feeling all of these really strong emotions and you know we have a full life and we have a teenager and I have a husband and there are a lot of emotions.

One participant (supportive party) referring to the victim stated, "he was in a lot of fear. He thought he was maimed for life" and "he was afraid that if he did run into them they were going to hurt him more." The participant continued claiming, "It is just not safe. I don't want him coming home after 10:00pm. I don't want him walking the street anymore." Another participant discussed feelings of worry and fear for the life of the victim. "I was really worried...I was trying to call the constable every day to find out what happened." The participant continued stating, "I just didn't know how she was. For all I know, she could have had a heart attack and died, and... I didn't know. So I had to know what happened. And I had to know. I had to know about her."

Due to the emotional and physical injuries caused by the offences in these cases, many participants expressed feelings of *anxiety* when preparing for their involvement with the CJP. The following quotes display participants' anxieties:

I was just eager to get it over with, and it took a while before the meeting took place, so... it kind of stressed me, because... maybe she won't accept me, maybe she will. The waiting was the worst for me.

There was a lot of sort of anxiety right at the beginning because you're looking at this person who has caused so much hurt.

It was almost easier to think of them as some faceless person, to actually think of them as a person almost makes it worse. All of the sudden you picture eyeballs and you picture hair like you picture an individual and so it actually kind of freaked me out a little bit at first.

One victim participant felt so anxious about the process that they decided not to

meet the offender, but rather exchange a letter. The participant stated:

I don't know, I just had so many thoughts running through my head and at that moment, I was stressed out and I told her, I said, I have so much going on in my head I just don't think I'm ready for wherever this is going to lead me. [...] It was just like a big deal, like it was huge, I mean I just thought am I going to be attached to this person for the rest of my life [recording muffled] and I just pictured this commitment. [...] I don't want to say getting my hands dirty, but just getting emotionally attached, I just wasn't ready. [...] Its overwhelming to me the thought to meet you, I don't know what, it is you get these images right? And you get a lot of bad images and I guess I was just too nervous.

Feelings Associated with the Restorative Justice Process

Participants generally reported positive views on restorative justice as a process, preferring this process to the traditional criminal justice process. The CJP appeared to meet the expectations of most participants while some faced challenges throughout their participation in the program. Several participants said that the controlled process provided an avenue for them to narrate their points of view. "It's all in this, what I call this controlled environment. Which is very, very interesting, because you cannot do this on your own, just go down and talk to [the other party], for example." Another participant stated, "[the discussion] wasn't able to devolve into something and everyone got a chance to say what they wanted to say within the constraints of the process." One participant stated that the controlled environment was necessary because emotional tension is high throughout the process: "It's a controlled environment, because you have emotions, and you have all these things, and [CJP staff] do this [gestures back and forth between herself and interviewer, suggesting mediation], to me this is key."

Participants expressed the necessity of meeting and having a discussion with the other party in order to get past the incident and the pain caused by the incident, stating, "I think it's that, letting me know, the other side, and letting the other side know my side.

And, leave room for people to be able to say I'm sorry. This is very, very important"; "I just wanted that part, for me, for her to acknowledge what I went through [referring to the situation, not to his suffering per se] but just to hear her talk, just to hear her story. That was important to me."

Participants claimed this crucial part of the healing process is not addressed in the traditional criminal justice process. One participant stated, "I think we all agreed that getting involved in this other alternate process would be way better. For everyone."

Another claimed,

The justice system, the court system, does not ever give you, in our case anyhow, did not ever give us a chance to sit and talk in a safe environment, controlled environment where we were able to all share equally in what had happened and that is extraordinarily necessary, I think, for people to actually heal and get over what has happened.

Other participants agreed that the CJP was necessary, claiming, "I guess victims and need to face one another" and "I think victims of crime need to be involved in the whole process. And, you know I think that, I would say that it is very empowering, in many ways." Although the majority of participants preferred the collaborative justice process over the traditional justice process because they wanted to tell their story or hear the other party's story, one participant offender stated that they preferred the collaborative justice process simply because it provided them with an alternative to spending time in prison. The participant stated, "I preferred to do it this way simply because I did not want to go to jail."

As illustrated above, participants tended to appreciate the collaborative justice process for various reasons and preferred the process to the traditional criminal justice process. However, participants were met with challenges throughout the process,

including listening to the other party tell their story. One participant stated “it was very hard when I first heard what [the victims] were going through, but I think this is part of the process.” Another participant claimed, “I found out things that [were] even harder for me. This girl, she had been going through hell. It was painful.” The participant continued, “they filled me in, on how she suffered in the year, in recovery, psychologically, physically, and all that. So, actually, I was shocked to hear, how much suffering she went through. That’s something that, that was the bad part, of [the process], but...it ended well.”

Other participants presented several challenges, one stating, “well I guess, the [discomfort]? Of talking about sensitive issues and emotions, I’m not... like I don’t like talking in front of crowds, and, so maybe that was the awkwardness.” Another participant claimed, “It was difficult for me not to, to have to bite my tongue when the other person on the other side was saying actual falsehoods or making excuses...” The participant continued stating, “I didn’t get to say the total my total truth or what I believed was the truth about the whole situation in its entirety. I’m not sure if that’s because of the control of the process or because there were a fair number of people on our circle not wanting to disrupt and actually come out and tell someone they’re a liar.”

Some participants began with the CJP without any expectations, claiming, “no expectations really, because I had never talked to anyone who had done it”; “I’d not heard of this before”; and “I didn’t know anything about the process.” Some had expectations that were met while others claimed the process was different than they had anticipated. One participant expressed that the process was much more serious than expected: “It’s a serious business, this. Actually, I was not expecting it to be as

professional and as... I was thinking something more like [gestures sitting back casually, changes voice] 'oh we love each other, let's sit down together'..." The participant continued, "no, it's really hardcore." Others were less surprised about the process. One participant stated, "my lawyer was sort of foreshadowing what was going to happen... He did inform me of how she was doing and that, yes she was very interested so that was good... so what I expected was exactly what happened." One participant expressed disappointment when expectations were not met. The participant stated "I expected that, I would say, I would be feeling free enough to say or tell someone when they're, you know, were telling lies, but I guess I felt in that situation I had to catch my language a little bit."

Regardless of their expectations, participants appeared to desire a certain outcome. One participant stated clearly "I was hoping for resolution." Desired outcomes appeared to have been met. One participant stated:

I wrote the letter of apology, and my lawyer said 'no hang onto that', and six months later he told me about it [the CJP program] and that's like exactly what I wanted, I didn't care what happened to me, I just wanted her to be ok and to know I'm sorry and to be forgiven. That's what I wanted, and that's what I got.

Another participant claimed, "I read a number of books on this forgiveness and whatever and how it can change your life around, I mean, for me that was healing and that's what I wanted." The participant continued, "I suppose it did turn my life around."

Reduced Feelings of Safety and Security after Personal Injury

Although participants describe positive results after their participation in the CJP, some describe the impact of the crime as changing their overall sense of safety. As some respondents stated, "I don't want him walking the street anymore"; "I just can't

take anymore trauma in my house anymore”; “I guess when you get attacked you feel vulnerable...”, “[The victim] was afraid that if he did run into them they were going to hurt him more.”; “I mean, you’re riding in a car, you don’t feel safe, you go to a shopping mall, you don’t feel safe. Because I got attacked outside a shopping mall here minding my own business, so it’s like... I’ve had a lot of instances in cars where I’ve had to make sure my doors are locked...The holidays were shattered, everything, because of my injuries.”

Violation came up in two of the interviews: “It surprised me how much it bothered me someone coming into me house but the surprise of the effect on me I didn’t want to repeat it you know? [...] I was feeling all of these really strong emotions and you know we have a full life and we have a teenager and I have a husband and there are a lot of emotions”; “In this case it was a violation of trust.”

Transformation and Change

In all interviews, victims and offenders reflected that they had experienced some sort of personal transformation as a result of the crime and through their involvement with the CJP. Participants shared, in general terms, that their experience was, “Life changing, what else can I say here? I guess you see humanity in a different light”. Other responses echo similar ideas: “The whole thing has changed me as a person”, and “Well, I don’t know. It’s just totally, life changing for me in a way. I’m not sure how...” One felt the process was significantly transformational and that it changed their priorities for the future. “I’ll probably devote my retirement to the homeless or whatever, helping others. Mental health cases I guess. I mean, I’ve done a lot of reading on mental health. I work with Alzheimer’s now and it’s a big field. A lot of pain out there.”

One participant noted a psychological change as a result of their participation in the CJP: “After [participation], I felt, I didn’t have bad dreams, I had a calm in me, because [the victim] forgave me.” Another explains:

You know, like, I’d say I’m warmer to people that I meet now. And probably I interact a little better and I’m more friendly, like in malls or whatever, to people you meet. Maybe some that are down and out, you speak to them and make them feel like a person, which I’ve always done before, but when you get whooped around, it sets a different ball game because that clouds the situation or clouds... your real reactions I suppose. It clouds the whole thing up because you have to start all over again or whatever you want to call it.

Human Dignity: Seeing the Person vs. Behaviour

Several participants reported a moment of seeing the person as separate from the behaviour after participating in the CJP. One participant described this as disconcerting: “It was almost easier to think of them as some faceless person, to actually think of them as a person almost makes it worse. All of the sudden you picture [...] an individual...” Another participant expressed empathy for the offender regarding the offense: “this poor young [offender] that, you know, it appears had a gambling addiction, and, you know, [the offender] was taking stuff to pawn it”; “I felt that, you know, she really, she did have problems, and I don’t think she, in a perfect world, would have done what she did.” This was consistent with other empathetic sentiments: “[the offender] was really sorry and so it was very touching”; “I don’t think it would have served anybody if this young [offender] had spent any time in jail. Not at all. If [the offender] had a problem, and it took this kind of thing to get [the offender] to solve those problems, then I think everybody’s well served. I’m hoping that [the offender] has gotten the help [needed].” The parent of one victim stated that they: “felt very strongly that

further involvement with the criminal justice system would be detrimental to [the offender's] future and are supportive of [the offender] moving on."

The participants accused of criminal offenses shared the impact that being treated as a person had on them: "they treated me just as a regular person"; "I was trying to tell my lawyer, 'I'm a very good person, I do volunteer work'". Another participant shared their worries about only being seen as a criminal:

I was hoping that she would accept my apology, see how sincere I was, how I suffered in a way, but not as bad as she did, but I kinda did, and I really wanted her to know how, how sorry I felt, and I wanted her to know that I was not a bad guy and that the world was not evil, this wouldn't happen to her again... I just wanted that part, for me, for her to acknowledge what I went through but just to hear her talk, just to hear her story. That was important to me.

Support Network

Participants were asked how their family, friends and other supportive people in their life responded to their decision to take part in the CJP. Almost all indicated that their families were in favour of this: "they were all happy about it"; "they were all for it, 'cause they knew it was important for me"; "my parents supported it, I believe that everyone around me supported my decision." However, one participant did not tell anyone about the offense or about the CJP, with the exception of the lawyer and a professional counsellor. Another participant reflected that their family, "wanted to see me be my own self and move on and be happy...so they welcomed me to get into it." Two participants also mentioned the having the support of their employers or colleagues.

Critiques of Traditional Criminal Justice System

Both participants who had committed offenses and those against whom offenses were committed expressed critical perspectives of the traditional criminal justice system. Two participants shared similar concerns about incarcerating the offender in their case. As quoted in a previous section, one participant stated, “I don’t think it would have served anybody if this young woman had spent any time in jail. Not at all” while another expressed concern “that further involvement with the criminal justice system would be detrimental for [offender’s] future.” One participant expressed becoming involved with the CJP because, “if I had gone through the regular criminal justice system I would have gone to jail,” while another offender critiqued the lack of genuine process in the court environment: “you know, it’s a truth thing, it’s not like sometimes in court people are like ‘not guilty,’ repeating something that doesn’t even cross their hearts.” This perception of an absence of authentic exchange in a court room was echoed by another participant, who summarized, “The justice system, the court system does not ever give you, in our case anyhow, did not ever give us a chance to sit and talk in a safe environment, controlled environment where we were able to all share equally in what had happened and that is extraordinarily necessary, I think, for people to actually heal and get over what has happened.”

Healing and Closure

Our study revealed multiple components of what we decided to categorize under “healing process.” These generally fell into two themes: ‘accountability/apology and forgiveness’, and ‘resolution/closure’. We also found a sense amongst participants that

the restorative justice process that took place through the CJP was key to reaching a sense of healing and closure.

Accountability/Apology and Forgiveness

Both victims and offenders reported the importance of the offender's ability and willingness to be accountable for the offense, although in one case the participant found that "after going through these three different circles of discussion with the collaborative justice program, [it became clear] that the [offender] would not in fact, was not in fact able to either admit... the truth of the situation," which led to the participant's "healing, or my feelings of closure about the situation [being] no longer dependent upon that." One participant expressed wanting a "full disclosure... I just wanted to hear from [the offender], you know, like, 'you have to tell me exactly what happened'." Two offender participants spoke of needing to take responsibility for their actions and to convey their remorse for the offense they had committed; one participant, who turned himself in to police, "wrote a letter of apology *before* knowing about the Collaborative Justice [Program]" and told the interviewer, "I didn't care if I went to jail, I didn't care what happened to me, I wasn't going to heal until I apologized to her." Similarly, another offender described feeling, "I would LOVE to meet with them, actually, because I just want to say, 'you guys, I am SO sorry'." This participant told CJP staff:

I said, I can write a letter, I can talk to them over the phone, I'm happy to do anything, I'm happy to pay for – because I heard [the victim] didn't work one day, so I'm gonna, I'm happy to pay for... you know, this is the *minimum* I can do... If I can pay for their inconveniences, because I cannot pay for their pain, or their emotional things.

Both of these offenders told interviewers that concerns about their legal status was secondary to their desire to connect with, and seek forgiveness from, the persons

affected by the offense. One participant stated, "I didn't care about the courts and the judges and the lawyers, I just cared about her, and her forgiveness and her wellbeing. That's all I cared about. Otherwise I never would have gone to the police." Another, when discussing the healing process for all parties, expressed, "I think for them, too, it helped them, I think, of course I'm thrilled that I don't have a criminal, you know, charge or anything, but as equally important was the healing, for me, and for them."

Additionally, both of these offenders wanted their victims to know that the offense was an isolated incident and did not want the victims to feel unsafe in the future. One explained their response to the victims' worry that something similar could happen to them again: "I was like, 'No no no! There was a reason for that.'" Most offenders expressed the importance of being able to explain the context within which the offense took place, and felt that being understood was central to their healing process.

All victim participants commented on the experience of forgiveness. One participant found that the offender in their case, "was really sorry... I read the letter. I cried. It was very, very touching." Another, a family member of the victim of the offense, told the interviewer, "even though [the victim] and [the offender] did not meet each other, [the victim] said that without hesitation he no longer holds any hard feelings against [the offender] and has forgiven." Another victim cited their spiritual beliefs as playing a role in the healing process: "We are Born Again Christians, it doesn't really do any good to feel anger or unforgiveness because it only hurts yourself." A fourth victim participant researched restorative justices processes before taking part in the CJP, "and when I read a number of books on this forgiveness and whatever and how it can change your life around, I mean, for me that was healing... And that's what I wanted."

Resolution and Closure

All participants – both offender and victim – spoke of wanting and achieving closure:

I think it was very successful in bringing closure. That's what I wanted. This was a big issue, big deal, I wanted it dealt with and done. Once it's done, it's done. And I haven't given it any thought since then. (Victim Participant)

[The attack] hurt the whole family so but [staff] came back and she talked to us and everything turned out well. It had a very positive healing aspect to the whole thing. (Victim Participant)

It allowed us... Well I guess I should only speak about myself, to sort of put closure on the proceedings even though our court proceedings were going through this was a way of dealing with the person directly. (Victim Participant)

I mean, it was such a relief for me, and like I said, a relief for me not to be the prisoner anymore. And there's the piece that comes after and... some warmth and just... a different view of humanity I suppose. (Victim Participant)

It helped me, I can tell you that right now. (Offender Participant)

Yes, there was a closure. The closure was them accepting my letter, them reading my letter. So, so closure - absolutely. Absolutely. (Offender Participant)

That was the big day for me [when offender met with victim], when I met her, and we had a few hours of conversation with [staff]... and I felt so great, and we embraced at the end, and it was, it was what I needed. (Offender Participant)

[The victim] feels strongly that [the offender] has been held adequately accountable for what he did... [The victim] is supportive of [the offender] moving on. (Support person of victim)

Several participants indicated that they felt the CJP was necessary to reach a sense of healing or resolution. While being reimbursed by the offender was of primary concern to one participant – “It was nice to get some money back,” – others expressed

the emotional healing process that the CJP facilitated. One participant stated thinking, “if I had not gone through this process... the healing as I said before would not have happened.” Another reflected that, “in order to get healing, I think you have to go through this process.” One participant, who was a member of a spiritual community which was affected by the offense as a whole, stated, “I know in my heart that if we hadn’t been part of this process, the congregation would have taken a lot longer to heal... [the restorative justice process has also brought] a focus of reconciliation and healing to not only our interpersonal relationships but to the congregation.”

Satisfaction with Staff

Nearly everyone interviewed expressed satisfaction with CJP staff. One participant expressed being happy with the flexibility of the process:

Well I guess she met me on my own terms. [...] I met with her downtown once. Another time she met me here and we went to the park. [...] I just saw how gung-ho she was with the system and she explained a lot about the Collaborative Justice system and I guess I just wanted to be part of it because of her enthusiasm. Yeah, that’s what it takes is somebody’s enthusiasm – a younger person’s enthusiasm – a different look at it. Because they come from a different generation and then they can see your side and they know what’s on... their side, you know? They see... So I’d say it was a total positive experience.

Others reported feeling satisfied with the staff’s facilitation skills. One participant stated, “there were awkward silences once in a while, and she stepped in. She did a terrific job.” Others reported on the demeanor of staff: “It was just very gentle and kind and but yet professional and confident”; “It’s very professional but it’s kind of like comforting at the same time. Like they are very professional but, I don’t know, there’s a nice feeling about it, you know, the people here”; “[CJP staff member] was extraordinarily professional yet at the same time being extraordinarily kind and

understanding of what emotions would come up.” Several respondents commented on the ‘balance’ achieved by staff. One participant commented that, “[CJP staff] was super professional, but caring. I think it’s very hard to be, to have these qualities balanced.” Similarly, another participant reported that the facilitator was “extraordinarily balanced in her approach to everyone around the circle so that everybody got equal participation.”

Many interviewees expressed feeling comforted by the positive attitude of staff members. One victim said, “I don’t even have enough words to say how amazing they were.” An offender reports, “It was the fact that the way I was treated, [staff] was just extremely nice.” A victim echoes these sentiments: “The staff was extraordinary. It wouldn’t have actually worked very well had the staff not been the kind of professional kind of mindset they had toward everyone.” As one participant articulated, “There was something about [staff]... I could tell her anything and everything. [...] She called me on the phone, she even checked up with me after, a couple times, just to see how I was doing and everything. [...] She made it really easy.”

Positive Feelings about the Process

All interviews contained some expression of positive feelings about the process of restorative justice itself.

Well I don’t think I would change anything. To me it worked. I mean they did it with... Like I didn’t feel like I’d have to go downtown, they’d come out here. And yeah, what’s wrong with a park setting, or whatever? And sit and chat!

I felt happy to be able to actually meet with the other party because there is so much that is unsaid when you have to start legal proceedings.

The collaborative justice program was not to help my thirty years of prior [problems], they were just here to help what I did wrong. So they’ve fulfilled that 100%. I can’t say anything better words than that.

[I would say] 'yes, do it. The healing starts there.' Absolutely.

I got a chance to say what was my truth and that I think is extraordinarily positive because you don't get a chance to say that anywhere within these legal proceedings that I know of.

I still think it was very, very positive. Very, very positive. It was extraordinarily positive for me and I know it had a direct, positive impact on the healing of the congregation and the church.

I was in [a particular profession] for all my career, and now I don't want to do that anymore and I was wondering what I want to do, and it's exactly something like this. It's helping people, and it's a great feeling, so it makes me want to start school for social work or something... So that's the biggest impact I can think of...

I was very happy with the process.

I can only be very positive about the whole experience. The way it was all done was extremely well done.

I can't think of any way of improving how the system working because it's working very well, certainly in my case it did.

This has been so amazing for me, the whole system and program and everything.

I think that when you are going through a trauma anyone who is very nice to you and seems to care, seems to have a positive influence.

You never get a chance to actually speak what is actually the truth, your truth, so to be able to do that at the collaborative justice circle worked actually fabulous.

And then to meet at the courthouse for the final thing is very good. They had a nice room and, you know, being in the court, there was some structure to it, which you need. You need structure, you need discipline. Discipline, structure and back-up if you need it. And it's all there, so if you've got structure and defense of I suppose, the sense of justice around you, the healing will take place faster I think. The structure was ideal. I think you need the structure, you need the back-up, you need to say we mean business here, but there's still that... that flow there, you know? That... you can exchange ideas and you can relax.

Advocacy

A large component of the positive feelings about the process from several interviews were statements of advocacy for the continuation of the CJP. As one offender put it, "I just really hope that they are able to continue and be available to as many people as want to use it." Several others, both victims and offenders, repeated this sentiment: "I'd recommend it to anybody; really I think it's a very good way of dealing with stuff that happens"; "I think obviously it needs funding and it needs a lot more...what's the word...it needs to be better known in the community"; "There's lots of little crimes, you know, especially among youth, young people who could be very much involved in a system like this"; "I feel that there is a, there needs to be more collaborative and restorative kinds of justice"; "My only hope is that one more person can have the benefit of using the system [CJP]."

Being Part of an Active Community

Several participants reported positive feelings associated with being active in the program and being part of an active community. As one victim of crime said, "we had a chance to actually create something positive through this reconciliation process for that other person and for ourselves." Some interviewees mentioned feeling positive about the fact that this process helps offenders reintegrate in society in ways the traditional justice system does not. As one participant says, "it made me feel really good that you know, that he was in a program to help his addiction and you know he was back with his family." Being active in the process also gave hopeful feelings: "It gave me hope that my community was dealing with the situation and that they're actually helping people." One participant reported feeling that this was necessary for the betterment of society:

I think it's a great positive thing and I think everybody should have a shot at it. I mean there are so many people out there in pain and asking for help. [...] I think we need to have, in the long run, more people to help the victims. If we had people to help the victims, it changes how we view society and if we're more helpful to society, we don't need these other people doing injury to us because there will be no need for that. No need for people to be deviling out. We're all helping each other out in this world...

It was common that victim participants reported feeling this positive about social cohesion. One interviewee stated feeling happy, "that we're not just throwing people in jail and so I hope it, you know if I ever had an opportunity to help fund it or participate or promote it you know I would hope that this is a long term program because I think it's a good thing to do."

Space for Improvement

Participants were asked if they would suggest changes to improve the Collaborative Justice Program. Most responded that there was nothing that they would change because the program was "just amazing"; "extremely positive"; and "extraordinary." Of the participants who expressed disappointment, one participant, a victim of crime, reported not having an authentic experience when meeting the offender: "I'd just given up on that person being able to speak the truth. So in that respect I guess it was a little bit disappointing." The same victim surmised that "in our process we were all being so polite with each other that some of the actual deepness of the hurt and the frustration and anger did not get as expressed as it should have been."

Other complaints were related to the length of time it took between the crime itself and participation in the program. "The wheels of justice grind slow," as one participant put it. Frustration with the length of time between correspondence was echoed by other victims: "[The offender] was charged, I guess we waited, maybe eight –

seven, eight months”; “it may have been about a year before we actually met face-to-face,”

Offender participants also reported negative feelings about periods of waiting during the process: “I was just eager to get it over with, and it took a while before the meeting took place, so...it kind of stressed me [...] the waiting was the worst for me.” One participant expressed frustration about the waiting period: “I was a little ticked off because I had sent all of these e-mails and time had gone by. I left a message and said ‘what good are you?’ I wasn’t mad or anything but I had given her all of this information and we just had not heard from [the CJP Office] and we didn’t know what was going on.” Another offender was frustrated that the sentence came well after the program was over.

A few participants reported wanting to know more about the process of restorative justice. As one victim stated, “my general feeling at the end of it was I wish I’d had more information of what other people go through when they meet the person.” Another victim felt their expectations were slightly let down because of not knowing what to expect, stating, “I just expected to go in and state my case. Well, I was disappointed in a way. I thought I was going to go to court – that I would be able to do my speech in front of a judge – but I guess the relief is that that’s okay, that’s fine.”

One participant reported feeling happy that the offender did not bring a support person to their meeting: “He came in by himself and that was okay too because it was on like a more personal level. I think if you brought a witness or somebody that would, you know, that would... have deflected some quality.” Correspondingly, one participant whose offender did bring in support people suggested that, “the people in the support

role perhaps having a briefer time to talk and the people who are actually in the situation being the major talkers. Perhaps that would have been a little more effective.”

Logistics

Various actors in the justice system referred participants to the CJP. None of the interviewees reported self-referral and most reported having no prior knowledge of the program. Usually, offenders were recommended to the program by lawyers: “we were advised by a lawyer that it might be a very good thing if we could hook up with the Collaborative Justice Program for everybody’s best interest”; “I didn’t know about the collaborative justice, but my lawyer suggested it to me”; “I wrote the letter of apology, and my lawyer said ‘no hang onto that’, and six months later he told me about it [the CJP] and that’s like exactly what I wanted.” One offender who turned himself into the police stated, “I didn’t know the process once I turned myself in. Was I going to go to jail right away? You know? Or... I didn’t know anything about the process.”

5. Discussion

Several themes were drawn from our research on the CJP, many of which are consistent with existing academic literature on restorative justice processes. Major themes discussed in more detail in this section include: ‘Reduced feelings of safety after personal injury’, ‘positive feelings about the CJP and the restorative justice process’, ‘healing’, ‘human dignity’, and ‘transformation and change’.

Reduced Feelings of Safety and Security after Personal Injury

Our interviewees’ responses demonstrated the devastating consequences of crime for all parties involved: the victim, the offender, and the community. As described

throughout the above findings, participants felt a multitude of emotions after the offence took place, describing the physical and emotional injuries that were suffered as a result of the transgression. Participants (victims in particular) voiced their feelings of fear and being unsafe in their communities as a result of the physical and emotional injury. Understanding the magnitude of the harm caused by crime, as described by the participants, is key to appreciating the important role of the CJP in facilitating healing. With reparation of harm as the main goal, the CJP functions according to most restorative justice ideals described in the literature. The goal of repairing harm and restoring relationships within the community fit within Aboriginal theories and holistic approaches to justice which place emphases on restoring a balance in the relationships between parties to promote a sense of well-being (Kenny, 2004). Our findings demonstrate that although participants did not necessarily have much information about the CJP immediately after the crime, many were interested in participating in a process focused on alleviating the physical and emotional pain they had endured.

Positive Feelings about the CJP and the Restorative Justice Process

Our findings show that participants in the CJP feel positive about their overall experience. Consistent with the literature, our participants voiced their preference of the restorative justice process to the traditional criminal justice system. This is also consistent with Umbriet's (2006) research on the Victim Offender Mediation (VOM) specifically. Satisfaction with the CJP and preference of the process over the traditional system is attributed to the participants' abilities to be active in a therapeutic process. Our findings indirectly correspond with Wexler's and Winick's (1991) idea of 'therapeutic

jurisprudence' as several of our participants felt satisfied that justice had been served after the completion of the program.

We also noticed a strong focus on being actively engaged in the process. Telling their stories and listening to the stories of other parties turned out to be an extremely positive experience for the majority of our participants and was an important step toward healing. This feeling of involvement and being represented is vital to the restorative process (Morris & Maxwell, 2001), and is framed by anti-oppressive and feminist approaches to healing as they stress the significance of having all parties contribute equally in the process.

All participants agreed that CJP staff added to the overall experience of healing. Further, participants felt as though the process would not have been successful without competent staff to facilitate the process. This point does not appear prominently in the literature, but the stress on mediation across models suggests that facilitation is a key component of the healing process. We add that the mediator's ability to both create a warm environment for candid interaction and to facilitate honest conversation between parties in a balanced way are crucial to the comfort and satisfaction of participants. Thus, the degree to which healing is able to occur may be somewhat dependent upon the skills of the mediator.

The challenges presented by our participants outlined areas for improvement for the CJP. While some participants expressed emotional challenges, these moments are seen as an integral part of the healing process across literature on healing. One major concern of participants, though, was the length of the process. We point this out as a potential obstacle to participating in the program that should be taken into consideration.

Participants who were looking for resolution reported waiting lengthy periods of time for the process to begin. This contributed to anxiety and frustration in participants who were already suffering emotionally and physically in the aftermath of crime. Some participants expressed disappointment with the lack of information given to them regarding the restorative justice process; this could be easily remedied by a phone call or direction to resources, and preparedness of participants may contribute to even greater success with the process. For example, the participant in our study who did extensive research before agreeing to participate in the CJP reported a dramatic shift from anger to relief and even felt their perspective on humanity change.

Healing

Several components of healing were reflected in interviewees comment. These include: the ability of offenders to take responsibility and apologize for their actions, the ability of the victim to accept the apology and grant forgiveness, and the ability for all parties to move on from the incident with a sense of closure. In most cases, participants stressed the importance of the offender's ability and willingness to be accountable for the offence. This is consistent with the research of Szmania and Mangis (2006), which suggests that sorrow and remorse are important aspects of the restorative process. For offenders, healing appeared to be dependant of the victim's ability to listen and accept the apology. Comments made by offenders seemed to reflect a vested interest in whether or not their victim forgave them. While some literature claims that forgiveness should not be an expectation of restorative process, as the main point is the empowerment of the victim to choose to reject or accept the apology (Braithwaite, 2002), our study suggests that forgiveness is a major determinant of healing for

offenders. If a primary goal of VOM model is, in fact, to restore healing among participants, forgiveness may be a critical factor. Indeed, in several of our cases, apologies were accepted and participants – both victims and offenders – reported being able to move on as a result.

The ability for participants to put the offence and subsequent injuries behind them was another crucial component of healing reported by our participants. Interviewees explained that participating in the CJP was more important for their recovery than was physical recovery from injuries incurred. Psychological healing, then, was more important than physical healing for our participants. This is consistent with research by Wenners and Cyr (2005); participating in the mediated process was integral to putting the incident behind them.

Human Dignity

Several of our participants made comments regarding their ability to separate the person who committed the crime from their criminal behaviour after undergoing the collaborative justice process. It appears that understanding the context in which the crime took place allowed victims to feel empathy for the offender, and this empathy eventually led to feelings of mutual closure. Victims reported feelings of hope for their offender's well being and were happy that their participation in the CJP might help the offender. Offenders' comments reflected feelings of being treated with respect by staff and victims throughout the process. In current literature, this theme is often spoken of in terms of the positive effect of sharing stories on the healing process. We suggest, though, that exploring how feelings of empathy in particular lead to the restoration of

human dignity for both victims and offenders, might provide a new dimension of healing to direct future research.

Transformation and Change

Some of our participants described a significant 'light-bulb' moment of personal change as a result of having participated in the CJP. Seeing "humanity in a different light" goes beyond healing from the incident and suggests that this sort of communal activity puts community members in better psychological states than they were before the crime even occurred. For example, two participants reported being "warmer," more friendly people after healing through the CJP. This transformation is alluded to prevalently in the reviewed literature, but we suggest that the type of healing able to occur through this therapeutic process can be used to advocate for group therapy outside of restorative justice aims. Since the state of restorative justice programs in Canada is precarious within the current economic and political context, research is needed to advocate for these programs. In the future, these programs may be used to advocate for other types of group and community therapy, or even community engagement programs, as our research suggests that these meaningful interactions are lacking in the day-to-day life of Canadians.

Limitations

The majority of participants spoke extremely positively about the CJP and the personal process they went through. Though some participants had recommendations or outlined areas for improvement, the general consensus was that the program helped facilitate a sense of healing and wellbeing for those involved. It should be noted, however, that the CJP is a completely voluntary program and therefore, those who

chose to participate may be more inclined to do so based on their feelings and beliefs about people, forgiveness, crime and the criminal justice system. Those who may feel less inclined to take responsibility for wrongdoing, or to forgive those who have harmed them, are likely not to have chosen to participate. This may have contributed to the overwhelmingly positive feedback about the program.

We would also like to clarify that the CJP is funded solely for cases of youth crime while our research is focused on adult cases. The recent adult cases were funded by private donations. We chose not to include youth because we faced some difficulty obtaining consent for youth participation and scheduling meetings with youth once consent was obtained. As a result, our findings are not necessarily reflective of the experience of the average participant in the CJP. Future research should consider the experience of healing of young people involved in the restorative process.

Our research was also limited by some external constraints as we performed this study according to the demands of a research class within the masters program in the School of Social Work at Carleton University. One obvious limitation was lack of time to conduct research. Had we an extended period of time for recruitment and conducting interviews, we may have included more participants in our sample. For the most part, we found our data to be saturated, but would have appreciated the ability to include the perspectives of a few more participants to potentially improve the richness of our findings.

Our data analysis may also consist of limitations as a result of time restrictions. As mentioned in our methods section, some of the coding was completed separately. As a result, we acknowledge that some data may have been overlooked by researchers

due to personal biases that may have been reduced through group review of each transcript. However, our use of memoing and frequent communication between research team members helped to alleviate this limitation as much as possible.

6. Conclusion

Findings from this study demonstrate that the CJP employs a restorative approach to cases of adult crime in manner that facilitates healing for participants. This restorative approach includes the reparation of harm caused to individuals by the crime in a manner that holds the offender accountable for his or her actions. The approach fits within anti-oppressive and feminist perspectives as it offers a therapeutic setting in which reciprocal, non-domineering discussion between affected parties can take place. All parties are empowered to tell their story, based on their subjective experience, and be active in designing a collective resolution. This element of collectivity is deeply rooted in Aboriginal theories and practices focusing on restoring relationships in the community as a whole.

This study reveals the significant weight of the physical and emotional injuries in the aftermath of crime and demonstrates the importance of a process which affords reparation of this harm. We conclude that through participation in the CJP, participants experienced healing and closure and were thus able to move beyond the incident with a changed outlook on life. An important part of the healing process for our participants was feeling empathy after hearing the other party's story. Many described this process as a life changing experience.

We conclude that participants hold tremendously positive views of the CJP and CJP staff, and believe that such a process is necessary for healing to take place. There were few recommendations for improvement. Participants in this study stressed their desire to help make the CJP available to more people affected by crime, as they preferred this mode of justice to the traditional criminal justice model.

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Appendix A

Oral Script for Telephone: Practicum Students

May I please speak to _____?

My name is _____ and I am calling from the Collaborative Justice Program. The reason for my call today is to find out if you would be interested in participating in a research study regarding your experience with the Collaborative Justice Program. Is this a convenient time to continue?

No: (if no, ask for a preferred time to call back)

Yes: The research will be conducted by Carleton University Masters students in the School of Social Work. The purpose of their research is to explore the impact of participating in restorative justice.

Do you think you might be interested in participating?

No: (thank you for your time)

Yes: Would you feel comfortable having your contact information released to the research team? If so, they will contact you to give you more information on the study and you can feel free to ask questions before deciding whether or not to participate. Your contact information will not be used for any other purposes.

(get details of the best time for further contact)

Many thanks for your time!

Appendix B

Oral Script for Telephone: Research Team

Hello, may I speak to _____? My name is _____ and I am a Masters of Social Work student at Carleton University. On [date] you received a call from a practicum student at the Collaborative Justice Program asking whether you would be interested in taking part in a research project. At that time you indicated that you might be interested in this, and you gave _____ permission to pass on your contact information to my colleagues and me. I'm calling to give you a bit more information on the research project and answer any questions you might have. If you're still interested after we talk, we could set a time for a more formal interview.

Our research project is looking at how participating in the Collaborative Justice Program may have impacted the lives of participants. We are interviewing people who committed the crimes, individuals whom the crime was committed against, and family members of both. Our questions are not related to the details of the crime itself – they will focus on your experience in the program.

All of the information gathered in the interviews will be kept confidential. The staff at the Collaborative Justice Program will not be involved in any part of this research. At the end of the study, a report will be produced, but real names of the individuals or any other identifying information will not be used.

If you agree to be interviewed, you will have the right to withdraw from the research project at any point in the process until Feb. 1st. Do you have any questions that I can answer before we continue?

The interviews will be approximately 1 hour long. We prefer to conduct interviews in person in an office at the Courthouse, but can conduct the interview by phone if you prefer. The office we use is not attached to the Collaborative Justice Program office so we will not see the staff working there. We will reimburse you for any transportation costs (bus or parking) if you decide to meet us in person.

Do evenings or daytimes work better for you?

Are you available on _____?

(If by phone): Just to confirm, I will be calling you on _____[date]_____ at [time].

(If in person): Just to confirm, I will be meeting you at the Court House in room _____, on ___[date] at [time].

Thank you for your time! I look forward to meeting you!

If you have any questions, please contact the research team by email at carletonmswresearchers@gmail.com



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1125 Colonel By Drive
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Appendix C

Letter of Consent

Carleton University, School of Social Work

You are being asked to participate in a research project entitled "**Exploring Healing Through Restorative Justice**". The aims of this study are to examine the potential healing from participating in Collaborative Justice Program and ways in which the program could be improved overall. The researchers are Masters of Social Work students from Carleton University.

If you agree to participate, you will be asked to answer several questions regarding your thoughts and feelings around your participation with the Collaborative Justice Program. There are no known benefits of participating in this study, beyond participating in a process designed to improve the delivery of service to Collaborative Justice Program participants. The costs or risks of participating may include answering several questions about your experience with the Collaborative Justice Program, some of which may bring up memories or feelings that are difficult. It is the intention of the researchers to record interviews on an audio tape, however, you have the right to refuse to have your answers recorded electronically.

Your participation in this project is entirely voluntary and there will be no negative consequences if you refuse to participate in it, withdraw from it, or refuse to answer certain questions at any time during the interview. However, if at some point after the interview you decide you do not want your answers included in our report, we ask that you advise us of this decision, by email, by **February 1st, 2010**.

Your anonymity will be maintained by the Collaborative Justice Program and Carleton University and your identity will not be revealed to others. Anonymity regarding the information that you provide will be assured by the researchers, and your individual answers will not be shared or presented in any way that would identify you as the source. At the conclusion of this research, a report will be written that will be shared with the Collaborative Justice Program, Carleton University and other interested parties. The results of this study will be used to help the Collaborative Justice Program improve service delivery and ensure that their mandate to help facilitate healing following contact with the criminal justice system has been successful. The original information collected (audio tapes and written

notes), which will be secured in a locked drawer and office throughout the duration of the project, will be destroyed on or by May 31, 2010.

Please feel free to contact the researchers by email should you have any questions or comments about this research project:

carletonmswresearchers@gmail.com Tania La Salle, BSW, RSW

If you would like a copy of the final report, please contact the researchers at the email above.

Should you have any questions or concerns about your participation in this study, we would encourage you to contact the Research Ethics Board directly:

Prof. Antonio Gualtieri, Chair
Carleton University Research Ethics Board
Carleton University
1125 Colonel By Drive
Ottawa, ON K1S 5B6
613-520-2517
ethics@carleton.ca

I, _____, understand the above information and after being given an opportunity to have my questions answered, voluntarily agree to participate in this study.

Signature: _____

Date: _____



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Appendix D

Demographic Survey

Please take a few moments to complete this survey. It is completely anonymous. The results will be used to help describe our group of participants in our final report. COMPLETION OF THIS SURVEY IS OPTIONAL.

Age: _____

Gender: _____

Cultural or Ethnic Affiliation

Spiritual Affiliation:

Annual household income: (please circle)

- | | | |
|-----------------------|---------------------|------------|
| \$20,000 and under | \$21,000 - \$35,000 | \$36,000 - |
| \$50,000 | | |
| \$51,000 - \$65,000 | \$66,000 - \$80,000 | \$81,000 - |
| \$100,000 | | |
| \$101,000 - \$150,000 | \$151,000 + | |

Highest level of education level completed: (please circle one)

- | | | |
|---------------------|------------------|---------------------|
| Primary school | Some high school | High school diploma |
| Some post-secondary | College diploma | Bachelors Degree |
| Masters degree | PhD. | Other: _____ |