



## Restorative Justice

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Young people believed that restorative justice (RJ) is a valuable tool as it has potential to lead to peace, closure, and healing for both victim and offender.

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### What we also found<sup>1</sup>

- Young people stated that RJ should be an option, but with some limitations based on the nature of the crime (violent vs. non-violent or if the victim is vulnerable, like a minor) and whether the accused/offender poses a danger to society (violent or unpredictable behaviours). Youth believed it is important that both victims and offenders agree to participate in the process if it to be used.
- In both 2016 and 2017, many young people indicated that RJ could improve chances for personal growth, successful reintegration and/or inclusion in the community, especially in contrast to jail time, which often further isolates and criminalizes offenders.
- Most youth identified that RJ provides a space for both victims and offenders to have a voice, with a particular focus on the importance of victims having space to share how the crime affected them.
- Youth believed that allowing offenders to maintain their social connections, continue to grow and develop as individuals, and attain closure following their crime, increases their chances of healing, which could end the cycle of reoffending.

### In more depth

Most youth agreed that violent crimes (e.g., murder, rape) are not appropriate for RJ because they may re-traumatize a victim if they have to face the offender again. There were a few youth, however, who felt that victims and offenders of violent crimes would benefit the most from RJ because it would lead to a better understanding of the motive, cause, and impact of the crime as well as promote compassion and healing among offenders and victims.

Youth believed RJ could connect offenders, who may be experiencing social isolation or disengagement, with their community. RJ can provide an opportunity for communities to discuss issues and identify strategies to improve their community for all people living within it.

In both 2016 and 2017, many youth participating in discussions had not heard of RJ. They recommended more educational resources regarding RJ.

In 2016, youth suggested that for certain crimes, personal and financial reparation were appropriate (e.g., in the case of stealing or property damage). For violent crimes, youth suggested that victims may be hesitant or fearful of facing the offender.



# Research at a Glance

June 2018

Research and Statistics Division

In 2016, youth identified that a personal apology to an individual, family, or community is, “sometimes...the hardest thing to do” and may even be more powerful and a greater incentive for change than incarceration. They also indicated it could be more meaningful for the victim.

Some young people stated that RJ creates more safety, allowing the victim and offender to understand each other’s circumstances and intention, and mitigate the likelihood of victims feeling re-traumatized when offenders are released from prison. Other young people, however, stated that victims might feel both safer and more satisfied if the offender is incarcerated.

A small number of youth demonstrated concern that RJ would allow offenders to avoid “real” punishment, which to them meant one that takes away the offender’s freedom (i.e., incarceration, house arrest, weekend jail).

Some youth suggested that RJ might work better in small communities, where impacts of crime are felt more intimately among the community members. Many young people, in particular in the conference theme discussion, thought that people in cities are more disconnected from each other, therefore RJ might not be as effective in these contexts. However, it was also suggested that RJ might be important for people in big cities because it helps to connect them.

In their own words,

*“The [value of RJ is that the] offender openly [takes] full responsibility in front of/to the victim/survivor. This to me seems like it would help the victim/survivor to receive closure. It would also allow the offender to begin to heal and forgive themselves.”*

## Method

Justice Canada, in partnership with the Students Commission of Canada (SCC)<sup>2</sup>, conducted youth engagement projects in both 2016 and 2017. Each project explored youths’ views, perceptions and expectations of the criminal justice system. This was done through developing and hosting a Justice Youth Action Committee (YAC)<sup>3</sup>, gathering opinions through youth-led Community Action Projects (CAPs)<sup>4</sup>, and hosting the Canada We Want Conference.<sup>5</sup>

**Youth Engagement on the CJS Project 2016:** Fourteen Justice YAC members representing Indigenous, non-Indigenous, rural, urban, and other diverse populations participated in monthly video calls from September 2016 to February 2017. The calls focused on youth perceptions of crime and the CJS, guiding principles and values of the CJS, and the connection between vulnerability, marginalization, and criminalization. YAC members engaged over 350 youth from across Canada in CAPs to gather opinions and perspectives on the CJS. Committee members utilized surveys (hard copy and digital), interviews, and discussion groups to gather youth voice and reported back to the committee facilitators and during committee calls. Following each call, the youth went back to their communities to solicit feedback from other young people on the issues discussed in the calls. Four CAPs were completed. The engagement continued at the Canada We Want Conference, where the **Justice System We Want theme team**, a group of seventeen youth, from six provinces, one territory, representing Indigenous and non-Indigenous, Northern, and a number of other diverse populations, engaged in five days of discussion on the values and objectives that they hope the CJS would uphold in the future.

**Youth Engagement on the Criminal Justice System (CJS) Project 2017:** Eight Justice Youth Action Committee members representing Indigenous, non-Indigenous, rural, urban, and other diverse populations joined bi-weekly calls from June 2017 to March 2018. This project had an issue-based focus relevant to the work of Justice Canada. Issues covered included: bail and AOJOs, restorative justice, problem-solving justice, overrepresentation of Indigenous persons in the



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CJS, overrepresentation of persons with mental health and cognitive issues in the CJS, performance measurement of the CJS, and the perspectives of victims of crime. During the 2018 Canada We Want Conference the **CJS theme team**, a group of 11 youth and 2 youth facilitators from 2 territories and 5 provinces, representing Indigenous and non-Indigenous, Northern, and a number of other diverse populations, engaged in discussion around justice issues.

The SCC defined restorative justice as providing an opportunity for those directly affected by a crime -- a victim, offender and community -- to identify and address their needs in the aftermath of a crime and seek a resolution that promotes restoration, reparation, reintegration and prevents future harm. Videos of RJ were provided to help illustrate how it could look in different circumstances. Following a committee call to discuss the above, the SCC built a survey that first explored RJ as a topic related to the criminal justice system and then applied it to a more common situation: an incident at school. The SCC felt that this would help young people apply RJ in a real situation to determine the limits of its application and its value.

The SCC created a survey as well as in a print-friendly format. The SCC made efforts to make this survey more visually appealing, using graphics to share the definition of RJ, as well as videos to illustrate RJ processes. Eighty-four (84) young people completed this survey. RJ was a prominent discussion at the 2018 Canada We Want Conference. Young people were interested in learning more about alternative forms of sentencing and how they could be used alone or in conjunction with more conventional forms of sentencing, such as restitution or incarceration.

**For further information on the findings and/or surveys mentioned in this document please contact the Department of Justice's Research and Statistics Division ([rsd.drs@justice.gc.ca](mailto:rsd.drs@justice.gc.ca))**

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<sup>1</sup> Unless otherwise noted, all findings are from the Youth Engagement on the Criminal Justice System Project 2017.

<sup>2</sup> The Students Commission of Canada is a national charitable organization with a mission to support young people in putting their ideas for improving themselves and their communities into action. The Centre of Excellence for Youth Engagement is a network of youth, youth organizations and academics focused on providing evidence on the benefits of youth engagement and positive youth development.

<sup>3</sup> The Students Commission selected members to join the Youth Action Committee for Justice Canada. The youth selected were from across the country, aged between 12 and 22 years, lived in urban and rural communities, were from diverse backgrounds and cultures, and had varied life experiences.

<sup>4</sup> Community action projects required YAC (Youth Action Committee) members to go into their communities and gather data from their peers using the survey questions identified on the calls. Youth could deliver a survey, a focus/discussion group, or interviews to collect this data.

<sup>5</sup> At the "Canada We Want" conference, the *CJS theme team* (a diverse group of youth from across Canada) generated recommendations for policy makers and other young Canadians regarding the criminal justice system.