Overview

- Canadian Youth Justice Overview
  - Formation of youth justice committees
  - Impact of YCJA
- Basic principles & values
- Context
- Research findings & conclusions
- Limitations & Challenges
- Discussion & questions – implications?
Research Question...

“What practices, conducted by the Winnipeg Youth Justice Committees in the course of fulfilling the mandate of the Youth Criminal Justice Act, reflect a restorative justice approach?”
JDA to YCJA
Youth Justice Committees

JDA → YOA
Established

Roles expanded
*repair harm (victim & community)
*rehabilitate, reintegrate
*solicit victim concerns
*facilitate reconciliation
*conduct conferences

→ YCJA
Basis of research

- WYJCs
- Definition
- Values and Principles
- Context
Key Principles
(Van Ness & Strong: 2006)

1. Work to heal victims, offenders & communities injured by crime;

2. All parties should have opportunity for active involvement;

Fundamental Values
(Van Ness & Strong: 2006)

1. Encounter

2. Amends

3. Inclusion

4. Reintegration
Basis of research

- WYJCs
- Definition
- Values and Principles
- Context
RESEARCH FINDINGS
- Themes -

1. Training

2. Meaning of RJ
   - who, what, why

3. Meeting procedures
   - objectives, discussion, decision-making, disposition

4. Victim participation
Dominant Patterns

I. Offender focus
   - in definition
   - prevention of recidivism
   - rehabilitation
   - reintegration
   - reparation
   - accountability
Offender Focus

We focus on:

“looking for the gifts of the offender, and try to work with them to develop those gifts.”
Dominant Patterns

I. Offender focus
   - in definition
   - prevention of recidivism
   - rehabilitation
   - reintegration
   - reparation
   - accountability
Offender Focus

“Thereir actions are what brought us here, so their decisions help fix it.”

“The youth never leaves the room, we all arrive at a disposition together.”
Dominant Patterns

I. Offender focus
   - in definition
   - prevention of recidivism
   - rehabilitation
   - reintegration
   - reparation
   - accountability
Dominant Patterns

II. Language and Communication

- With other members
- With youth
Language & Communication

“...have to be someone that’s willing to see the youth as a person, and not only as an offender.”
Dominant Patterns

III. Victim Involvement

Categories:
1. Active victim participation
2. Some victim participation
3. No victim participation
Dominant Patterns

- Victim Involvement
  - Revictimization of victims?
  - Hostility towards youth?
  - Nothing to offer?
  - It’s our role
Dominant Patterns

III. Victim Involvement

Consistent, meaningful inclusion =
- reparation
- restitution
- reduction of aggression
- reintegration of:
  youth, victim, youth & victim
Victim Involvement

“We’ve had, um, victims request that a youth clean up, like that’s an ideal situation that’s happened a couple of times, where a youth has been able to remove paint or fix a fence. There’s one that... was actually helping an older man with his back yard, and they actually kind of developed a relationship. I mean that’s what you always want to do, right?”
Dominant Patterns

- Training

“All committee members receive restorative justice training.”

“They probably received some training but I can’t specifically say.”
Challenges & Limitations

- Hawthorne Effect
- Variation in practice between committees
- Uneven distribution of trained members
- Members from YOA – grounded in retributive system
- Victim reluctance
WYJC Practices that reflect restorative justice principles & values

- Rehabilitation of offender
- Prevention of recidivism
- Reparation of harm
- Promoting accountability & responsibility
- RJ language & communication
- Victim involvement & participation
- Facilitation of reintegration
Conclusion

- Restorative Justice = Paradigm shift
- Incremental changes have occurred
- Youth and victims have benefited
- More work to be done
Winnipeg Youth Justice Committees

Restorative Justice Values and Practices

Colleen Pawlychka
clpawlychka@shaw.ca