An Evaluation of Community Justice Forums

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The purpose of this research was to determine the effectiveness of a RCMP restorative justice initiative referred to as Community Justice Forums (CJFs). A second purpose of this research was to determine which variables (e.g., demographics, type of offence, etc.) predict re-offending for CJF offender participants.

Community Justice Forums are a type of pre-charge court diversion program. As described in The Community Justice Forum: Canadian Resource, the model for this initiative was the Family Group Conferencing system used in New Zealand. After an offender is apprehended, the RCMP makes a decision whether or not the offender is a suitable candidate for a CJF. If the offender is deemed suitable, and both the offender and victim agree to participate in a CJF, then the offender, victim, their respective supporters, the arresting officer and a trained facilitator meet together to discuss the offence. Each participant has an opportunity to speak and to discuss the effects of the offence. Offenders are encouraged to take responsibility for their actions and the victim is asked what should occur to repair the harm. An agreement is reached with the consensus of all parties.

The research examining these types of Victim-Offender Mediation (VOM) programs is limited (Schiff, 1998). Very few of these studies have employed the experimental method or matched comparison groups (Bonta, et al., 1998). Some studies suggest that VOM referred offenders have lower re-offending rates than non-referred offenders (Bonta, et al., 1998; Schiff, 1998). There, however, has been no research to date that has examined which variables are related to CJF offender re-offending.

The following questions were addressed in this study. (1) What is the profile of offenders referred to CJF's? (2) What are the re-offending rates of CJF referred and non-referred offenders? (3) What variables predict re-offending for referred offenders.?

Method

Sample

At the time of data collection there were 62 community justice forums completed in Whitehorse, Yukon. The RCMP files for all 62 of these offenders were reviewed for this study. In addition to these files, a local matched court referred sample was obtained by reviewing the files of 62 offenders who proceeded through the court system.

Procedure

Data collection consisted of coding information from RCMP offender files and PIRS (Police Information Reporting System). Each CJF referred offender was matched with a court referred offender. The court referred sample was matched with the CJF sample on the following variables: age, gender, severity of index offence, and past criminal record (including severity of past offences).

Measures

In addition to coding age and gender, the following information was coded from each file.

Type of Index Offence. The offence that resulted in the CJF referral or matched offence for the court referred sample, was recorded for each offender. Type of offence was determined according to the Criminal Code of Canada.

Severity of Index Offence. The following 5-point scale was used to rate the severity of the index offence: (5) Serious (indictable) offences against persons, (4) serious property offences, (3) minor offences against persons, (2) minor property offences, (1) non-criminal and status offences.

Number of Past Offences. For each offender the number of past convictions was recorded.

Experience of Facilitator. For each CJF offender, the number of forums previously conducted by their CJF facilitator was recorded.

   Number of Victim and Offender Supporters. For each CJF offender, the number of offender

supporters and the number of victim supporters was recorded.

   Number of Subsequent Charges. The number of charges following the CJF or court hearing

was recorded for each offender.

Results

Profile of CJF Offenders

   The majority of the CJF offenders were male and the mean age of the offenders was 16.85

years old (SD = 5.05). The majority of the offenders were young offenders (82%) and offenders

under 21 years of age (93%). Further, 87% of the offenders did not have a previous criminal record.

The majority of the offences committed by these offenders were minor property offences (53%) and

only a small percentage of the offenders had committed serious offences against persons (less than

7%).

Recidivism Rates and Predictors of Recidivism Rates

   Re-offending and type of referral (CJF and Court) were not independent from one another

$(\chi^2(1) = 15.99, p < .01)$. Over 40% of the court matched offenders re-offended, whereas less than

10% of the CJF referred offenders re-offended. Subsequent recidivism is not an accurate measure

of comparison, because it does not take into account the number of days elapsed since the index

offence. For the most part, the court referred offenders had potentially more time following their

court appearance to re-offend than the CJF participants, because of the selection procedure. The

majority of the matched offenders' index offences occurred before the initiation of the CJF program,

therefore, the time frame for assessing subsequent offences (risk time) was broader for these

offenders. To circumvent this problem, risk time was calculated for each offender (the period of

time elapsed since the index offence). The number of subsequent offences was then divided by risk

time and multiplied by 365 to yield an annual offence ratio. The CJF referred offenders had a significantly lower mean annual offence ratio than the court referred offenders.

Age, gender, severity of index offence, experience of facilitator, and number of victim and offender supporters failed to predict re-offending rates. The presence of a criminal record, however, did predict re-offending rates for the CJF referred offenders, but not for the court matched sample.

Discussion and Summary

Although it appears that CJFs are effective in reducing re-offending rates, we must be cautious in drawing conclusions. Offenders were not randomly selected to participate in the CJFs. First, the arresting officer and the watch commander decide whether or not the offender will proceed to a CJF. Second, the victim and the offender must both agree to participate. Third, the offender must accept responsibility for the offence. Despite efforts to match the two sample, only an experimental approach (random assignment to either CJFs or court can determine the impact of these forums. Finally, re-offending rates are only one factor when determining success of a program. Other possible evaluative factors, which were not explored in this study, include cost-benefit analysis of CJFs, victim and offender satisfaction, and community satisfaction.