

Université de Montréal

**An exploration of the cases referred to victim-offender mediation
within the framework of the juvenile justice system**

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RÉSUMÉ

Ce mémoire de maîtrise cherche à jeter un regard approfondi sur les cas des jeunes contrevenants référés au processus de médiation à *Trajet*, un organisme de justice alternative à Montréal. Plus précisément, les objectifs sont de décrire les caractéristiques des cas référés, d'explorer leur relation avec la participation au processus de médiation et avec le résultat de celui-ci, et de comparer ces mêmes éléments en regard de deux périodes incluses dans le projet : celle où s'appliquait la *Loi sur les jeunes contrevenants* et celle où la *Loi sur le système de justice pénale pour les adolescents* assortie de l'*Entente cadre* sont entrés en vigueur. Des méthodes de recherche quantitatives ont été utilisées pour analyser les cas référés à *Trajet* sur une période de 10 ans (1999-2009).

Des analyses descriptives ont permis d'établir les caractéristiques communes ou divergentes entre les cas référés à *Trajet* et ceux référés à d'autres programmes de médiation. Des analyses bi-variées ont révélé qu'une relation significative existait entre la participation au processus de médiation et l'âge et le sexe des contrevenants, le nombre de crimes commis par ceux-ci, le nombre de victimes impliquées, le type de victime, l'âge et le sexe des victimes et, le délai entre la commission du crime et le transfert du dossier à *Trajet*. La réalisation d'une régression logistique a révélé que trois caractéristiques prédisent de manière significative la participation à la médiation : l'âge des contrevenants, le nombre de victimes impliquées et le délai entre la commission du crime et le transfert du dossier à *Trajet*. La faible proportion d'échecs du processus de médiation a rendu inutile la réalisation d'analyses bi et multi-variées eu égard au résultat du processus de médiation. Des différences significatives ont été trouvées entre les cas référés en médiation sous la *Loi sur les jeunes contrevenants* et ceux référés sous la *Loi sur le système de justice pénale pour les adolescents* assortie à l'*Entente cadre* en ce qui a trait au type de crime, au nombre de délits commis, à l'existence d'une référence précédente à *Trajet*, aux raisons pour lesquelles la médiation n'a pas eu lieu, à la restitution sous toutes ces formes et, plus spécialement, la restitution financière. La participation à la médiation est apparue plus probable sous la LSJPA que sous la LJC. Des corrélations partielles ont montré que différentes caractéristiques étaient associées à la participation à la médiation dans les deux périodes en question. Seule une caractéristique, le sexe des victimes, s'est avérée reliée significativement à la participation à la médiation tant sous la LJC que sous la LSJPA.

Les résultats de ce projet ont donné lieu à une connaissance plus approfondie des cas référés à *Trajet* pour un processus de médiation et à une exploration de l'impact que la LSJPA et l'*Entente cadre* sur ce processus. Toutefois, l'échantillon étant limité au cas traités à *Trajet* ne permet pas la généralisation de ces résultats à l'ensemble des cas référés aux organismes de justice alternative du Québec pour le processus de médiation.

Mots clés : jeunes contrevenant médiation, Loi sur les jeunes contrevenants, Loi sur le système de justice pénale pour les adolescents.

ABSTRACT

This thesis provides an in-depth look at the cases of young offenders referred to *Trajet*, an *organisme de justice alternative* (OJA) in Montreal, for victim-offender mediation. More specifically, the objectives of this thesis are to describe the characteristics of these cases, to examine their relationship with participation in mediation and outcome, and to compare these same elements under the laws and processes in effect during the study time period (Young Offenders Act versus Youth Criminal Justice Act and *Entente cadre*). Quantitative research methods were used to analyse the cases referred to *Trajet* over a ten-year period (1999-2009).

Descriptive analyses helped to determine how the cases resembled or distinguished themselves from those referred to other mediation programs. Bivariate analyses revealed that offender age, offender gender, offence number, victim number, victim type, victim age, victim gender and case referral delay were significantly correlated with participation in mediation. Logistic regression showed that offender age, victim number and referral delay were significant predictors of victim-offender participation in mediation. Unfortunately, it was not possible to explore characteristics related to mediation outcome through bivariate and multivariate analyses due to the small proportion of cases in which the outcome was unsuccessful.

Significant differences were found in cases referred to victim-offender mediation after the implementation of the Youth Criminal Justice Act and the *Entente Cadre* regarding offence type, offence number, referral for prior offending, victim age, referral delay, reasons for which mediation did not occur, restitution terms and, more specifically, financial restitution. Participation in victim-offender mediation also differed significantly in that participation was more likely following the implementation of the YCJA/*Entente Cadre*. Partial correlations revealed that different case characteristics were associated with participation under the YOA and the YCJA/*Entente cadre*. Only one characteristic was significantly correlated with participation regardless of the law and processes in effect: victim gender.

This in-depth look at the cases referred to *Trajet* for victim-offender mediation resulted in a better understanding of victim-offender mediation practice and of the impact of the YCJA/*Entente cadre*. However, because the sample of cases used was not representative, the results of this study cannot be generalised to the cases referred to all of Quebec's OJAs for victim-offender mediation.

Keywords: Young offenders, mediation, Young Offenders Act, Youth Criminal Justice Act.

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INTRODUCTION

Juvenile justice has been the backdrop for an endless debate that pits rehabilitation against punishment (Walgrave, 2004). However, it has also permitted exploration of and experimentation with new ideas and programs (Fattah, 1998; Walgrave, 1998). This has led to the development and implementation of restorative justice practices such as victim-offender mediation involving young offenders (Bazemore & Walgrave, 1999a). Considered one of restorative justice's most prevalent practices in North America, victim-offender mediation has been the subject of a number of studies that survey program characteristics and processes and evaluate outcomes (Bazemore & Walgrave, 1999a; Umbreit, Coates, & Vos, 2001b; Schiff & Bazemore, 2002; Bazemore & Umbreit, 2003).

In Canada, victim-offender mediation programs involving young offenders have been implemented and practiced under the auspices of the Young Offenders Act (1984-2003) (YOA) and the Youth Criminal Justice Act (2003-) (YCJA). Within alternative measures under the YOA and extrajudicial sanctions under the YCJA, implicit references to restorative justice principles were made to ensure, among other things, that young offenders repaired the harms done by their crimes (Pate, 1990; Griffiths & Corrado, 1999; Walgrave, 2004; Department of Justice Canada, 2011, 2012). Translating such principles into practice was not difficult in the province of Quebec as several projects aiming to divert youth from courts and to have them repair the harms caused had been experimented with even before the implementation of the YOA (Trépanier, 1986a; Charbonneau & Béliveau, 1999). The subsequent adoption of the YCJA and of the *Entente cadre* (an agreement between the *organismes de justice alternative* carrying out victim offender mediation and the *centres jeunesse du Québec*) further delineated the referral of cases to victim-offender mediation.

The present study explores the characteristics and outcomes of cases referred to victim-offender mediation in Quebec within the framework of juvenile justice. In the first chapter, juvenile justice is reviewed through historical and legal perspectives to provide an understanding of prevailing retributive and rehabilitative justice philosophies. The emergence of a third justice philosophy, restorative justice, is described with reference to its application in the context of juvenile justice in Canada and Quebec. This offers a clearer picture of the framework within which restorative justice practices such as victim-offender mediation have been developed and implemented. In the second chapter, the research questions guiding the present study are elaborated upon. Research design and data collection procedures used are also detailed. The third chapter presents the results of the analyses that were conducted. In the fourth chapter, results are discussed and interpreted while taking into consideration findings from similar studies. In addition, the impact that legislative changes (the implementation of the YCJA) and procedural changes (the implementation of the *Entente cadre*) may have had on case characteristics and outcomes are examined. Finally, concluding remarks and a discussion of the future research and practice implications of this study are presented.

CHAPTER 1: LITERATURE REVIEW

Victim-offender mediation practices have been developed and implemented within a variety of social and legal contexts. In order to gain a better understanding of victim-offender mediation involving young offenders in Quebec, a brief historical and legal overview of the juvenile justice system is presented here. Restorative justice, a philosophy underlying the development of this practice, is then described through its emergence, its principles and its definition. The practical translation of restorative justice in the legal context of juvenile justice in Canada and in Quebec is also included: a description of its practices, the persons involved and its outcomes provides a more precise understanding of victim-offender mediation involving juvenile offenders. Finally, the impact that two significant developments, the implementation of the YCJA and of the *Entente cadre*, have had on the practice of restorative justice is discussed.

1.1 Juvenile justice: Historical and legal perspectives

In the early 1900s, criticisms of the North American criminal justice system abounded as it was plagued by congested courts, long delays and high costs (Auerbach, 1983). In order to remedy this situation, new legal reforms such as small claims courts, public defenders and legal aid societies were introduced (Auerbach, 1983). Juvenile courts appeared during this period. In fact, the idea of a separate justice system for juveniles had already been proposed in Cincinnati in 1870 at the National Congress on Penitentiary and Reformatory Discipline through the adoption of its “Principles of Prison Discipline” (Trépanier, 1986b; Cullen & Gendreau, 2000). These principles included, among other stipulations, the prevention of crime through the treatment of children and the classification of prisons involving separate institutions for juveniles (Fischer, 2002).

The prevailing notions of the time corresponded to a rehabilitative ideal that can be summarized as follows:

First, it embraced the belief that crime was caused by an array of psychological and social factors that, in a fashion unique to each individual, intersected to push a person to the other side of the law. Second and relatedly, the way to prevent future crime was to change the unique set of factors that drove each individual into crime. Third, the process of corrections should be organized to identify these crime-causing factors and to eliminate them. That is, the goal of the correctional system should be rehabilitation. Fourth, since each offender's path into crime was different, the rehabilitation that was delivered had to be customized so that each offender was assessed on a case-by-case basis. That is, rehabilitation was to be individualized. Fifth, to provide individualized treatment, the state, through its agents in the correctional process, was to be invested with virtually unfettered discretion. Rather than base sanctions on the nature of the crime committed—a vestige of the unscientific approach to crime embraced by the classical school of criminology—sanctions would be directed to the individual needs and circumstances of offenders. (Cullen & Gendreau, 2000: 116-117)

In this conceptualization, the success of an offender's rehabilitation relied upon his or her treatment progress, which was evaluated by agents with unlimited discretion. This led to the implementation of the indeterminate sentence (Trépanier, 1986b). The fact that an offender's release was dictated by his or her rehabilitation was considered a stronger incentive to change (Cullen & Gendreau, 2000).

Juvenile justice systems were implemented in accordance with the principles of the rehabilitative ideal outlined above. However, there was an additional emphasis on the need to *save the children*. Thus, the approach used in the child protective services model was extended to young offenders, who were not considered responsible for their actions but rather in need of guidance, assistance and protection (Trépanier, 2005). The Juvenile Delinquents Act was adopted by Canadian parliament in 1908 after which the needs of young offenders were at the heart of intervention rather than the gravity of their offence (Trépanier, 2005). With the ultimate goal of preventing crime through rehabilitation, young offenders were subject to a series of measures until the age of maturity (21 years of age). At this time, it was also considered unnecessary to protect the rights of children throughout the juvenile justice system because the benevolent actions of justice representatives were considered to be in their best interest (Trépanier, 2005).

By the 1960s, dissatisfaction with the legal institutions implemented at the turn of the century once again grew pandemic and a new wave of justice system criticism emerged. On the one hand, the justice system was characterized as being “impotent” in its fight against crime: “nothing works” had rapidly become the new adage (Boutellier, 1996: 11). Rehabilitation was increasingly considered an inadequate philosophy of justice. Paradoxically, the “omnipotence” of the justice system also became a target of criticism from, amongst others, representatives of the abolitionist school of thought (Boutellier, 1996). The state, including justice system, was depicted as monopolizing social control while brushing aside those affected most: offenders, victims, their families and the communities involved. A look at the opinions of the discretionary power given to justice system representatives provides an example of these opposing views:

For conservatives, the problem was that judges and parole boards were too lenient; they used their discretion to release predatory criminals into the community where they would victimize innocent citizens. For liberals, the discretion given to state officials was applied inequitably and coercively. In their eyes, judges were free to discriminate against poor and minority offenders, while parole boards used their discretion to punish offenders who challenged the status quo of an inhumane prison regime. (Cullen & Gendreau, 2000: 122)

The juvenile justice system was not spared from this new crisis. The idealism that characterised the rehabilitative approach when it was implemented had dissipated and many of its underlying principles were called into question. The discretionary powers given to justice system representatives were undermined by preoccupation with abusive state interventions. This, in turn, led to the conclusion that the rights of children and their parents needed to be protected and could no longer be trusted to the supposedly benevolent intentions of the system (Trépanier, 1997). As much as it was deemed necessary to ensure the protection of their rights, it was also claimed that young offenders were not absolved of all responsibility (Trépanier, 1997). It was found problematic that the treatment of young offenders completely disregarded the victims of their crimes and two new notions surfaced: (1) that of more punitive sanctions for young offenders in order to fulfill the victim’s needs for justice and revenge and (2) that of victims receiving restitution from offenders for the harm that was caused (Trépanier, 1986b).

These issues led to the re-evaluation of justice system objectives and guidelines regarding young offenders. Major shifts were occurring and “the vacuum created by the trashing of rehabilitation was soon to be filled by the other two crime control approaches available to the criminal justice system – deterrence and incapacitation” (Blumstein, 1997: as cited in Cullen & Gendreau, 2000: 112). A more repressive note sounded in some new laws that were adopted. Canada, however, did not get as swept up in these drastic changes as other countries; following a revision process that began in the early 1960s it adopted a new law regarding young offenders in 1982: the Young Offenders Act (YOA) (Trépanier, 1986b).

Implementation of the YOA was expected to sweep away many paternalistic and increasingly archaic practices and attitudes that had accumulated during almost 80 years under the Juvenile Delinquents Act. It would replace them with modern principles and practices ... While the dominant orientation of the YOA seemed to be towards the “justice” model, it nevertheless incorporated significant elements of paternalism ... The “crime control” model was also apparent in the recognition in the YOA of the right of society to protection from crime (YOA s. 3(1)(b)). (Carrington & Schulenberg, 2004: 219)

Contrary to its predecessor, this new law did not focus entirely on protecting young offenders. Rather, it tried to strike a balance between holding young offenders responsible for their acts while acknowledging that, due to their age and developmental stage, they cannot be held accountable as adults and were still in need of guidance and discipline (Trépanier, 1986b, 2005). The discretionary powers of justice system representatives were now much more limited; besides young offenders’ specific needs, the gravity of the crimes committed and the offender’s criminal history were also taken into consideration when determining the duration of interventions according to predetermined guidelines (Trépanier, 1986b). In addition, the conditions under which a young offender could be tried as an adult were restricted (Trépanier, 1986b). Thus, the new legislation adopted penal law principles such as offender rights and proportionality, while also attempting to meet the specific needs of young offenders (Trépanier, 2005).

The YOA was criticized as soon as it came into effect for two reasons. Firstly, its principles were considered by some to be contradictory and lacking guidance regarding implementation, resulting in disparate applications of the law and a greater number of youth remanded into custody (Carrington & Schulenberg, 2004; Casavant & Valiquet, 2011). Secondly, reflecting the societal trend of an increasingly punitive approach towards crime, the YOA appeared “too soft”. At the time, “get tough on crime” policies abounded and were thought to better convey that criminal behaviour was unacceptable and that offenders must deal with the consequences of their actions (Bazemore & Umbreit, 1995).

In the first decade after the implementation of the YOA, there was an increase in youth crime in Canada. The YOA was seen as responsible because it was perceived as putting more emphasis on the rehabilitation of young offenders than on the protection of society (Carrington & Schulenberg, 2004; Casavant & Valiquet, 2011). In light of these issues, the law was amended on three occasions (John Howard Society of Canada, John Howard Society of Alberta, & John Howard Society of Ontario, 1995):

- in 1986 the maximum sentence was increased for youth having recidivated while completing a sentence for a previous offence and, the names of dangerous offenders who had not been apprehended became publishable;
- in 1992 the length of the maximum sentence for youth who commit murder was increased from three to five years and the dispositions that allowed the transfer of youth to adult court for serious crimes were modified in order to make the protection of society a priority;
- in 1994 it was established that adult court was the most appropriate place to try young offenders aged 16 or 17 who commit a serious crime. Previously, the onus to demonstrate the necessity of transferring a young offender to adult court lay with the prosecutor (Trépanier, 2005). As of the implementation of this amendment, such a transfer was presumptive. Also, the maximum penalty for murder was increased from five years less a day for both first and second degree murder to 10 years for first-degree murder and seven years for second-degree murder (Rosen, 2000).

These amendments did not alleviate dissatisfaction with the YOA and a full revision of the law led to the adoption of the Youth Criminal Justice Act (YCJA) in 2003. The objectives of this law were twofold.

Firstly, in order to decrease the use of courts and custodial dispositions, diversion and community-based sentences are to be used in cases of young offenders who commit minor offences (Bala & Anand, 2004). Secondly, harsher penalties are outlined for young offenders who commit serious offences with the inclusion of adult sentences and the publication of offender names (Bala & Anand, 2004). In order to achieve these objectives, the law's underlying principles were prioritized and its guidelines were clarified. Some of the principles associated with penal law (such as offender accountability and proportionality) that were introduced in the juvenile justice system with the YOA now held greater weight and the offence rather than the offender was prioritized in the determination of intervention (Trépanier, 2005).

Just as with previous laws, the adoption of this new law was not unanimously accepted:

In the lead up to the enactment of the YCJA, both right (conservative) and more left (social democratic) provincial governments opposed the legislation as either being still not 'tough enough' or a complicated 'rat's nest' (Rabson, 2003), while Québec, standing alone, opposed the legislation because it threatened to destroy what defenders claimed was the province's already well-functioning juvenile justice system (Hogeveen and Smandych, 2001; Trépanier, 2004). (Smandych, 2006: 24)

It must be noted that much of the resistance to the YCJA came from Quebec practitioners and justice representatives who felt that issues with the implementation of the YOA, rather than the law itself, were at the heart of the problem and that whatever changes needed to be made did not require new legislation (Barnhorst, 2004; Trépanier, 2004). In fact, the diversion from court of young offenders who committed minor offences and the development of alternative measures, both of which corresponded to the first objective of the YCJA, had been practised in Quebec since 1979 (Trépanier, 2004). The most controversial aspects of the YCJA concerned its second objective, which called for harsher penalties and facilitated the treatment of young offenders who committed serious crimes as adults. It was felt that this objective appealed to public perceptions of how youth crime should be treated rather than effective treatment process and, in addition, was perceived as contrary to Quebec's tradition of rehabilitation (Trépanier, 2004).

This brief historical and legal overview of the juvenile justice system in Canada illustrates the “ongoing debate on the balance between treatment and punishment in the response to youth crime” (Walgrave, 2004: 543). On the one hand, if the tendency towards punishment and greater permeability between the juvenile and adult justice systems are maintained, the viability for a separate system for juvenile offenders will be called into question (Bazemore & Umbreit, 1995; Bazemore & Walgrave, 1999a). On the other hand, the return to and reinforcement of the rehabilitative ideal offers an alternative that will be plagued by its past failures and lack of public support (Bazemore & Umbreit, 1995; Bazemore & Walgrave, 1999a). It has therefore been proposed that a third justice philosophy can offer an alternative to the rehabilitative and punitive models: restorative justice.

Historically, juvenile justice has been fertile ground for introducing new concepts, implementing new policies, experimenting with new ideas and innovative programs. It seems to be, therefore, the natural and most logical terrain for testing the exciting notion of restorative justice. (Fattah, 1998: 393)

1.2 Restorative justice theory

1.2.1 The emergence of restorative justice

The juvenile justice system and other important reforms were implemented at the turn of the twentieth century in response to heavy criticism. At the time, one of the reforms implemented involved an alternative to litigation known as conciliation. Although the justice system and its underlying philosophy were considered to be sound, the practice of conciliation was expected to alleviate the technical and procedural problems of a congested and overburdened institution (Auerbach, 1983). Conciliation was therefore appealing to justice system representatives on practical grounds because it diverted cases “that were deemed too trivial for most lawyers and judges to bother with” (Auerbach, 1983: 100).

In the 1960s, the overloaded justice system was once again plagued by high costs and reduced access to justice. New attacks on the justice system went further than those in the 1900s, claiming that the underlying philosophy of the justice system was no longer sound. This upheaval furnished the backdrop for two social developments that changed the perception of justice. Firstly, legal anthropologists had, through the study of foreign cultures, rediscovered the role of communities in conflict resolution through informal social control mechanisms

(Danzig, 1973; Berman, 1974; Christie, 1977). Consequently, community empowerment became an important tool in the fight against insecurity and crime. Secondly, feminist and victim advocacy groups turned their attention towards the long-forgotten plight of victims of crime and their needs (Boutellier, 1996; Strang, 2002). Thus, critics called for alternative measures to address the needs of victims (Boutellier, 1996).

In light of these political and social factors, restorative justice theory emerged. The perceived failures of incapacitation, rehabilitation, retribution and deterrence made space for a new philosophy of justice.

1.2.2 Restorative justice principles and stakeholders

Restorative justice is distinguished by a greater involvement of the parties (Van Ness, 1990; Hudson & Galaway, 1996; Van Ness, Morris, & Maxwell, 2001), which is believed to humanise the justice process (Hahn, 1998; Pelikan & Trenczek, 2006). As opposed to a retrospective approach focused on blame that binds parties in an adversarial relationship, restorative justice offers the opportunity to build a cooperative relationship between parties with a “forward-looking” perspective focused on problem-solving (Hahn, 1998). Thus, the fundamental principles underlying restorative justice theory redefine the conception of crime as follows:

- crime is a conflict that arises within a specific context and affects victims, offenders, and the community (Van Ness, 1990, 1993; Hudson & Galaway, 1996);
- the notion of crime being committed against the state is only secondary to this idea, and reconciliation of those involved and reparation of injuries are the main goals of the process (Van Ness, 1993; Hudson & Galaway, 1996).

The social upheaval described above led to the rediscovery of two stakeholders: victims and the community. Restorative justice is considered to be holistic theory in which victim, offender, community and criminal justice system are intrinsically involved in the justice process in order to repair the damages caused by criminal acts. The inclusive nature of restorative justice theory calls for balance to be maintained between the rights and responsibilities of these stakeholders (Messmer & Otto, 1992; Bazemore & Umbreit, 1994).

1.2.2.1 The victim

Greater victim involvement in the justice process has translated into increased victim support and understanding of victim needs such as: being given a voice in the process, being compensated for incurred losses and injuries, regaining control of the situation while reducing anxiety levels, greater feelings of security and meeting with the offender if so desired (Van Ness, 1990; Van Ness & Strong, 1997). Some maintain that these needs should be at the forefront of justice processes while punishment by the state should be put on the back burner (Messmer & Otto, 1992).

Victims appreciate that restorative justice acknowledges their interest in their cases, informs them of the developments regarding their cases and holds offenders accountable for their actions (Wemmers & Canuto, 2002). However, not all victims want the same level of involvement in the justice process; although they wish to be heard and to be able to express themselves, to be treated with respect and consideration and, to be consulted and informed throughout the process, they do not want to carry the burden of deciding the offender's sentence (Wemmers & Cyr, 2004).

1.2.2.2 *The offender*

It is felt that the criminal justice system encourages defendant passivity, placing them in the background of justice system representative activity (Van Ness & Strong, 1997). Restorative justice aims to reduce this passivity by giving the offender an active role in addressing the harm caused by his or her actions (Van Ness, 1990; Van Ness et al., 2001).

What does this active participation involve? Firstly, offenders must be held accountable for their actions and be given the opportunity to voice their accountability. Secondly, offenders must accept responsibility for repairing the material and nonmaterial harm that was done to the victim, their family, themselves, their own families and to the community. Finally, restorative justice theory requires that offenders have the opportunity to fulfill these expectations (Van Ness, 1990; Messmer & Otto, 1992). Through this process, offenders are given the chance to socially reintegrate themselves into their families and communities while allaying the alienation and harm that can result from the criminal justice system's punitive response (Messmer & Otto, 1992; Van Ness & Strong, 1997).

1.2.2.3 The community

The repercussions of crime are also felt at a macro level, affecting either directly or indirectly and to different extents, the communities of the victim and offender, as well as society at large. It is because of these often-neglected repercussions that feelings of insecurity reign (Van Ness & Strong, 1997).

“Communities are injured through loss of public safety, damage to community values, and the disruption caused by crime” (Van Ness, 1990: 9). Acknowledgement of these issues led restorative justice theorists to include the community and its interests in their holistic conflict resolution approach. Restorative justice calls for compensation of harm done to the community. As opposed to the more formal role of individual society members in criminal justice court juries, the community’s role in restorative justice is to provide a reintegrative context within which harm caused to victims and offenders can be repaired and the social conditions in which crime persist can be addressed (Van Ness, 1990; Messmer & Otto, 1992; Van Ness & Strong, 1997).

1.2.2.4 The justice system

The direct implication of victims, offenders and, in some cases, members of their families and communities in restorative justice processes does not preclude the participation of the justice system itself. In this model, the justice system is expected to maintain order through law enforcement. It is also expected to provide opportunities for victims, offenders and communities to reap the benefits of compensation, fair treatment and security while assuming their respective responsibilities in such a process (Van Ness, 1990; Messmer & Otto, 1992). The participation of the parties involved in resolving conflicts must therefore be facilitated by the criminal justice process and must occur “at the earliest point and to the maximum extent possible” (Van Ness, 1990: 9).

1.2.3 Restorative justice defined

A survey of current literature on the elements and principles underlying restorative justice reveals that there are countless ways in which they are used in both practice and theory. This reflects the fact that restorative justice has attracted supporters representing a great variety of social and justice perspectives (Jaccoud, 2001). Elements of the model can be found in the discourses of widely varying cultural and political groups, including the North American Mennonites, the abolitionist movement and the neo-liberal movement (Jaccoud, 2001).

This has led certain authors to state that there is confusion not only at the level of terminology, but in the restorative justice paradigm as a whole (Dignan & Cavadino, 1996; Daly, 2006). Some believe it allows different societal actors to mould the concept of restorative justice to their own lifestyle and behavioural guidelines (Messmer & Otto, 1992). “Restorative justice, in contrast to the simplistic models underlying “one size fits all” programs, emphasizes and allows for flexibility and a wide variety of options for dealing with offenders” (Hahn, 1998: 140). Thus, this characteristic also allows restorative justice programs the flexibility of meeting the specific needs of victims and offenders (Warner, 1992; Strang, 2002; Van Camp & Wemmers, 2013). However, others contend that a clear vision and definition of restorative justice is necessary in order to distinguish it from other justice philosophies and practices, namely retribution and rehabilitation (Sharpe, 2004).

This issue has given rise to countless debates regarding the definition of restorative justice. On the one hand, the purist model has adopted the following definition of restorative justice:

restorative justice is a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future. (Marshall, 1996: in McCold, 2000: 373)

This process-oriented model requires restorative justice practices that involve and meet the needs of offenders, victims (direct or indirect) and micro-communities (secondary victims and communities of support who have a relationship with the parties involved). Practices epitomising this ideal include family group conferences, community conferences and healing circles (McCold, 2000).

The model does not allow for any elements of the retributive and rehabilitative paradigms such as the threat of offender sanction or treatment (McCold, 2000). It has been criticised for limiting restorative justice to a process, without any mention of its underlying principle of repairing harm, and, thus resulting in the exclusion of many practices (Bazemore & Walgrave, 1999b; Bazemore, 2000).

The maximalist model, on the other hand, proposes the principle- and outcome-oriented definition that follows:

every action that is primarily oriented towards doing justice by restoring the harm that has been caused by a crime. (Bazemore & Walgrave, 1999b: 48)

Here, harm restoration is considered essential to the philosophy of restorative justice and how it distinguishes itself from retribution and rehabilitation (Bazemore & Walgrave, 1999b). This definition allows for a variety of processes along a continuum of restorativeness, that can lead to a restorative outcome: at one end of this continuum are voluntary processes involving victims, offenders and members of the community much like the processes corresponding to the purist model, while at the other end of the continuum are restorative sanctions that may be coercive but are meant to repair harm (ex. court-ordered restitution) (Bazemore & Walgrave, 1999b). The inclusion of this latter type of practices is at the heart of maximalist model criticisms. Proponents of the purist model claim that, by allowing the incorporation of other justice philosophies such as retribution and formal coercive practices, the maximalist model does not adequately challenge existing justice systems (McCold, 2000).

A third stance has proposed that restorative justice should emphasize both restorative processes and outcomes (Dignan, 2003; Van Ness, 2003; Bazemore & Schiff, 2005). It claims that restorative justice

is not restricted to a particular approach or programme, but it is applicable to any that have the following characteristics: an emphasis on the offender's personal accountability by key participants; an inclusive decision-making process that encourages participation by key participants; and the goal of putting right the harm that is caused by an offence. Restorative justice approaches vary in the way that these three elements - focus, process and goals – are combined (Dignan & Marsh, 2001: 85)

Here, the ability to define and measure the restorative nature of programs provides a better understanding of restorative justice's role in responding to crime, as opposed to other prevailing justice philosophies (Van Ness, 2003).

1.3 Restorative justice within the framework of juvenile justice

1.3.1 Restorative justice and juvenile justice in Canada

Dissatisfaction with prevailing justice philosophies and greater leeway in experimenting with innovative interventions have made juvenile justice interventions fertile ground for the exploration of restorative justice practices (Walgrave, 1998). In fact, it appears that “[n]early every Western justice system incorporates restorative justice programs and values for some young offenders ...” (Walgrave, 2004: 543).

Restorative justice can be carried out through a number of different practices: community boards or panels, family conferencing, circle sentencing and/or victim-offender mediation. Although restorative elements are an integral part of these practices, it must be noted that when they were originally implemented in the 1970s and 80s, these elements took a back seat to other approaches such as diversion of young offenders from formal proceedings, victim involvement in justice processes and offender rehabilitation (Walgrave, 2004). Such was the case in Canada (Pate, 1990). Before the implementation of the YOA in 1984, victim-offender mediation programs and young offender justice system alternatives were geared specifically and almost solely towards diversion (Pate, 1990).

However, under the YOA the objective was “not so much to divert from the judicial process, but to seek alternative solutions which will be effective in dealing with young offenders” (Bala & Lilles, 1982: as cited in /Pate, 1990: 136). The YOA not only ushered in the use of the term “alternative measures”, but also specified principles that were implicit in their reference to restorative justice, specifying actions such as amends-making by young offenders through restitution or compensatory work for victims (Pate, 1990; Griffiths & Corrado, 1999; Walgrave, 2004; Department of Justice Canada, 2011).

A review of the YOA completed by a Federal-Provincial-Territorial Task Force concluded that in order to ensure greater use of restorative justice practices, the principles of restorative justice would have to be included in a reform of the law in question (Griffiths & Corrado, 1999). It must be noted however that, although restorative justice may not have been explicitly mentioned within the framework of the YOA, several provinces had implemented its practices in their response to youth crime (Griffiths & Corrado, 1999). In fact, “a number of victim-offender mediation programs have flourished across Canada pursuant to the alternative measures provisions of s. 4 of the YOA” (Pate, 1990: 137). Unfortunately, “the extent to which the YOA could serve as a catalyst and framework for the development of restorative justice initiatives has been seriously compromised by the continuing controversy that has surrounded the legislations since its enactment in 1984” (Griffiths & Corrado, 1999: 239).

In terms of the implementation of the YOA and, more specifically, the alternative measures program, each province was responsible for determining whether or not it would implement such a program and, if so, the process and conditions in which young offenders would be referred to it (Pate, 1990; QUÉBEC Groupe de travail sur l'évaluation de la Loi sur la protection Jeunesse et de la Loi sur les jeunes contrevenants, 1995). In Quebec, for instance, the implementation of an alternative measures program did not represent a great change in how the province dealt with young offenders. In fact, the diversion of young offenders had been implemented since 1979 and required only minor changes in order to comply with the YOA (QUÉBEC Groupe de travail sur l'évaluation de la Loi sur la protection Jeunesse et de la Loi sur les jeunes contrevenants, 1995; Trépanier, 2004). Other provinces, however, did not implement any such program. This resulted in large provincial disparity in the application of the YOA and its objective to reduce the use of judicial interventions (Trépanier, 2005).

The YCJA (YCJA), adopted in 2003, was meant to remedy this situation by establishing clear guidelines for each stage of the youth justice system's process with the aim, among other things, of reducing court referrals. It hoped to achieve this aim by encouraging the use of extrajudicial measures in cases that involved minor offences. For example, the YCJA stipulated measures such as not taking further action in such cases, the provision of informal warnings, police and Crown cautions, referrals to community programs, and extrajudicial sanctions (previously known as alternative measures) (Barnhorst, 2004).

Furthermore, the YCJA specified that “rather than assume that the normal response is to charge the youth and proceed to court, police officers and prosecutors must in all cases first assess whether an extrajudicial measure would be adequate to hold the youth accountable” (Barnhorst, 2004: 236).

Among the objectives for extrajudicial measures, the YCJA stipulates that such measures should be used to encourage young offenders to repair the harm caused to victims and communities and to give victims the opportunity to participate in the justice process and receive reparation (Department of Justice Canada, 2012). Although there is no mention of restorative justice, one recognizes that these principles are congruent with its philosophy.

However,

(...) non-violent offences would preferably come under the discretionary powers of the police as set out in section 6¹; slightly more serious offences would be subject to extrajudicial sanctions, while the more serious offences and repeat offenders would be dealt with through the courts. (...) Hence, all processes stemming from this legislation are dictated by the nature of the offence, and several of the presumptions that are introduced are predicated upon this limitation. (Charbonneau, 2005: 80)

While the principles of the YCJA are reflective of restorative justice philosophy, its emphasis on crime type, rather than the consequences of the offence, is not (Charbonneau, 2005). Because this law specifies how the police and Crown are to use their discretionary powers, as well as the situations in which extrajudicial sanctions are to be used, the YCJA is more prescriptive than the YOA (Hillian, Reitsma-Street, & Hackler, 2004). For instance, it established a hierarchy in which an extrajudicial *sanction* cannot be used unless other extrajudicial *measures* (warnings, cautions or referrals to a community organisation) do not suffice in holding the young offender accountable for his or her actions (Barnhorst, 2004).

The YCJA also introduced the concept of the conference which could be used at two stages in the youth justice process: the extrajudicial measures stage or the sentencing stage (Barnhorst, 2004). Such conferences unite those persons that advise decision-makers on how to proceed

¹ Youth Criminal Justice Act, Section 6: Warnings, Cautions and Referrals. Section of the law allowing police officers to take no further action, warn the young person, administer a caution or refer the young person to a community program or organisation (Department of Justice Canada, 2012).

with young offenders and can be, but are not exclusively, restorative in nature as they may involve a meeting between a young offender and his or her victim(s) in order to discuss reparation (Barnhorst, 2004).

Such a broad definition of conferencing can be considered problematic for two reasons. Firstly, restorative processes can be used to achieve non-restorative outcomes. For example, conferences, such as victim-offender mediation, which represent a restorative process meant to achieve restorative outcomes, can be used to achieve objectives which are not restorative but rather more offender-based such as rehabilitation (Roach, 2006).

Secondly, non-restorative processes can be used to achieve restorative outcomes. For example, through the 1996 sentencing reforms and two Supreme Court of Canada landmark cases (*R. v. Gladue* in 1999 and *R. v. Proulx* in 2000), restorative outcomes such as repairing harm were identified as purposes of sentencing even though “sentencing is a bi-polar, adversarial and inherently coercive process that does not engage restorative processes and may only reach restorative outcomes occasionally” (Roach, 2006: 174).

Another issue concerns the implementation of extrajudicial sanctions. Although one of the objectives of the YCJA was to reduce provincial disparities in the application of the law, this may not be the case with extrajudicial sanctions. As with the alternative measures programs under the YOA, the YCJA stipulated that provinces were not required to implement a program for extrajudicial sanctions (Trépanier, 2005). It is therefore likely that, in this respect, provincial disparities in the application of the law will persist (Trépanier, 2005).

1.3.2 Restorative justice and juvenile justice in Quebec

Several legal and community initiatives led to the development of restorative justice practices in Quebec. In 1976, the Law Reform Commission of Canada (LRC) undertook an important philosophical review of the basis of Canadian criminal law (Office of the Auditor General of Canada, 2012).

This review introduced approaches to sentencing practices that echo the principles of restorative justice, including encouraging offenders to take responsibility for and acknowledging the consequences of their actions, the use of mediation and conciliation practices and, repairing harm done to victims (Lalonde, 2003). At the provincial level, Quebec adopted a Youth Protection Act in 1977, which allowed the diversion of youth from courts (Trépanier, 1986a).

It is within the context of these legal reforms that Quebec first experimented with alternatives to the formal justice system. A diversion program for young offenders known as “Projet intervention jeunesse” was implemented by youth workers from the *Bureau de consultation jeunesse* in collaboration with police officers who worked specifically with youth (Charbonneau & Béliveau, 1999).

Through the duration of the program from 1977 to 1979, young offenders were diverted from the formal justice system and offered the possibility of completing an alternative measure such as a written apology to victims, victim-offender mediation, community work benefiting victims or the community or, some form of counselling (Charbonneau & Béliveau, 1999). This experience was followed by another that was implemented in 1980 by two *Université de Montréal École de criminologie* students (Charbonneau & Béliveau, 1999). The objective of their “Programme de travaux communautaires” was to have youth acknowledge and take steps to repair the harm they caused. The program favoured the use of community service as a way for youth to meet these objectives (Charbonneau & Béliveau, 1999). Following the implementation of this program in Montreal, similar programs were established in several cities in Quebec (Charbonneau & Béliveau, 1999).

The province’s experience from programs such as these made the transition to the Alternative measures program as stipulated by the YOA less difficult. By the time the law was implemented in 1984, Quebec had already embraced and practised diversion and alternative measures for young offenders (Trépanier, 2004). The YOA also allowed for the possibility of referring youth to community organisations in order to complete an alternative measure (Charbonneau & Béliveau, 1999). These organisations, now known as *Organismes de justice alternative* (OJA), were charged with pursuing their work under the auspices of the YOA

because they already had experience with alternative measures (Charbonneau & Béliveau, 1999).

The alternative measures process under the YOA went as follows (Kowalski, 1999; Jaccoud, 2007):

- 1) cases underwent a pre-court screening process, particular to Quebec, New Brunswick and British Columbia (J. Thomas, 2008). The Crown Attorney, upon evaluation of the evidence, either closed the case with no further action, sent the case to youth court or referred cases that involved young offenders who committed their first minor offence to the *Directeur provincial* or Provincial Director;
- 2) the *Directeur provincial* (the referral to whom is a step in the process unique to Quebec), upon evaluation of the offender by a youth worker from the *centres jeunesse*, either closed the case, referred the case back to the Crown Attorney with recommendations that the case be dealt with in youth court or, deemed the case appropriate for an alternative measure;
- 3) in cases where young offenders acknowledged their responsibility for the acts they committed and agreed to participate in an alternative measure, a youth worker determined which alternative measure the young offender would complete: victim-offender mediation, community work, a social skills workshop, a written apology, financial restitution to the victim or to the community, etc.;
- 4) once the measure was decided upon, the young offender was referred to an OJA in order to complete the measure.

It must be noted that an alternative measure could also be court-ordered by a judge as part of the young offender's sentence. In this case, the alternative measure is not diversionary but the young offender is nonetheless referred to an OJA in order to complete the requirements of his or her sentence.

Because the YCJA stipulated that provinces could implement an extrajudicial sanctions program but did not specify the content of such programs, Quebec maintained the program it had developed under the YOA while incorporating new prescriptions (Trépanier, 2005). For instance, new measures were introduced such as the possibility for a police officer to directly refer a case to an OJA.

The YCJA established a hierarchy of measures, stating an extrajudicial sanction cannot be used unless other extrajudicial measures (informal police warnings, police or Crown cautions, police referral to programs or community agencies dealing with youth) were considered insufficient in holding the young offender accountable for his or her actions due to the nature of the offence committed, the young offender's prior offending or any other aggravating circumstances (Barnhorst, 2004; Carrington & Schulenberg, 2005). Also, unlike the YOA, under the YCJA a young offender who committed a minor offence remained eligible for an extrajudicial measure when he or she had previously been referred to an extrajudicial measure or where the offender had been found guilty for a previous offence (Barnhorst, 2004; Bala, Carrington, & Roberts, 2009). Finally, the YCJA required that measures be proportional to the seriousness of the offence in order to ensure the principle of proportionality (Barnhorst, 2004).

In addition to the modifications brought about by the implementation of the YCJA, the process regarding the referral of young offenders to the alternative measures program was revised by the *Association des centres jeunesse du Québec* and the *Regroupement des organismes de justice alternative du Québec* (ROJAQ). These modifications to the Quebec Alternative measures program, entitled *Entente-cadre sur le programme de mesures de rechange*, were adopted in August 2001 and implemented in the fall of 2002. Most often, these modifications were implemented by the OJA at the same time as the enactment of the YCJA in April 2003.

This revision process was meant to improve and update a program that had been running since the early 1980s. It sought to place greater emphasis on harm reparation in order to hold young offenders accountable for their actions, attain justice for victims and reaffirm societal norms through, ideally, victim-offender mediation (Association des Centres jeunesse du Québec & Regroupement des organismes de justice alternative du Québec, 2001). This shift towards a greater focus on reparation through victim offender mediation required that the following two changes be made to the alternative measures program and its referral process:

- 1) a hierarchy of measures was established placing harm reparation at the top of the list in order to guide the choice of alternative measures made by a youth worker from the *centres jeunesse*. Decisions on how to achieve reparation are made by victims and offenders through mediation (either direct mediation, where the parties meet in the presence of a mediator, or indirect mediation, where the parties do not meet but have a mediator shuttle between them). In cases where victims do not wish to participate in mediation or where there are no victims, measures must be directed towards repairing the harm done to the community through, for example, community service. It is only in cases where this is not possible that young offenders can be referred to a social skills workshop.
- 2) it was established that an OJA youth worker would first contact victims in order to discuss their willingness to participate in mediation. This information is then conveyed to youth workers from the *centres jeunesse* who then, in turn, meet with the young offender and decide upon the alternative measure offenders will have to complete. The case is then referred to the OJA and, in cases where mediation was decided upon, parties are contacted in order to organise the mediation process (and in doing so, confirm the willingness of victims and offenders to participate). In the past, youth workers from the *centres jeunesse* would first meet with young offenders and then decide on the appropriate alternative measure. If victim-offender mediation was retained, the young offender was referred to an OJA youth worker who would contact victims in order to discuss their willingness to participate in such a measure (Association des Centres jeunesse du Québec & Regroupement des organismes de justice alternative du Québec, 2001).

1.4 Victim offender mediation in practice

Victim-offender mediation has been the most prevalent and longstanding restorative justice practice in North America by far, most notably within the framework of the juvenile justice system (Bazemore & Walgrave, 1999a; Schiff & Bazemore, 2002; Bazemore & Umbreit, 2003). In the practice, young offenders and victims, either directly or indirectly and with the assistance of a mediator, discuss the offence that was committed, the consequences and harm related to the offence, and the actions that can be undertaken by the offender to repair the harm caused (Bazemore & Umbreit, 2003).

Surveys of victim-offender mediation programs have found that, most often, these programs deal with males (Umbreit & Coates, 1993; Schiff, 1999; Umbreit et al., 2001b; Rodriguez, 2007) of an average age of 14 or 15 (Umbreit & Coates, 1993; Umbreit et al., 2001b; Rodriguez, 2007) who committed their first minor offence (Umbreit & Coates, 1993; Schiff, 1999). Property offences (ex. vandalism, property damage, personal theft, business theft and burglary) or crimes against the person such as minor assaults are typically involved (Umbreit & Coates, 1993; Umbreit & Greenwood, 1999; Umbreit, Coates, & Vos, 2004; Bazemore & Schiff, 2005).

Some studies have tried to determine which case characteristics may be related to victim-offender participation in mediation. One such study found that client participation was more likely in cases involving property crimes as opposed to crimes against the person (Wyrick & Costanzo, 1999). In addition, the time that elapsed between the occurrence of the offence and contact for offering participation in mediation seemed to be a contributing factor: “(...) as time passes, the probability of participation increases for personal offences and decreases for property offences” (Wyrick & Costanzo, 1999: 264). Because a significant proportion (40% to 60%) of victims decline participation in victim-offender mediation, (Umbreit, Coates, & Vos, 2001a), the case characteristics specifically related to victim participation have also been examined. Victim participation was found to be likely in cases involving institutional victims, as opposed to individual victims, and in cases involving less serious crimes such as property crimes or misdemeanours (Ghem, 1990; Wyrick & Costanzo, 1999).

Factors related to the mediation process could also be at play. One study indicated that there may be a link between a victim’s refusal to participate and the information he or she was given about the process: victims who refused to participate were more likely to say that they were not given adequate information when they were first contacted by the organisation involved (Wemmers & Cyr, 2004). As for offenders, although little information was found regarding the correlation between victim-offender mediation participation and case-related factors, one study determined that offenders are more likely to participate in cases involving property offences (Niemeyer & Shichor, 1996).

Empirical evaluations of restorative justice outcomes have generally focused on measuring success through different perspectives including: participant satisfaction, recidivism and completion of victim-offender agreements (Latimer, Dowden, & Muise, 2001). The former perspective allows for the measurement of short-term success immediately following a mediation or other restorative justice encounter (Pruitt, Peirce, McGillicuddy, Welton, & Castrianno, 1993), while the latter two measure long-term success and outcomes (Pruitt et al., 1993).

Participant satisfaction in victim-offender mediation has been notably high in studies across countries and cultures, types of victims and offenders and seriousness of offence (Umbreit et al., 2001a). In fact, satisfaction rates typically lie between 80% and 90% (Coates, 1990; Umbreit & Coates, 1993; Umbreit, Coates, & Roberts, 2000; Umbreit et al., 2001a, 2001b). However, it seems that satisfaction is somewhat negatively impacted in cases of indirect mediation, that is, shuttle mediation through a third party without a face-to-face encounter (Umbreit et al., 2000; Umbreit et al., 2001a). In other words, there is greater satisfaction with direct face-to-face mediation than with indirect mediation (Umbreit et al., 2004). Interestingly, one study found that victims' dissatisfaction with restorative justice conferences was mainly a reflection of process failures (ex. poor training of facilitators and problems with the conference organization) than a reflection of "negative attitudes towards the principles of restorative justice" (Strang, 2002: 199).

Satisfaction with mediation and other restorative justice processes has also been measured against satisfaction with traditional criminal justice processes. Most findings have shown greater satisfaction with the former (Umbreit & Coates, 1992; Umbreit et al., 2000; Latimer et al., 2001; Umbreit et al., 2001a; Strang, 2002). However, one study indicates that while victims are more satisfied with mediation, no significant difference in satisfaction was found between offenders who participated in mediation and those who did not (Umbreit & Coates, 1993). A meta-analysis of conferencing and victim-offender mediation programs was unable to conclusively determine whether offenders were more satisfied with such programs as opposed to the traditional justice system process: either no significant difference was found or, a weak to moderate positive impact of conferencing or mediation on offender satisfaction appeared (Latimer et al., 2001).

Studies evaluating the long-term impact of victim-offender mediation through offender recidivism have been much less conclusive. Restorative justice interventions as a whole have been associated with significant, although sometimes small, lower recidivism rates (Latimer et al., 2001; Bonta, Jesseman, Rugge, & Cormier, 2006). It has also been found that more recent studies show greater effects (Bonta et al., 2006). Interestingly, this study also determined that referral source can attenuate the impact on recidivism: no impact of restorative justice interventions on recidivism was found when such interventions were court ordered (Bonta et al., 2006).

Some researchers have specifically compared recidivism rates of youth who were referred to mediation with matched comparison groups (control groups) of youth who went through other justice system processes; they found lower recidivism rates for those who were referred to mediation (Umbreit et al., 2000; Umbreit et al., 2001a; Bergseth & Bouffard, 2007). More precisely, the youth who participated in mediation subsequently committed fewer or less-serious offences (Umbreit & Coates, 1993; Umbreit et al., 2001a). While this finding was not statistically significant in some studies (Umbreit & Coates, 1993; Umbreit et al., 2001a), it was in one more recent study (Bergseth & Bouffard, 2007). On the other hand, it has also been concluded that there were no significant differences in recidivism among similar cohorts (Niemeyer & Shichor, 1996; Umbreit et al., 2001a).

A study evaluating recidivism in young offenders who participated in a conferencing program found that, just as with mediation programs, they were less likely to recidivate than young offenders in a comparison group (De Beus & Rodriguez, 2007). This study, along with others, also examined the effects of offender or case characteristics on recidivism. It was determined that gender and age influenced recidivism: males (De Beus & Rodriguez, 2007) and older juvenile offenders (Bergseth & Bouffard, 2007; De Beus & Rodriguez, 2007) were more likely to commit another offence following their participation in the program. However, the relationship between age and recidivism has yet to be conclusively determined since it has also been found that older juveniles are less likely to re-offend (Rodriguez, 2005).

The correlation between recidivism and the types of offences committed by youth referred to restorative justice-based programs have also been explored. Some studies have found that, when compared to a control group, restorative justice practices have a greater impact on property and status offenders regarding recidivism (Niemeyer & Shichor, 1996; De Beus & Rodriguez, 2007). Others have found that such practices have reduced re-offending for violent offenders (when compared to violent offenders who were dealt with in court) with no such discernible difference in recidivism of property or minor offences (Sherman, Strang, & Woods, 2000; Hillian et al., 2004).

One analysis of recidivism in offenders who participated in a conference, which did not use a control group, found no correlation with the type of offence committed (Hayes & Daly, 2003). However, prior offending and the nature of the victim-offender relationship were correlated to recidivism: offenders who previously committed a crime and those who did not know their victims were more likely to recidivate (Hayes & Daly, 2003). Similar conclusions regarding to the relationship between prior offending and recidivism were derived from a comparison of offenders who participated in mediation or conferences versus a control group (Rodriguez, 2005; Bergseth & Bouffard, 2007).

Compliance with, or completion of, agreements by young offenders represents another way to measure long-term victim-offender mediation success. It is more than likely, 90% or more of the time, that victim-offender mediation encounters result in an agreement between participants (Coates, 1990; Umbreit et al., 2001a; Umbreit, Coates, & Vos, 2008).

Although agreements can stipulate a variety of terms and conditions, the vast majority involve some form of restitution: financial, community work or personal services that are rendered to victims (Umbreit & Coates, 1992, 1993; Umbreit et al., 2000; Umbreit et al., 2001a). A great number of these restitution agreements (80% to 97%) are completed successfully (Coates, 1990; Umbreit et al., 2001b). When comparing their completion rates with control groups, those having reached a restitution agreement through mediation were significantly more likely to complete their agreement than those in comparison groups who were court-ordered to pay restitution or came to other arrangements (Umbreit & Coates, 1992, 1993; Latimer et al., 2001).

An offender's perception of the fairness of the process was positively correlated with agreement compliance (Pruitt et al., 1993). Young offenders who completed their agreements are also less likely to re-offend (Morris & Maxwell, 1998; Umbreit et al., 2001b; De Beus & Rodriguez, 2007).

There is some indication that offender characteristics may contribute to agreement completion. Caucasian juveniles (versus African American and Hispanic youth), those attending school and young offenders with little or no prior offending were most likely to complete family group conferencing agreements (De Beus & Rodriguez, 2007).

Finally, offence type has also been correlated with agreement completion. In one instance, it was found that, although there were a small number of cases in which agreements were not completed (3.2%), these cases almost exclusively involved property offences (Niemeyer & Shichor, 1996).

It must be noted that evaluations of restorative justice outcomes are mitigated by a self-selection bias (Latimer et al., 2001; Umbreit et al., 2001a, 2004). The fact that restorative justice processes such as mediation are voluntary in nature may result in participants who are more motivated and, hence, more likely to succeed (Latimer et al., 2001; Umbreit et al., 2001a, 2004). Another element that may come into play is process control; above and beyond their choice to participate, victims can choose between the types of process (direct or indirect mediation), the questions or topics they want to discuss, agreement terms and conditions, etc. (Van Camp & Wemmers, 2013). "Voice (or process control) was found to be a key indicator for victim satisfaction with the restorative intervention" (Van Camp & Wemmers, 2013: 135).

1.5 Alternative measures under the YOA and extrajudicial sanctions under the YCJA

An overview of the alternative measures administered to youth under the YOA from 1997 to 1998 gives some insight into the characteristics of young offenders who participated in such measures across Canada (Kowalski, 1999). Although data was unavailable for all provinces and territories across all categories, the data that was collected allowed for the extrapolation of participation rates and the characteristics of the youth involved. In Quebec, almost equivalent rates of youth were brought to court or referred to alternative measures (Kowalski, 1999). The rest of the provinces and territories had much greater rates of court referrals when compared to the rates of alternative measures' referrals with an average ratio of three to one (Kowalski, 1999). This indicates that "Quebec had the greatest use of alternative measures relative to courts" (Kowalski, 1999: 7). As for young offender characteristics, this study showed that the median age of youth who participated in alternative measures was 15, with females being slightly younger than males, across all provinces and territories. In addition, the vast majority of young offenders in the sample had no prior criminal history with 1% having been found guilty of a prior offence and 2% having already participated in an alternative measure. In terms of the criminal offences committed by the young offenders in this study, it was found that in 70% of cases the young offenders had committed a property-related crime, in 8% of cases they had committed a violent offence and 17% had been involved in other Criminal Code offences such as mischief. More specifically, the most frequently referred offences involved thefts under \$5,000 in 57% of cases, followed by common assault (7%), mischief (7%) and other property offences such as fraud, arson and stolen goods (7%). The proportion of youth who successfully completed their alternative measure was 89% with males and females having equivalent completion rates (Kowalski, 1999).

Thirty-seven OJAs are presently charged with supervising youth who are referred to alternative measures. A closer look at the use of alternative measures in Quebec reveals that, although the number of alternative measures increased from 1995 to 1996 (7613 and 8436 measures respectively), this number then declined to reach a low of 5680 in 2006 (Jaccoud, 2007). According to this author, given that this trend predates the implementation of the YCJA and the *Entente cadre*, the decline of property crimes committed by youth since the 1990's must be taken into consideration as a contributing factor since, as it was mentioned above, this type of crime is most often referred to alternative measures. The breakdown of the alternative measures administered by the OJA include (Jaccoud, 2007):

- Community work/volunteer work. The most commonly used measure, which represented almost half of all alternative measures (51.9% in 1995 down to 46.4% in 2006).
- Social skills workshops. The second most commonly used measure, which accounted for 40.0% in 1995 with a gradual decline throughout the years to approximately 25.0% in 2006.
- Victim-offender mediation. Represented 3.2% of measures in 1995, increased to 16.2% in 2004 with a decline to 12.7% in 2006.
- Financial restitution to the community. Accounted for 2.7% of measures in 1995 but increased to 8.8% in 2006.
- Written apologies. Represented 2.7% in 1995 but increased though the years to a high of 5.6% in 2006.

A descriptive study of the cases referred to twelve OJAs for victim-offender mediation from 1996 to 2000 highlighted the characteristics of offenders referred specifically to this measure: they were most often males (83.8%), their average age was 15.4 years and, in 14% of cases, they had already been referred to an OJA for a previous offence (Martire, 2005). As for the types of offences involved in this study's cases, 66.1% of the cases involved property offences and 27.3% involved crimes against the person. However, this was found to vary greatly across participating OJAs. Montreal's OJA (*Trajet*) was the only one to have been referred more cases involving crimes against the person (60.6%) than property offences 34.1%. As for the remaining OJAs, the percentage of crimes against the person ranged from a low of 1.7% to 34.8% and, property crimes ranged from 51.0% to 94.2%. This study showed that, overall, the percentage of crimes against the person increased from 19.6% of cases in 1996 to 37.7% of cases in 2000 and, property offences slightly increased from 64.3% in 1996 to 73.1% in 1998 and then decreased to 55.4% in 2000. The overall tendency was therefore towards a greater number of crimes against the person and a decreasing number of property offences. As for the more specific types of offences committed by young offenders referred to mediation, these most often included: theft of under \$5000 (18.6%), common assault (16.5%), mischief of under \$5000 (12.1%), breaking and entering in a home (9.9%) and breaking and entering in a place other than a home (6.1%) (Martire, 2005).

1.6 The impact of the YCJA and the Entente cadre

As previously mentioned, two significant developments pertaining to victim-offender mediation and other alternative measures involving young offenders were adopted within the same time frame (2002-2003): the YCJA and the *Entente cadre*.

Studies evaluating the impact of the YCJA have found that, regarding police charging (or Crown charging in provinces with a pre-court screening process), the number of youth charged has decreased and the use of extrajudicial measures has increased (Carrington & Schulenberg, 2005; Bala et al., 2009). Although the implementation of the YCJA also seems to have decreased the disparity in the number of youth charged between the provinces and territories, substantial variations remain (Carrington & Schulenberg, 2005; Bala et al., 2009). A study examining these variations found that the Yukon Territory and some provinces (Manitoba, Ontario, New Brunswick, Alberta, Nova Scotia and British Columbia) showed reductions in charging that were expected with the implementation of the YCJA (Carrington & Schulenberg, 2005). However, the same study did not find evidence of similar reductions in Saskatchewan and the Northwest Territories. In addition, the lower rates of charging these authors found in Quebec, Prince Edward Island, Newfoundland and Labrador could not be definitively attributed to the YCJA but could have been the result of a multitude of factors, including a pre-existing trend of decreased charges. For this and other reasons, the authors concluded that “the YCJA has had little or no impact on police (and Crown) charging practices in Quebec” (Carrington & Schulenberg, 2005: 30).

Charging practices regarding specific types of crimes were also reviewed and it was concluded that the YCJA resulted in significantly less charges being brought against youth who committed less-serious offences (Carrington & Schulenberg, 2005). It was found that there was also a decrease in the number of youth charged with more-serious offences but to a much lesser extent. Other authors have also observed that the overall trend of referring property crimes more often than crimes against the person to an extrajudicial sanctions’ program continued under the YCJA (Taylor-Butts & Bressan, 2008).

As for the *Entente cadre*, a qualitative study on its impact found that, even with an established hierarchy prioritising victim harm reparation through victim-offender mediation, the use of mediation as an extrajudicial sanction decreased from 2004 (16.2%) to 2006 (13.0%) (Jaccoud, 2007). According to this Jaccoud (2007), although 13.0% is a vast improvement over the number of victim-offender mediations that occurred before the implementation of the *Entente cadre* (with a low of 2.5% in 1996 and a high of 10.5% in 2002), the impact on the number of mediations was expected to be much greater; a greater number of OJA that provided mediation in conjunction with the hierarchy of measures and new procedures that offered mediation to a greater number of victims were expected to translate in greater numbers of mediation. This study also found that despite the fact that the *Entente cadre* was meant to clarify the process of choosing the appropriate extrajudicial sanction for young offenders, practices still varied greatly from one OJA to another: some regions showed an increase of referrals to victim-offender mediation whereas others showed a clear decrease (Jaccoud, 2007).

The interviews carried out in the same study with youth workers from *centres jeunesse* and from OJAs revealed a tenuous relationship between these groups that seemed to be rooted in their respective desires to protect their professional interests and autonomy (Jaccoud, 2007). When questioned about mediation, or a lack thereof, several opinions were given with *centres jeunesse* representatives expressing that (Jaccoud, 2007):

- Mediation possibly was not offering victims what they needed.
- Young offenders were presenting more complex profiles and were committing more-serious offences. In such cases, extrajudicial sanctions were not considered appropriate.
- The new process implemented with the *Entente cadre* increased not only the number of procedural steps but also the interdependency between the *centres jeunesse* and the OJAs. As a result, delays increased, leading victims to withdraw from victim-offender mediation measures.
- Contact procedures with victims on the part of OJA youth workers were possibly inadequate.

At the same time, some OJA representatives felt that (Jaccoud, 2007):

- Victims' interest in mediation was not always taken into consideration in the choice of the measure made by *centres jeunesse* youth workers. In fact, when contacted by OJA youth workers, 36.1% (2003-2004 administrative year) and 32.3% (2004-2005 administrative year) of victims expressed their willingness to participate in victim-offender mediation.
- New victim contact procedures rendered it more difficult to discuss mediation in concrete terms. For instance, OJA representatives had much less information to share with victims about young offenders and whether or not they were willing to participate in mediation.

A diversity of viewpoints on the respective impacts of the YCJA and the *Entente cadre* was also found. It was generally believed by both *centres jeunesse* and OJA youth workers that the *Entente cadre* had a greater impact, both positive and negative, than the YCJA (Jaccoud, 2007). For instance, the new procedures and the hierarchy of measures established within the framework of the *Entente cadre* led to greater involvement of victims in the justice process and greater emphasis being placed on restorative justice and the reparation of harm done. In some regions, this led to an increase in the number of referrals to victim-offender mediation (Jaccoud, 2007). However, some *centres jeunesse* youth workers expressed that the *Entente cadre* negatively impacted their work because their evaluation practices were limited by the hierarchy of measures and the impact of their interventions was reduced due to delays and the complexity of procedures. Problems with these new procedures were therefore thought to have resulted in the decrease of referrals to victim-offender mediation in other regions (Jaccoud, 2007). In some exceptional cases, mostly among participants opposed to the implementation of the *Entente cadre*, it was believed that the YCJA had a greater impact in its implementation encouraged a greater use of extrajudicial sanctions while the *Entente cadre* played, through its focus on victims, a more limited but complementary role in these changes (Jaccoud, 2007).

1.7 The present study

Victim-offender mediation practices involving young offenders within the Canadian justice landscape has followed its own distinct path in Quebec through the particular implementation of the alternative measures program under the YOA and the extrajudicial sanctions program under the YCJA. Acting as a vehicle for the diversion of youth from the formal justice system and for the development of restorative justice, victim-offender mediation has been a long-standing practice in Quebec (Trépanier, 2004).

A closer look at the cases referred to victim-offender mediation provides a better understanding of this practice in Quebec. The objective of this study is to depict the cases referred to victim-offender mediation with an in-depth focus on various case-related characteristics. Many studies have explored the relationship between case-related characteristics and participation in mediation and outcomes. In this study, an analysis of these relationships will also be of interest. Finally, the timeframe included in this study takes into consideration the significant changes that this practice has undergone in Quebec through the implementation of the YCJA and the adoption of the *Entente cadre*, with an exploration of cases before and after these events.

The principle research question that guided the present study is as follows: what are the characteristics of the cases that were referred to victim-offender mediation within the framework of the juvenile justice system in Quebec? And, more specifically:

- 1) What are the offender-, victim- and process-related characteristics?
- 2) Is there a relationship between these case characteristics and participation in mediation and, between these case characteristics and mediation outcome?
- 3) Were the cases referred to mediation under the YOA and those referred under the YCJA different in terms of characteristics, participation and outcome?

The following chapter will outline the methodology that was used to explore these research questions.

CHAPTER 2: METHODOLOGY

This exploration of victim-offender mediation involving young offenders in Quebec was carried out through the research design, data collection procedures and variables described below.

2.1 Research design and data collection

In order to explore the characteristics of cases referred to victim-offender mediation in Quebec, quantitative analysis of case file data was deemed most appropriate. This in-depth look at the cases referred to victim-offender mediation over a period of time covering both the YOA and the YCJA/*Entente cadre* required the use of univariate, bivariate and multivariate analyses.

Univariate analysis provided:

- a) a description of the cases referred to victim-offender mediation through offender, victim and process related variables.

Bivariate analyses (cross-tabulation and difference of means) provided:

- a) an exploration of correlations between case characteristics and victim-offender participation in mediation and outcome;
- b) an exploration of correlations between all variables and therefore an exploration of the relationships, if any, between case characteristics;
- c) a comparison of case characteristics (offender-, victim- and process-related variables), victim-offender mediation and outcome under Time period 1 (YOA) and under Time period 2 (YCJA and *Entente cadre*).

At the multivariate level, logistic regression analysis helped establish whether or not offender-, victim- and process-related variables could predict:

- a) participation in victim-offender mediation;
- b) the success of mediation as measured by the completion of mediation agreements.

This study's initial objective was to obtain the collaboration of several OJAs from different regions, representing cities of different sizes and different practices in terms of the volume of cases dealt with yearly. Although efforts were made to collect data from the OJAs in Quebec (n = 37), a lack of response from organisations and differing practices regarding case file records rendered this approach impossible. A different approach was therefore adopted: an in-depth analysis of the cases referred to one OJA, *Trajet* in Montreal, was conducted to develop an illustrative case study. Case study, as it is being used here, can be defined as follows:

Case studies are analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or more methods. The case that is the subject of the inquiry will be an instance of a class of phenomena that provides an analytical frame—an object—within which the study is conducted and which the case illuminates and explicates. (G. Thomas, 2011: 513)

In this case study, the subject is the referral of cases to victim-offender mediation at the participating OJA. The research illuminates and explores these cases in terms of their characteristics as well as the relationship between these characteristics and participation in mediation and mediation outcome.

The data collected within the framework of this study may be considered from two different perspectives. These perspectives can have direct implications on the way the data is analysed. On the one hand, the data included in this study can be viewed from the larger perspective initially intended for the project. Although the study would have ideally involved data from multiple OJAs, the participating OJA represents, according to one of its representatives, a fair number of referrals made to victim-offender mediation in Quebec. This is because it is considered to be one of top three OJAs in terms of the volume of referrals it processes annually. The data collected for this study may or may not therefore be representative of referrals to victim-offender mediation in Quebec. It nonetheless consists of a sample of the young offenders referred to victim-offender mediation in Quebec.

On the other hand, one could argue that the data collected for this study represents the population of young offenders referred to *Trajet* for victim-offender mediation from 1999 to 2009. From such a perspective, significance testing, which is used to “infer knowledge about a population on the basis of a statistic gained from a sample” (Cowger, 1985: 520), would be considered irrelevant and only descriptive analyses would be of use. However the use of significance testing with population data had been subject to much debate (Rubin, 1985). In fact, it has been contended that one may never have the data for the entire population because any data is in fact only a sample of a population for a cross-section in time (Rubin, 1985). For example, cases referred during a three-month time span, from January to March 2001, were not available for this study and therefore the data is incomplete. In addition, the ever-present possibility of data entry errors does not allow us to declare with absolute certainty that all cases were included. Hence, it is possible that the data used in this study does not represent the population of victim-offender mediation referrals to *Trajet*. Finally, the inclusion of only four years before the implementation of the YCJA can be considered a subset of all the cases referred to *Trajet* before its implementation. The same case can be made for the six years included following the YCJA’s implementation.

Therefore, for the purposes of this study, bivariate and multivariate analyses were conducted along with significance testing. Although focusing on one OJA will not allow the generalisation of conclusions to other OJAs, these analyses could be used to explore the characteristics of cases referred to victim-offender mediation and the relationships between the different variables included in the study. These results will hopefully be useful for future studies on victim-offender mediation.

As mentioned above, the participating OJA in the present study is *Trajet*. This OJA represented an interesting choice for the focus of this study for two reasons. Firstly, it has a long-standing history in the development and implementation of alternative measures to the justice system in Quebec. Secondly, according to one of its representatives, it is considered to be one of the top three OJAs in terms of the volume of referrals it processes annually. Unfortunately, the statistics necessary to illustrate this were unavailable.

Trajet is one of the two OJAs serving the City of Montreal. Its beginnings date back to one of Quebec's first experiments with alternatives to the formal justice system for young offenders. Implemented in 1980, the *Programme de travaux communautaires*'s objectives were to have young offenders repair the harm they caused through community work (Charbonneau & Béliveau, 1999). In 1983, under the name of *Travaux communautaires jeunesse Montréal* (TCJM), this organisation was legally constituted (Trajet, 2012). Through the implementation of the YOA in 1984, alternative measures programs were ushered in and, in 1991, TJCM, now named *Trajet jeunesse*, was mandated to apply such a program (Trajet, 2012). Known as *Trajet* since 2009, this organization's mission is to develop and apply alternative measures to the judicial system for young offenders (Trajet, 2012).

Its case referral sources include the *Centre jeunesse de Montréal-Institut universitaire* (responsible for the vast majority of *Trajet*'s referrals), the *Centre jeunesse de la famille Batshaw*, the Montreal municipal court, the *Service de police de la Ville de Montréal* and other youth centres (Trajet, 2012). The nature of referrals can vary (Trajet, 2012):

- young offenders could be referred within the legal framework in order to complete court-ordered or extrajudicial sanctions such as victim-offender mediation, volunteer work, social skills workshops or donations to community organisations;
- young offenders could also be referred by police officers for an extrajudicial measure;
- finally, young offenders who are unable to pay their fines could be referred to *Trajet* in order to complete compensatory work for non-profit organisations.

Trajet defines mediation as:

a process allowing the parties involved the opportunity to express their version of the event. This process is facilitated by a third party in order to allow young offenders and victims to come to an agreement with regards to the harms caused to the victim. This agreement can be the result of direct or indirect negotiations and involves a commitment by the young offender to respect the terms and conditions of the agreement. (Trajet, 2012: 32, translation by researcher)²

² *La médiation est un processus permettant aux parties d'exprimer leur point de vue sur l'événement. Ce processus s'effectue à l'aide d'un tiers afin de permettre à un jeune contrevenant et à la victime de parvenir à un accord eu égard aux torts causés à la victime. Cet accord peut être le fruit d'une négociation directe ou indirecte et s'accompagne d'un engagement du jeunes contrevenant à respecter les termes de l'entente.*" (Trajet, 2012: 32)

By specifying that mediation is a “process” that allows parties to deal with the “harms caused to the victim”, this description is in line with the more inclusive definition of restorative justice which emphasizes both restorative processes and outcomes (Dignan & Marsh, 2001; Dignan, 2003; Van Ness, 2003).

The present study examined the anonymised data of cases referred to *Trajet* for victim-offender mediation over a ten year period from January 1, 1999 to March 31, 2009. Although *Trajet* provided all case information, the data included in this study was collected at two different time periods. When the data collection for this study occurred, only cases covering the period from April 1, 2001 onward were available. This data alone would only have permitted an analysis of cases referred to mediation under the YOA for a period of two years (2001 to 2003) because the YCJA came into effect on April 1, 2003 and *Trajet* implemented the *Entente cadre* at the same time. In order to increase the number of years covered under the YOA, supplementary data that was also collected through a similar process for a previous project was included (Martire, 2005). Unfortunately, the previous project only included cases referred to victim-offender mediation up to December 31, 2001. Consequently, the data for a period of three months - from January 1, 2001 to March 31, 2001- was irretrievable. The resulting database is constituted of almost all the cases referred to *Trajet* for victim-offender mediation over a period of ten years, covering four years under the YOA and six years under the YCJA, from January 1, 1999 to March 31, 2009.

2.2 Ethical considerations

Since the information collected for this study involved young offenders and their victims, the data collection process needed to take into consideration the sensitive and confidential nature of this data. An ethics certificate for the project was obtained asserting that it respected research ethics rules as defined by the *Université de Montréal*. The data made available for the present study was devoid of all information revealing the identity of either offenders or victims, such as names and contact information.

Cases were identified through a case number which included the first three letters of the young offender's family name, the first letter of his or her first name and the year and month of his or her date of birth. This system is aligned with the database that *Trajet* developed to facilitate research projects, which contains anonymised case data that does not jeopardise the confidentiality of persons involved.

2.3 Variables in the analysis

The following dependent and independent variables were included in the study, used in bivariate and multivariate analyses to determine whether case characteristics (offender-, victim- and process-related) are correlated to the participation in and outcome of victim-offender mediation.

2.3.1 Dependent variables

2.3.1.1 Participation in victim-offender mediation

Once an alternative measure/extrajudicial sanction has been decided upon by a *centres jeunesse* youth worker, the case is referred to *Trajet*. In cases where mediation has been retained, *Trajet* youth workers then contact both victims and offenders in order to organise the mediation process and, in doing so, confirm their willingness to participate. The first dependent variable in this study is whether or not parties participated in victim-offender mediation. A dichotomous variable indicating participation in victim-offender mediation was created: parties who did not participate in victim-offender mediation (0) and parties who did (1).

2.3.1.2 Victim-offender mediation outcome

As noted above, the success of victim-offender mediation can be evaluated in a number of ways: the satisfaction of parties involved, recidivism of offenders or the completion of the terms and conditions of victim-offender mediation agreements. A second dependent variable seeks to evaluate victim-offender mediation success through the last category: victim-offender mediation will be considered unsuccessful when the terms and conditions of agreements were

not respected and/or completed by the offender (0) or successful when the said terms and conditions were respected and/or completed (1).

2.3.2 Independent variables

An examination of the data collected for this study allowed for the organization of case characteristics according to three categories of independent variables: offender-, victim- and process-related.

2.3.2.1 Offender-related variables

Offender-related variables include both extralegal (age and gender) and legal (type of offence committed, number of offences committed and previous referral to an alternative measure/extrajudicial sanction program) data.

❖ *Age*

This continuous variable consists of the young offender's age at the time of referral to *Trajet*. Before the uniform age of criminal majority in Canada was set at 18 in 1985, the age of majority established by the different provinces varied between 16 and 18 (Trépanier, 2004). In some other provinces, though not in Quebec, offenders of 16 and 17 years of age had long been treated as adult offenders (Trépanier, 2004). This is confirmed in one of the amendments made to the YOA in 1994, which stated that young offenders aged 16 and 17 who committed serious offences were to be transferred to adult court (Trépanier, 2005). Therefore, in order to further explore the bivariate and multivariate relationships between age and other variables, a second, dichotomous, age variable was created with young offenders under 16 years of age (0) and young offenders 16 years of age or older (1).

❖ *Gender*

The offender's gender was dummy coded as following: female (0) and male (1).

❖ *Education*

This variable accounts for the offender's last completed year of education. Ranging from elementary school to post-secondary education (CEGEP), this variable was dichotomised in order to represent elementary and junior high school education (0) and senior high school (Secondary III, IV and V) through to post-secondary education (1).

❖ *Occupation*

The offender's occupation determined whether they were students, employed, both or neither. Considering that mediation agreements may involve financial restitution, it was of interest to explore whether or not the presence of an income source contributed to agreement completion. Thus, a dichotomous variable was created for students and unemployed offenders (0) and offenders who were students and/or employed (1).

❖ *Number of offences committed*

This variable indicates the total number of offences committed by offenders. For instance, if an offender's crimes involved several victims, the number of offences committed would encompass all the crimes they committed. A preliminary review of the data showed that most offenders committed one or two offences. This would most likely result in frequency distribution that would deviate considerably from normality. Hence, for the purposes of logistic regression analysis, this variable was dichotomized with offenders having committed one offence (0) and those having committed two offences or more (1).

❖ *Offence type*

This variable indicates the most serious offence committed by offenders across all their victims. Again, if an offender's offences involved several victims, this variable represents the most serious offence committed across all the victims involved. Offences were categorised according to the Uniform Crime Reporting Survey: crimes against the person, property offences and other crimes. Crimes against the person include various types of assault, threats, harassment, and robbery. Property offences cover all theft-related offences, breaking and

entering, possession of stolen property and fraud. The third category of other crimes includes offences such as those related to public or peace officers (ex. obstruction or resisting arrest), possession of break-in instruments and attempts to commit a crime or being an accessory to one. A dichotomous variable was created for crimes against the person (0) and for property and other crimes (1).

❖ *Number of victims*

This variable indicates the number of victims involved in an offence. Once again, a preliminary examination of the data shows that the frequency distribution of this variable will not be normal since most offences involved one victim. For the purposes of logistic regression analysis, this variable was also dichotomized between offenders' crimes that involved one victim (0) and those that involved two victims or more (1).

❖ *Previous referral to an alternative measures/extrajudicial sanctions program*

An offender's prior referral to an alternative measures program under the YOA or an extrajudicial sanction program under the YCJA is an indication of whether or not the offender has committed a prior offence. Although it is possible that an offender could have committed a previous crime that was dealt with through another channel, one of the eligibility criteria for referral to an alternative measures program under the YOA was that participating young offenders had just committed their first minor offence. As for the YCJA, this criterion was expanded to include offenders having already been referred to an extrajudicial sanction's program for a prior minor offence. Of course, under either law, offenders could have committed a prior offence that was dealt with through warning or cautions. Although this variable is not be an exact measurement of prior offending, it can nonetheless give some indication of an offenders' criminal history and was thus used as a proxy for prior offending in this study (no prior referral: 0 and prior referral: 1).

2.3.2.2 *Victim-related variables*

The victim-related variables available for analysis include the victim type, age, gender and the nature of the victim's relationship with the offender.

❖ *Type*

The types of victims specified in the dataset fall into three categories. The first involves crimes against the person where the type of victim defined as a "person". The second category concerns corporate victim types such as businesses. The third category involves institutional victim types such as schools, public transport, municipal or police services, etc. For the purposes of bivariate and multivariate analyses, the victim type will be dichotomised as follows: person victims (0) and corporate/institutional victims (1).

❖ *Age*

This continuous variable represents the victim's age at the time he or she was contacted by *Trajet* regarding participation in victim-offender mediation. It was also deemed of interest to explore whether or not participation in and success of victim-offender mediation is influenced by the involvement of victims in the same age bracket as the young offenders in the sample. Hence, a dichotomous variable was created for victims 18 years of age or younger (0), or adults 19 years of age or older (1).

❖ *Gender*

The gender of victims was dummy coded as following: female (0) and male (1).

❖ *Relationship between the victim and the offender*

This variable indicates the relationship between the victim and offender according to the following categories:

- 1) transitory or in-existent relationship between the parties who were strangers, business or institutional victims, youth workers or police officers who were involved in the offender's case (0);
- 2) interpersonal relationship between the parties (friend, colleague, fellow student, teacher, neighbour, landlord, family member or past/current spouse) (1).

❖ *Number of offences committed against an individual victim*

This variable indicates the number of offences committed by young offenders against each individual victim. A preliminary review of the data showed that most victims had one or two offences committed against them. This would most likely result in frequency distribution that would deviate considerably from normality. Hence, for the purposes of logistic regression analysis, this variable was dichotomized between victims who had one offence committed against them (0) and those who had two or more offences committed against them (1).

❖ *Offence type*

This variable indicates the most serious offence committed by young offenders against each individual victim. The offences were categorised according to the Uniform Crime Reporting Survey: crimes against the person, property offences and other crimes. Crimes against the person include various types of assault, threats, harassment, and robbery. Property offences cover all theft-related offences, breaking and entering, possession of stolen property and fraud. The third category of other crimes includes offences such as those related to public or peace officers (ex. obstruction or resisting arrest), possession of break-in instruments and attempts to commit a crime or being an accessory to one. A dichotomous variable was created here: crimes against the person (0) and property and other crimes (1).

2.3.2.3 *Process-related variables*

The process-related variables included in this study highlight the different characteristics of the referral and victim-offender mediation processes.

- *Referral process*

❖ *Law in effect*

This variable accounts for the law in effect when the referral to victim-offender mediation was made. According to the Transitional Provisions stipulated in the YCJA, the application of the

new law depended upon whether or not proceedings had been commenced under the YOA (Department of Justice Canada, 2012). Specifically (Department of Justice Canada, 2012):

- any offence committed before the YCJA came into force on April 1, 2003 was dealt with under the YOA if proceedings had already been commenced under the YOA;
- in cases where an offence was committed before that date but in which proceedings had not commenced were dealt with under the YCJA;
- any offence committed after April 1, 2003 was dealt with under the YCJA.

The data collected for this study included two dates: that date upon which the crime was committed and date upon which the case was referred to *Trajet*. Unfortunately, neither of these dates indicates which law was applied to cases occurring immediately before or after the implementation of the YCJA. On the one hand, if the date of the crime was used, it is known with absolute certainty that the proceedings for all crimes committed on or after April 1, 2003 would have commenced under the YCJA. However, any crimes committed before that date and whose proceedings had not commenced, thus falling under the YCJA, would be erroneously be included in the YOA group.

On the other hand, if the referral date was retained, the proceedings for the cases referred on or after April 1, 2003 may have been commenced and dealt with under the YOA. However it would not be possible to determine which cases were dealt with under the YOA, nor for how long after the implementation of the YCJA *Trajet* received cases for which proceedings had been commenced under the YOA.

Considering the greater uncertainty associated with the use of the referral date, the date upon which the crime was committed was used to determine whether the case was dealt with under the YOA or the YCJA and *Entente cadre*. Hence, all cases involving a crime committed before April 1, 2003 were identified as having occurred under the YOA (0) and those involving a crime committed after that date were identified as having occurred under the YCJA (1).

❖ *Referral source*

This variable is associated with the source that referred the young offender to mediation. Referrals were either a voluntary process that was decided upon with a youth worker as an alternative measure, or were court-ordered by a judge at sentencing. This dichotomous variable was coded as follows: alternative measure (0) and court-ordered referral (1).

❖ *Delay*

This variable takes into account the delay between the date a crime was committed and the referral date when *Trajeta* received the case. This continuous variable measures how much time passed before OJA youth workers were able to start organising a victim-offender mediation encounter.

This variable will also be dichotomised. Some victim-offender mediation and conferencing studies have used the same variable. In one study involving juvenile and adult offenders who were referred to victim-offender mediation, it was found that the average delay between the offence and referral was 66.6 days (Wyrick & Costanzo, 1999). Although this variable was transformed for logical regression analysis, the nature of the transformation was not specified. A second study involving young offenders referred to restorative conferencing examined the impact of offender and case characteristics with re-offending (Hayes & Daly, 2004). In that research, the average delay between young offender arrest and referral was 53 days. In order to proceed with multivariate analyses, delay times were dichotomised with reference to the 50th percentile mark (Hayes & Daly, 2004).

Considering the fact that a number of cases have involved long delays and that they will assuredly have an impact on the average delay, the choice of cut-off point for dichotomisation in this study also relied on the 50th percentile mark: less than or equal to the 50th percentile (0) and more than the 50th percentile (1).

❖ *Alternative measures given by youth worker or youth court judge*

This variable accounts for the number of measures an offender is required to complete, as determined by a youth worker or youth court judge. *Centres jeunesse* youth workers, upon their meeting with young offenders, recommend consequences that the offender they will have to face for his or her actions. If the young offender acknowledges his or her responsibility for the acts committed and agrees to participate in an alternative measure, the youth worker decides upon which and how many alternative measures the young offender will have to complete. In the cases included in this study, all young offenders were referred to victim-offender mediation. However, the young offender may have had other measures to complete in addition to mediation (ex. community work, social skills workshop, written apology, financial restitution to the victim or to the community, etc.). In cases where victim-offender mediation was court-ordered, youth court judges also determined what additional measures, if any, young offenders had to complete.

It was of interest in the present study to explore if requiring additional measures had an impact on an offender's participation or success in the mediation process. Hence, a variable indicating the number of measures having to be completed by the young offender was created: 1 measure only (0) and 2 measures or more (1).

- *Mediation process*

❖ *Reasons victim-offender mediation did not occur*

In cases where mediation did not occur, this variable addresses the reasons for which it did not occur. Generally, the reasons for which victim-offender mediation did not take place were attributed to victim-, offender- or administrative-related reasons. Specific reasons given included: offenders being unwilling to participate, offenders not having followed-up with youth workers, refusal of youth workers to pursue mediation, difficulties in setting up the mediation encounter, victim unwillingness to participate, victim withdrawal from the process, difficulties in contacting either party, etc. As mentioned in the previous chapter, a significant number of victims decline to participate in victim-offender mediation and the factors related to victim participation have been the subject of previous studies (Ghem, 1990; Wyrick & Costanzo, 1999; Umbreit et al., 2001a).

In order to explore victim participation and its relationship with other characteristics in the present study, the reasons for which mediation did not occur were dichotomised as follows: reasons not attributable to victims (0) and reasons attributable to victims (1).

❖ *Type of mediation process*

This variable accounts for the type of mediation process used. Victim-offender mediation was either direct or indirect. Direct mediation involved the parties meeting in the presence of a mediator. In indirect mediation, the parties did not meet but had the mediator shuttle between them. In cases where mediation did occur, this variable distinguished between the mediation types: indirect (0) and direct (1).

❖ *Nature of victim-offender agreement*

This variable was used to determine the nature of the victim-offender mediation agreement that was reached. Agreements specified the terms and conditions offenders have to respect or complete in order to repair the harm they caused their victims. More specifically, the terms and conditions fell into the following categories:

- a) verbal apology to victim(s);
- b) letter of apology to victim(s);
- c) reflective letter or essay;
- d) reimbursement to victim(s);
- e) donation to an organisation or to charity;
- f) volunteer work;
- g) personal work for victim(s);
- h) work for corporate/business victim(s);
- i) work for institutional victim(s);
- j) some form of moral pledge or commitment to victim(s);
- k) complete a social skills workshop.

In order to proceed with bivariate and multivariate analyses, several variables representing the terms and conditions as specified in the victim-offender mediation agreement were created:

a) *Number of terms and conditions in the victim-offender agreement*

Victim-offender agreements may have included multiple terms and conditions to be fulfilled by offenders. Considering that a large number of agreements contained one term and that the frequency distribution of this variable was not normal, a dichotomous

variable indicating one term in the agreement (0) and more than one term (1) was created.

b) Restitution

Restitution can take various forms: financial compensation to the victim or the community, community service or, direct service to victims (Umbreit et al., 2004). A dichotomous variable was created indicating which offenders did not commit to some form of restitution (0) and which did (1).

c) Financial restitution

Financial restitution may represent a challenge for offenders, especially those who are not employed or have little means. A dichotomous variable taking this into account identifies offenders who did not have a financial commitment to victims (0) and those who did (1).

Because restitution terms specified the financial amount or number of volunteer/work hours that offenders were required to meet, variables representing these amounts were created. Financial reimbursements and donations were categorised into as following: \$1 to \$100, \$101 to \$200, \$201 to \$300 and more than \$301. As for volunteer work or work done for victims (personal, corporate or institutional), the number of hours was broken down into the following categories: 1 to 15 hours, 16 to 30 hours, 31 to 45 hours, 46 to 60 hours and more than 61 hours.

CHAPTER 3: RESULTS

In order to examine participation in mediation and mediation outcome, a definition of a case was required for this study. It is possible that an offender could have committed offences involving several victims. Thus, his or her referral to *Trajet* could potentially have resulted in victim-offender mediation encounters with each individual victim. The present study adopts the definition of a case that follows: “(...) a case is defined as a victim and offender combination (...)” (Ghem, 1990: 179). Hence, a referral that involved one offender but two victims was considered as two cases.

Preliminary analyses of the anonymised data bank provided by *Trajet* revealed that, due to data entry errors, some of the referrals involving multiple victims were in fact duplicates. It was consequently deemed necessary to review these cases. Because the data was anonymised, factors such as offence type, victim age, victim gender, victim occupation and process outcome aided in identifying the cases in which multiple victims were involved. It must be noted, however, that in some cases it was not possible to determine with absolute certainty whether the multiple entries represented multiple victims or were simply duplicate entries. In such cases, the entries in question were maintained in the database. As a result of this review process, 108 cases were not included in the study.

It was also ascertained that six offenders had been referred to *Trajet* for victim-offender mediation twice, from 1999 to 2009, for events that occurred between seven months and three years apart. Considering that these six offenders were referred at different times and ages for different events, their referrals will be considered as distinct cases and will be treated as such in the following analyses.

Quantitative analysis of the data collected illustrates the types of cases referred to *Trajet* for victim-offender mediation from January 1, 1999 to March 31, 2009 under both the YOA and the YCJA. In the following, case characteristics related to offenders, victims and referral and mediation processes will be explored through univariate, bivariate and multivariate analyses.

3.1 Univariate findings

The data collected for the purposes of this study consists of 1196 cases referred to *Trajet* for victim-offender mediation from January 1, 1999 to March 31, 2009. These cases involved 911 offenders and 1196 victims. The descriptive statistics that follow establish a portrait of both dependent and independent variables.

3.1.1 Dependent variables

The first dependent variable involved participation in victim-offender mediation. As shown in Table I, in 1180 cases (out of 1196) for which this information was available, victims and offenders who were offered the possibility to participate in victim-offender mediation did so in 62% (n=732) of cases and did not in 38% (n=448) of cases.

Table I. Participation in victim-offender mediation and outcome of victim-offender mediation

Dependent variables	N	%
Participation in victim-offender mediation*	N (1180)*	
No	448	38%
Yes	732	62%
Outcome of victim-offender mediation**	N (731)**	
Unsuccessful	38	5.2%
Successful	693	94.8%

* Missing values: 16/1196 (1.3%)

** Missing values: 1/732 (0.2%)

In cases where victim-offender mediation occurred, the outcome was considered successful in 693 of the 731 (94.8%) cases for which this information was available.

3.1.2 Independent variables

3.1.2.1 Offender-related variables

The descriptive statistics shown in Table II establish a portrait of the 911 offenders referred to *Trajet* for victim-offender mediation between 1999 and 2009.

Table II. Characteristics of young offenders referred to *Trajet* for victim-offender mediation from 1999-2009

Offender related variables	N	%
Gender*	N (910)*	
Female	163	17.9%
Male	747	82.1%
Age**	N (905)**	
< 16	491	54.3%
≥ 16	414	45.7%
Education***	N (831)***	
Elementary	146	17.6%
Secondary I	171	20.6%
Secondary II	179	21.5%
Secondary III	156	18.8%
Secondary IV	105	12.6%
Secondary V	65	7.8%
CEGEP	9	1.1%
Occupation****	N (878)****	
Student	640	72.9%
No occupation/unemployed	94	10.7%
Employed	88	10.0%
Student and employed	56	6.4%

* Missing values: 1/911 (0.1%)

** Missing values: 6/911 (0.7%)

*** Missing values: 80/91 (8.8%)

**** Missing values: 53/911 (5.8%)

The majority of offenders were male (82.1%). Their ages ranged from 12 to 19 years with an average age of 15.6 years. The frequency distribution of this continuous variable was negatively skewed (-0.277) and deviated slightly from normal (standard deviation = 1.5). As for the dichotomised age variable, 54.3% of offenders were under 16 years of age and 45.7% were 16 years of age or older.

The last year of education that had been completed by offenders revealed that 17.6% had finished elementary school, 20.6% had completed their first year of secondary education, 21.5% their second, 18.8% their third, 12.6% their fourth and 7.8% their fifth. The remaining 1.1% had completed a CEGEP post-secondary year. It follows that 59.7% of the offenders had completed either an elementary or junior high school academic year (Secondary I and II) and 40.3% had completed a senior high school (Secondary III, IV, V) or CEGEP academic year. A vast majority of the offenders in this sample (72.9%) were students at the time of their referral, whereas the remainder were employed (10.0%), students and employed (6.4%) or had no occupation or employment (10.7%). Therefore, through the creation of a dichotomous variable for offenders having a source of employment income, it is apparent that 83.6% of offenders did not have a source of employment income whereas 16.4% of the young offenders did.

The offences committed by the 911 offenders in this sample involved 1196 victims.

Table III. Number of victims involved in offender's referrals

Number of victims involved in offender's referral	Number of offenders	%
1	769	84.4%
2	98	10.8%
3	25	2.7%
4 or more ³	19	2.0%
Total	911	100%

As shown in Table III, the vast majority of offenders (84.4%, n=769) were referred to victim-offender mediation for offences involving one victim, while 10.8% were referred for offences involving two victims, 2.7% were referred for offences involving three victims and 2.0% were referred for offences involving four or more victims. The distribution of the number of victims involved in each offender's referral was both asymmetric and positively skewed (2.799). For the purposes of bivariate and multivariate analyses, this variable was therefore

³ The offences committed by six offenders involved four victims (0.7%), those committed by five offenders involved five victims (0.5%), those committed by two offenders involved eight victims (0.2%), those committed by five offenders involved 15 victims (0.5%) and those committed by one offender involved 16 victims (0.1%)

dichotomised between those cases that involved one victim (84.4%) and those that involved two or more victims (15.6%).

Information about the offences committed by the 911 offenders referred to victim-offender mediation was available for 892 offenders. This information showed that the offenders committed an overall number of 1606 offences. Table IV shows the number of offences committed by each offender across the cases they were involved in.

Table IV. Number of offences committed by offenders

Number of offences committed by offenders	Number of offenders	%
1	512	57.4%
2	243	27.2%
3	70	7.8%
4	35	3.9%
5	12	1.3%
6 or more ⁴	20	2.2%
Total	892*	100%

*Missing values: 19/911 (2.1%)

The average number of offences committed by offenders in this study is 1.8. As seen in Table IV, 57.4% of offenders committed one offence and 27.2% two offences. The remaining 15.4% committed three offences or more, up to a maximum of sixteen. Considering that the distribution of this variable was asymmetric and positively skewed (5.231), a dichotomous variable was created to distinguish offenders who committed one offence (57.4%) from those who committed two or more offences (42.6%). This allowed for bivariate and multivariate analyses.

⁴ Ten offenders (1.1%) committed six offences, one offender (0.1%) committed eight offences, one offender (0.1%) committed 11 offences, one offender (0.1%) committed 12 offences, five offenders (0.6%) committed 15 offences and two offenders (0.2%) committed 16 offences.

The most serious offence committed by offenders, across all cases they were involved in, is detailed in Table V. This information was available for 892 of the 911 offenders.

Table V. Most serious offence committed by offenders across all cases

Offences	N	%
Crimes against the person		
Sexual assault	3	0.3
Aggravated assault, bodily harm	49	5.5
Assault	206	23.1
Assaulting a peace officer	13	1.5
Robbery	19	2.1
Kidnapping, forcible confinement	1	0.1
Intimidation, threats, harassment	62	7.0
Arson: disregard for human life	1	0.1
Administering noxious thing	1	0.1
Total	355	39.8
Property crimes		
Arson: damage to property	3	0.3
Motor vehicle theft	29	3.3
Theft	155	17.4
Break and enter	61	6.8
Unlawful presence in dwelling	2	0.2
Possession of criminally obtained property	27	3.0
Fraud/forgery/identity fraud	7	0.8
Mischief	186	20.9
Taking vehicle without consent	3	0.3
Total	473	53.0
Other crimes		
Offences relating to public or peace officer	6	0.7
Attempts, accessory to crime	50	5.6
Trespassing at night	3	0.3
Possession of break-in instrument	3	0.3
Possession of incendiary material	1	0.1
False alarm of fire	1	0.1
Total	64	7.2
Grand total	892*	100

*Missing values: 19/911 (2.1%)

Almost forty percent (39.8%) of offenders committed a crime against the person as their most serious offence across all the cases they were involved in. Assault (23.1%), intimidation, threats and harassment (7.0%), aggravated assault (5.5%), robbery (2.1%) and assaulting a peace officer (1.5 %) represent the bulk of the crimes against the person. A little more than half of the offenders (53.0%) committed a property offence as their most serious crime. Mischief (20.9%), theft (17.4%), breaking and entering (6.8%) and, motor vehicle theft (3.3%) were most often cited under this category. The remaining 7.2% of offenders committed other crimes, such as attempts to commit a crime or being an accessory to crime (5.6%), offences related to public or peace officers (0.7%), trespassing at night (0.3%) and possession of break-in instruments (0.3%).

In order to allow for further analysis, the most serious crime committed by offenders was then dichotomised: crimes against the person (0) and property and other crimes (1). Again, this information was only available for 892 of the 911 offenders. It was found that 39.8% (n = 355) of offenders committed a crime against the person and 60.2% (n = 537) committed a property or other crime as their most serious offence.

The final variable that aided in the establishment of a portrait of the young offenders examined whether or not they had previously been referred to *Trajjet* for past offending. As mentioned above, because information on prior offending was not available for this study, a previous referral to *Trajjet* served as a proxy. In terms of past offending as measured by a previous referral to *Trajjet* (n=911), it appeared that 90% of offenders in the sample had not been previously referred and only 10% had previously been referred for a past offence.

3.1.2.2 *Victim-related variables*

Although the available information on victims was somewhat limited, victim type, victim age, victim gender and victim-offender relationship did help to establish a portrait of the victims involved in the cases referred to *Trajec* for victim-offender mediation between 1999 and 2009.

Table VI. Characteristics of victims involved in cases referred to *Trajec* for victim-offender mediation from 1999- 2009

Victim-related variables	<i>N</i>	%
Victim type	N (1132)*	
Personal	849	75.0%
Corporate	134	11.8%
Institutional	149	13.2%
Gender (personal victims only)	N (788)**	
Female	322	40.9%
Male	466	59.1%
Age (personal victims only)	N (548)***	
< 19	184	33.6%
≥ 19	364	66.4%

* Missing values: 64/1196 (5.4%)

** Missing values: 61/849 (7.2%)

*** Missing values: 301/849 (35.5%)

The 1132 victims for whom information was available were placed in one of the following three categories: personal, corporate or institutional. As shown in Table VI, 75.0% (n=849) of victims were personal victims, 11.8% (n=134) were corporations or businesses and, 13.2% (n=149) were institutional victims such as schools, public transport, municipal or police services, etc. A dichotomous variable was created regrouping the personal victims in the first category, representing 75.0% of the sample and, both corporations and institutions in the second, representing 25.0% of victims.

Victim gender and age applies to personal victims specifically. Data on victim gender was available for 788 of 849 personal victims; of which, 40.9% (n=322) were female and 59.1% (n=466) were male.

As for the age of victims, information was available for only 548 (64.5%) of personal victims. Frequencies of this variable showed a distribution deviating from normal with a small positive skew (0.543) and a standard deviation of 16.7. With a range between 5 and 80 years of age, the average age of victims was 32.1 years. Victim age was dichotomised with victims in the same age bracket as offenders, victims aged 18 years or younger, and victims aged 19 years or older. Results show that 33.6% of victims were 18 years of age or younger and, 66.4% were 19 years of age or older.

The type of relationship between victims and offenders, detailed in Table VII, indicates that 69.2% of offenders and victims shared a transitory relationship or had no relationship of any kind and that 30.8% shared some form of an interpersonal relationship. In 11.5% of cases, offenders and victims were friends or acquaintances. Relationships in a school setting were the second-most-common type of interpersonal relationship (11.4%). Family ties were involved in 3.2% of the cases. Work (0.8%), romantic (0.6%) or landlord/tenant relationships (0.2%) were the least frequent types of relationships between the parties involved.

Table VII. Type of relationship between offenders and victims

Type of relationship	<i>N</i>	%
Transitory or non-existent relationship		
Service relationship (youth, social, police services)	68	6.5%
No relationship (personal victims)	402	38.2%
Undefined relationship (corporate or institutional victims)	259	24.5%
Total	729	69.2%
Interpersonal relationship		
Family member	34	3.2%
Romantic relationship (current or past)	6	0.6%
Friends or acquaintances	121	11.5%
Colleague/work relationship	8	0.8%
Neighbour	33	3.1%
School relationship	120	11.4%
Landlord/tenant	2	0.2%
Total	324	30.8%
Grand total	1053*	100%

*Missing values: 143/1196 (11.9%)

Although the total number of offences and the most serious offence committed by offenders were described in the previous section, those variables were a reflection of the crimes offenders had committed across all their victims. In order to get a more precise understanding of the number and types of offences involved in individual cases (i.e. in relation to individual victims), these variables will also be examined from the victims' standpoint: the number of crimes and the most serious type of offence committed in each individual. This is done in light of the fact that 13.5% of offenders committed crimes involving more than one victim.

The number of offences committed by offenders against their individual victims is described in Table VIII.

Table VIII. Number of offences committed by offenders against individual victims

Number of offences committed by case	Number of offenders	%
1	818	69.7
Sub-total: 1 offence	818	69.7
2	280	23.9
3	68	5.8
4	8	0.7
Sub-total: 2 or more offences	356	30.3
Total	1174*	100

*Missing values: 22/1196 (1.8%)

With a mean of 1.4 offences committed against victims, 69.7% of victims had one offence committed against them. The remaining had two (23.9%), three (5.8) or four (0.7%) offences committed against them. Considering that the distribution of this variable is asymmetric and positively skewed (1.611), a dichotomous variable distinguishing cases where victims had one crime committed against them (69.7%) and those where victims had two or more offences committed against them (30.3%) was created in order to allow for bivariate and multivariate analyses.

The most serious offence committed by offenders against individual victims in 1174 of the 1196 cases for which this information was available is detailed in Table IX.

Table IX. Most serious offence committed against victims

Offences	N	%
Crimes against the person		
Sexual assault	3	0.3
Aggravated assault, bodily harm	54	4.6
Assault	231	19.7
Assaulting a peace officer	18	1.5
Robbery	24	2.0
Kidnapping, forcible confinement	1	0.1
Intimidation, threats, harassment	71	6.0
Arson: disregard for human life	1	0.1
Administering noxious thing	1	0.1
Total	404	34.4
Property crimes		
Arson: damage to property	3	0.3
Motor vehicle theft	37	3.2
Theft	230	19.6
Break and enter	72	6.1
Unlawful presence in dwelling	2	0.2
Possession of criminally obtained property	39	3.3
Fraud/forgery/identity fraud	8	0.7
Mischief	293	25.0
Taking vehicle without consent	4	0.3
Total	688	58.6
Other crimes		
Offences relating to public or peace officer	12	1.0
Attempts, accessory to crime	59	5.0
Trespassing at night	3	0.3
Possession of break-in instrument	5	0.4
Possession of incendiary material	1	0.1
False alarm of fire	1	0.1
Failure to stop at scene of accident	1	0.1
Total	82	7.0
Grand total	1174*	100

*Missing values: 22/1196 (1.8%)

The most serious crime consisted of a crime against the person in a little over one third (34.4%) of cases. Assault (19.7%), intimidation, threats and harassment (6.0%), aggravated assault (4.6%), robbery (2.0%) and assaulting a peace officer (1.5%) represented the bulk of those crimes. Property crimes were the most serious crime committed against victims in 58.6% of cases. Mischief (25.0%), theft (19.6%), breaking and entering (6.1%), and possession of criminally-obtained property (3.3%) were most often cited under this category. As for the remaining 7.0% of cases, the most serious crimes more frequently involved attempts to commit a crime or being an accessory to crime (5.0), offences related to public or peace officers (1.0%) and the possession of break-in instruments (0.4%).

In order to allow for further analysis of the most serious type of crime committed against victims, a dichotomous variable was created: crimes against the person (0) and, property and other crimes (1). It was found that the most serious crime committed against victims was a crime against the person in 34.4% (n = 404) of cases and a property or other crime in 65.6% (n = 770) of cases.

3.1.2.3 *Process-related variables*

The process-related variables described below pertain to both referral and mediation processes.

❖ Referral process

Descriptive statistics regarding various aspects of the referral of young offenders to *Trajét* for victim-offender mediation are detailed in Table X⁵.

The date upon which the crime was committed is being used as a proxy for determining whether offenders were referred to *Trajét* for victim-offender mediation under the YOA or under the YCJA. Using this proxy, it was determined that 42.7% (n=389) of offenders in the sample committed their offences before the implementation of the YCJA on April 1, 2003 and 57.3% (n=521) did so after that date.

⁵ It must be noted that this information applies to young offenders who are referred to *Trajét* and not to individual cases as defined in this study.

Table X. Referral process-related variables

Referral process-related variables	<i>N</i>	%
Crime committed before or after YCJA	<i>N (910)*</i>	
Before YCJA	389	42.7%
After YCJA	521	57.3%
Referral source	<i>N (910)**</i>	
Alternative measure	878	96.5%
Court-ordered	32	3.5%
Delay between offence and referral (days)	<i>N (801)***</i>	
93 days or less	410	51.2%
94 days or more	391	48.8%
Number of measures given by youth worker/judge	<i>N(911)</i>	
One measure	876	96.2%
Two measures	32	3.5%
Three measures	3	0.3%
Additional alternative measures	<i>N(911)</i>	
Community work	24	2.6%
Social skills workshop	9	1.0%
Donation	3	0.3%
Letter of apology/reflective essay	2	0.2%

* Missing values: 1/911 (0.1%)

** Missing values: 1/911 (0.1%)

*** Missing values: 110/911 (12.1%)

The vast majority of offenders (96.4%) were referred to victim-offender mediation as an alternative measure/extra-judicial sanction. The remaining 3.5% of offenders were court-ordered by a judge to participate in the mediation process.

Information regarding the delay between the date an offence was committed and the date its associated case was referred to *Trajjet* was only available for 801 of 911 offenders (missing = 12.1%). Offenders were referred within an average of 110.6 days following the date they committed an offence. With delays ranging from 4 to 505 days, the frequency distribution of

this variable deviated from normal. It was asymmetric, positively skewed (2.141) and had a standard deviation of 67.9. The variable was dichotomised with the 50th percentile as a cut point and it was found that 51.2% (n=410) of offenders were referred to *Trajet* within 93 days or less while 48.8% were referred in 94 days or more.

Centres jeunesse youth workers and youth court judges referred 96.2% (n=876) of offenders to *Trajet* to complete one measure: victim-offender mediation. The remaining offenders (3.8%) were required to complete two (3.5%) or three (0.3%) measures. The additional measure that was most often required was community work (2.6%), followed by the completion of a social skills workshop (1%), a donation (0.3%) or a letter of apology or reflective essay (0.2%).

❖ Mediation process

Information regarding participation in victim-offender mediation was available for 1180 of 1196 cases (missing = 1.3%). Offenders and victims participated in mediation in 732 of 1196 cases (62%). Victim-offender mediation did not occur in 38% (n=448) of cases. Table XI outlines the reasons for non-occurrence; this information was available for 418 of 448 cases (missing = 6.7%).

In 17.7% of the cases where mediation did not occur, the reason given was related to offenders, youth workers and the administrative process. Offenders were unwilling to pursue mediation in 1.2% of cases, had moved in 1.9% of cases and never presented themselves to meetings in 3.1% of cases. Youth workers refused to pursue mediation in 9.3% of cases. Finally, the mediation encounter was deemed impossible to set-up in 2.2% of cases. In 82.3% of cases, non-occurrence was attributable to victims who were unwilling to pursue mediation: victims withdrew from the process in 46.6% of cases, did not return contact initiated by youth workers in 24.9% of cases, were impossible to contact in 6.9% of cases and moved 4.1% of cases.

Table XI. Reasons for which victim-offender mediation did not occur

Reasons for non-occurrence of mediation	N	%
Not attributable to victims		
Offender unwilling to pursue mediation	5	1.2
Offender moved/changed jurisdiction	8	1.9
Offender was never met/did not return for follow-up meeting	13	3.1
Refusal of youth worker to pursue victim-offender mediation	39	9.3
Impossible to set-up mediation encounter	9	2.2
Sub-total	74	17.7
Attributable to victims		
Victim unwilling to pursue mediation	194	46.4
Victim withdrew from the process or moved	17	4.1
Impossible to contact victim	29	6.9
Victim did not return contact	104	24.9
Sub-total	344	82.3
Grand total	418*	100

*Missing values: 30/448 (6.7%)

Offenders and victims did however participate in mediation in 62% (n=732) of cases. As shown in Table XII, when mediation did occur, offenders and victims participated in indirect mediation (a youth worker shuttled between them) in 33.1% (n=228) of cases. They participated in direct mediation in 66.9% (n= 461) of cases.

Mediation encounters resulted in agreements between the parties involved. In 54.9% (n=393) of cases, agreement terms included some form of financial or work restitution. More precisely, financial restitution was involved in 37.2% (n=267) cases. In the vast majority of cases, 83.8% (n=600), one term was specified in the mediation agreement. As for the remaining 16.2% of cases, two terms were specified in 15.4% (n=110) and three terms in 0.8% (n=6), for a total of 838 terms. These terms were respected and completed and, therefore, mediation was deemed successful in 94.8% of cases (n=693).

Table XII. Mediation process and outcomes

Mediation process and outcomes	N	%
Type of mediation*	N (683)	
Indirect	228	33.1%
Direct	461	66.9%
Type of terms included in agreements**	N (716)	
No restitution	323	45.1%
Restitution (financial or work)	393	54.9%
Inclusion of financial terms in agreements***	N (717)	
No financial restitution	450	62.8%
Financial restitution	267	37.2%
Number of terms in agreements****	N (716)	
One term	600	83.8%
Two terms	110	15.4%
Three terms	6	0.8%
Mediation outcome*****	N (731)	
Unsuccessful	38	5.2%
Successful	693	94.8%

* Missing values: 49/732 (6.7%)

** Missing values: 16/732 (2.2%)

*** Missing values: 15/732 (2.0%)

**** Missing values: 16/732 (2.2%)

***** Missing values: 1/732 (0.1%)

Table XIII outlines the nature of the 838 terms specified in the agreements of the 732 cases in which mediation occurred.

Table XIII. Terms specified in mediation agreements between young offenders and victims (n=838)

Agreement terms	<i>N</i>	%
No restitution		
Verbal apology	170	20.3
Letter of apology	150	17.9
Moral pledge or commitment	95	11.3
Reflective essay	16	1.9
Social skills workshop	5	0.6
Sub-total: no restitution	436	52.0
Form of restitution		
Financial restitution to victims :		
\$1-\$100	73	8.7
\$101-\$200	57	6.8
\$201-\$300	51	6.1
\$301 and more	60	7.2
Financial restitution to community:		
\$1-\$100	15	1.8
\$101-\$200	7	0.8
\$201-\$300	2	0.2
\$301 and more	2	0.2
Sub-total: financial restitution	267	31.9
Volunteer work:		
1 to 15 hours	33	3.9
16 to 30 hours	28	3.3
31 to 45 hours	7	0.8
46 to 60 hours	1	0.1
61 hours and more	1	0.1
Direct service to personal victims:		
1 to 15 hours	17	2.0
16 to 30 hours	2	0.2
31 to 45 hours	4	0.5
46 to 60 hours	4	0.5
61 hours and more	0	0.0
Direct service to corporate victims:		
1 to 15 hours	5	0.6
16 to 30 hours	2	0.2
31 to 45 hours	2	0.2
46 to 60 hours	0	0.0
61 hours and more	0	0.0
Direct service to institutional victims:		
1 to 15 hours	21	2.5
16 to 30 hours	4	0.5
31 to 45 hours	4	0.5
46 to 60 hours	0	0.0
61 hours and more	0	0.0
Sub-total: work related restitution	135	16.1
Total	838	100

A little over half of agreement terms (52.0%) did not involve restitution terms. Instead they involved terms such as a verbal or written apology (38.2%), a moral pledge or commitment (11.3%), a reflective essay (1.9%) or participation in a social skills workshop (0.6%).

The remaining agreement terms (48.0%) involved some form of restitution, either financial (31.9%) or work-related (16.1%). Financial restitution to victims (28.8%) was varied, involving sums of \$100 or less in 8.7% of agreement terms, sums between \$101 and \$200 in 6.8% of terms, between \$201 and \$300 in 6.1% of terms and, \$301 or more in 7.2% of terms. As for financial restitution to the community (3.1%), offenders agreed to pay \$100 or less in 1.8% of terms, between \$101 and \$200 in 0.8% of terms, between \$201 and \$300 in 0.2% of terms and over \$301 in 0.2% of terms.

Work-related restitution, that is, volunteer work (8.4%) and direct service to victims (7.7%) was specified in 16.1% of agreement terms. The number of volunteer work hours completed by offenders was 15 hours or less in 3.9% of terms and 16 to 30 hours in 3.3% of terms. Agreement terms specified 31 to 45 hours of volunteer work in 0.8% of terms, 46 to 60 hours in 0.1% of terms and 61 or more hours in 0.1% of terms. In 3.2% of terms, direct service to personal victims was required: to 15 hours in 2.0% of terms, 16 to 30 hours in 0.2% of terms, 31 to 45 hours in 0.5% of terms and 46 to 60 hours in 0.5% of terms. Direct service to corporate victims was the least represented form of restitution (1.0%). Parties agreed to 1 to 15 hours of direct service to corporate victims in 0.6% of agreement terms, 16 to 30 hours in 0.2% of terms and 31 to 45 hours in 0.2% of terms. Finally, direct service to institutional victims was specified in 3.5% of terms: 1 to 15 hours in 2.5% of terms, 16 to 30 hours in 0.5% of terms and 31 to 45 hours in 0.5% of terms.

The descriptive statistics above provide an overview of both offender and victim characteristics in cases referred to *Trajjet* for victim-offender mediation from 1999 to 2009. The offenders involved were most likely to be male with an average age of 15.6 years. Almost 40% of offenders committed a crime against the person as their most serious offence. A little over half of offenders, 53.0% to be exact, committed a property offence. Using previous referral(s) to *Trajjet* as a proxy, it was further found that the vast majority of offenders did not commit a past offence.

Although information regarding victims was sparse, the data that was available helped establish several key characteristics. The majority of victims in this study were personal victims as opposed to corporate or institutional ones. Personal victims were more often male and had an average age of 32.1 years. A third of the victims involved were in the same age bracket as offenders. Additionally, almost a third of victims shared an interpersonal relationship with offenders. In terms of the crimes committed against victims, crimes against the person were committed against a little over a third of victims (34.4%) and property crimes were committed against 58.6%.

As for the process-related characteristics, it was found that almost all offenders were referred to mediation as an extra-judicial sanction, as opposed to court-ordered, and were given only one measure, mediation, to complete. The average delay between the date of the offence and referral to *Trajet* was 110.6 days.

Victim-mediation encounters did not occur in 38% of cases. Most often, in 82.3% of cases, the encounter did not occur for reasons attributable to the victim(s), such as the victim(s) not wanting to participate or not returning contact. When mediation did occur, it most often involved direct mediation as opposed to indirect mediation. Both types of mediation resulted in agreements between the parties involved. A look at the terms specified in these agreements showed that some form of restitution (financial or work) was decided upon in a little over half of the cases (54.9%). Agreement terms were respected and completed by offenders in 94.8% of cases, therefore resulting in a high success rate.

3.2 Bivariate findings

In the following section, correlations between dependent and independent variables are presented (see the Correlation matrix in Appendix 1). These analyses included chi-square and difference of means tests. In the previous section, it was found that the groups for certain variables (mediation outcome, prior referral, referral source and number of measures given by a youth worker or judge) were not evenly split.

For instance, only 38 cases were unsuccessful as opposed to 693 successful ones, only 10% of offenders had been previously referred to *Trajet*, etc. Such groups resulted in cross-tabulations which violated one of the chi-square assumptions. Consequently, significance tests may fail to indicate a significant correlation between variables (Field, 2009). Although Fisher's exact test could be used in such cases, its purpose is to "overcome the problem of small samples, so you don't need to use it when samples are large" (Field, 2009: 690). For this reason, chi-square tests violating the assumption are not reported and those with low cell counts are identified.

3.2.1 *Participation in victim-offender mediation*

The following section explores the relationship between offender-, victim- and process-related variables and participation in mediation. Because independent variables are frequently correlated (see the Correlation matrix in Appendix 1), partial correlations were also conducted in order to determine whether the correlations between independent variables and participation in mediation gain significance, lose significance or are conditional upon controlling for a third variable (see Appendix 2 for correlation coefficients and significance levels for all partial correlations).

3.2.1.1 *Offender characteristics*

Bivariate correlations between offender characteristics and participation in victim-offender mediation are shown in Table XIV.

Table XIV. Bivariate correlations between offender characteristics and participation in mediation

Bivariate correlations		Participation	
Offender characteristics		No	Yes
Age*	15 years or younger	35.2%	64.8%
	16 years or older	41.4%	58.6%
Gender*	Female	30.6%	69.4%
	Male	39.4%	60.6%
Education	Elementary and junior High	35.0%	65.0%
	Senior high and post-secondary	39.8%	60.2%
Occupation	Unemployed	36.9%	63.1%
	Employed	38.6%	61.4%
Type of offence	Crime against the person	38.4%	61.6%
	Property/other	37.3%	62.7%
Number of offences**	One offence	27.3%	72.7%
	Two or more offences	45.9%	54.1%
Number of victims**	One victim	26.5%	73.5%
	Two or more victims	59.0%	41.0%
Prior referral	No	37.4%	62.6%
	Yes	43.5%	56.5%
* p< .05			
** p< .01			

Although a difference of means test showed no significant correlation between the continuous age variable and participation in mediation, a significant but weak ($r = -0.064$, $p < 0.05$) correlation was found with the dichotomous age variable: offenders (58.6%) in the 16 years or older age bracket were less likely to participate in mediation than offenders aged 15 years and younger (64.8%). Partial correlations showed that the relationship between offender age and participation in mediation was conditional upon certain other case characteristics. More specifically, female offenders 16 years of age or older were less likely to participate in mediation (60.3%) than female offenders 15 years of age or younger (74.6%). There was no significant difference in the participation of male offenders with regards to their age: 62.6% of male offenders 15 years of age or younger participated versus 58.3% of those aged 16 years or older. Offenders aged 16 years or more, as opposed to those aged 15 years of age or younger, were also less likely to participate in mediation in cases involving: crimes against the person as the most serious offence committed by offenders (53.3% of offenders aged 16 years or older vs. 67.8% of offenders aged 15 years or younger), personal victims (54.3% vs. 61.5%);

victims aged 18 years or younger (46.3% vs. 76.2%); an interpersonal relationship between offenders and victims (58.3% vs. 70.7%); crimes against the person as the most serious crime committed against individual victims (69.2% vs. 53.4%); or victims having had two or more crimes committed against them (59.5% vs. 71.0%). Offenders aged 16 years or older were also less likely to participate in: cases that were referred as an alternative measure (58.5% vs. 65.4% of offenders aged 15 years or younger); cases under the 50th percentile cut-off point of 93 days (65.2% vs. 73.6%); or cases that involved one measure given by a youth worker or judge (59.3% vs. 65.1%). However, it must be noted that, although the chi square assumption of expected cell counts was met, there were low cell counts when controlling for the referral source and the number of measures given by a youth worker or judge.

Another significant ($r = -0.066$, $p < 0.05$) but weak correlation was found with offender gender. Female offenders participated in mediation more often (69.4%) than their male counterparts (60.6%). Through partial correlations, it was found that this was more specifically the case for offenders who completed an elementary or junior high academic year: 75.7% of female offenders having completed that level of education participated in mediation as opposed to 62.8% of males. This gender difference was also found in unemployed offenders: unemployed female offenders were more likely to participate (72.6%) than unemployed male offenders (61.1%). The participation of male and female offenders who committed one offence did not significantly differ. However, female offenders who committed two or more offences were more likely to participate than male offenders who committed two or more offences (66.7% vs. 52.6 respectively). Female offenders were also more likely to participate in cases that involved personal victims (70.9% of female offenders vs. 55.7% of male offenders), female victims (75.5% vs. 61.5%) or property/other crimes as the most serious offence committed against individual victims (74.1% vs. 61.1%). This significant correlation was also conditional upon type of referral, referral delay and the number of measures that had been given by youth workers; female offenders that had been referred to mediation through a court order (84.6% of female offenders vs. 29.2% of male offenders), had been referred in 93 days or less (85.7% vs. 67.3%) or whose referral included two or more measures (92.3% vs. 37.8%) were more likely to participate in mediation than male offenders.

Education and employment status did not have a significant correlation with participation in mediation, although a greater proportion of offenders participated in mediation if they had

completed an elementary or junior high academic year (65.0%) as opposed to those having completed a senior high or CEGEP academic year (60.2%). Moreover a slightly higher proportion of unemployed offenders (63.1%) versus employed offenders (61.4%) participated in mediation. Through partial correlations, a significant relationship between education and participation in mediation did appear in certain circumstances. Offenders who completed an elementary or junior high academic year, rather than a senior high or post-secondary academic year, were more likely to participate in mediation when their cases involved: crimes against the person as the most serious offence committed (70.7% vs. 49.6% respectively); one victim (77% vs. 69.8%); personal victims (63% vs. 54.1%); victims aged 18 years or younger (77.2% vs. 50.0%); crimes against the person as the most serious offence committed against individual victims (72.0% vs. 50.0%); victims who experienced two or more crimes committed against them (72.0% vs. 59.7%); or mediation referral under the 50th percentile mark of 93 days (76.9% vs. 64.7%). A significant relationship between participation in mediation and offender occupation was absent even when controlling for third variables.

Whether offenders committed a person or a property/other crime as their most serious offence across all the cases they were involved in did not have a significant impact on participation in mediation (61.6% vs. 62.7% respectively). Nonetheless, as mentioned above, partial correlations revealed that offenders aged 16 years and older or those who completed a senior high or post-secondary academic year were less likely to participate in mediation in cases involving crimes against the person. An additional significant correlation indicated that the opposite was true for offenders who completed a junior high academic year: they were more likely to participate in mediation when they committed a crime against the person (70.7%), as opposed to when they committed a property/other crime (49.6%). Examining the number of victims involved also revealed a conditional relationship between offence type and participation in mediation. When one victim was involved, participation was less likely in cases involving crimes against the person (67.5%) than in crimes against property/other offences (78.5%). In addition, in cases involving victims in the same age bracket as the offender, among those 18 years of age or younger, participation was less likely in cases involving crimes against the person (63.8%) as opposed to crimes against property/other offences (91.7%). However, a large number of missing values for victim age (35.5%) resulted in low cell counts when controlling for this variable and may cast some doubt on these findings.

The number of offences committed by offenders had a modest and significant impact on whether or not mediation occurred ($r = -0.190$, $p < 0.01$). Offenders who committed one offence (72.7%) were more likely to participate in mediation than those who committed two or more offences (54.1%). This significant relationship remained when controlling for offender age, offender education level, offence type committed by offender, victim type, victim gender, offence type committed against individual victims, number of offences committed against individual victims and referral delay. However, the relationship became conditional while controlling for some of the remaining variables. For instance, male offenders were more likely to participate in mediation if they committed one offence (72.9%) as opposed to if they committed two or more offences (52.6%). No such significant difference was found for female offenders. Unemployed offenders and those who were not previously referred to *Trajjet* were also more likely to participate in mediation when their cases involved one offence as opposed to two or more: 74.3% vs. 54.2% in the former case and 73.9% vs. 54.4% in the latter one. Offenders who committed one offence, as opposed to those who committed two or more, were also more likely to participate when the case involved victims who weren't in their age bracket of 19 years or older (76.9% committed one offence vs. 54.5% committed two or more offences) or with whom they shared a transitory or non-existent relationship (77.3% vs. 51.6%). The partial correlation results achieved while controlling for referral source and number of measures given by a youth worker are not reported here due to low cell counts.

A significant correlation was also found between the number of victims involved in an offender's crimes and participation in mediation. This strong correlation ($r = -0.320$, $p < 0.01$) indicates that mediation was more likely to take place when one victim was involved (73.5%) and less likely to take place when two or more victims were involved (41.0%). This correlation remained significant when controlling for third variables, with the exception of the referral source, which may have been due to low cell counts.

Referrals to *Trajjet* for previous offences were not significantly related to an offender's participation in mediation: 62.6% of offenders who were never previously referred and 56.5% who were previously referred participated. This correlation remained insignificant when partial correlations were explored, except when controlling for the number and the type of victims. As mentioned above, in cases involving one victim, offenders who were not

previously referred to *Trajet* were more likely to participate in mediation. Also, in cases involving corporate or institutional victims, offenders who were not previously referred (78.7%) were more likely to participate than those who were (52.9%). It must be noted, however, that although the chi square assumption of expected cell counts was met, there were low cells counts in both cases.

3.2.1.2 Victim characteristics

Table XV describes the bivariate correlations between victim characteristics and participation in victim-offender mediation. As shown below, victim type had an impact upon whether or not mediation took place.

Table XV. Bivariate correlations between victim characteristics and participation in mediation

Bivariate correlations			
Victim characteristics		Participation	
		No	Yes
Victim type**	Personal	41.6%	58.4%
	Corporate/institutional	24.4%	75.6%
Age	18 years or younger	32.6%	67.4%
	19 years or older	38.4%	61.6%
Gender**	Female	34.4%	65.6%
	Male	43.8%	56.3%
Nature of relationship	Transitory/Non-existent	38.5%	61.5%
	Interpersonal	33.4%	66.6%
Number of offences (vic.)	One offence	39.0%	61.0%
	Two or more offences	34.8%	65.2%
Type of offence (vic.)	Crime against the person	37.4%	62.2%
	Property/other	37.9%	62.1%
* p< .05			
** p< .01			

A significant, but modest, correlation ($r = 0.154$, $p < 0.01$) was found between victim type and participation in mediation: corporate or institutional victims (75.6%) were more likely to participate in mediation than personal victims (58.4%). This significance remained when controlling for third variables such as offender age, offender education, offender occupation,

number of offences committed by the offender, victim number, number of offences committed against individual victims and referral delay. However, this correlation became conditional when controlling for offender gender. That is, corporate or institutional victims (76.0%) were more likely to participate than personal victims (55.7%) in cases involving male offenders. However, it was found that victim type was not related to participation in cases involving female offenders: 70.9% of female victims participated in cases involving personal victims and 71.4% of them did so in cases involving corporate or institutional victims. The partial correlations that were made while controlling for remaining variables will not be reported here for two reasons.

Firstly, certain variables (victim age, victim gender, offence type and the nature of the relationship between offenders and victims) do not apply to corporate or institutional victims. Secondly, very few cases involving corporate or institutional victims involved female offenders, were court-ordered (referral source) or involved two or more measures given by youth workers or judges (number of measures given by youth worker/judge). Therefore, low expected cell counts resulted and did not allow for partial correlations.

A difference of means test revealed a significant, but modest, correlation ($r = 0.107$, $p < 0.05$) between victim age and participation in mediation. Victims who participated in victim-offender mediation were slightly younger ($\bar{X} = 30.8$ years of age) than those who did not participate ($\bar{X} = 34.5$ years of age). However, when victims were divided into two age groups (≤ 18 years of age and ≥ 19 years of age), no significant correlation was found with participation in mediation: 67.4% of victims in the same age bracket as the offender (18 years or younger) participated in mediation, while 61.6% of those aged 19 years or older also did so. A significant correlation between victim age and participation in mediation revealed itself when controlling for offender age, offender education level and the most serious crime committed against individual victims. Specifically, when cases involved offenders aged 15 years or younger, 76.2% of victims 18 years of age or younger participated in mediation as compared to 58.4% of victims 19 years of age or older. However, victims 18 years of age or younger were less likely to participate in mediation (46.3%) than victims 19 years of age or older (65.0%) in cases involving offenders 16 years of age or older.

When controlling for the education of offenders, a significant correlation between victim age and participation in mediation arose in cases where offenders completed an elementary or junior high academic year: victims aged 18 years or younger were more likely to have participated in mediation (77.2%) than those aged 19 years or older (61.0%). There was no such significant correlation in cases involving offenders who completed a senior high academic year. Finally, when controlling for the most serious crime committed against individual victims, a significant correlation showed that in cases involving property/other offences, more victims participated in mediation when they were in the same age bracket as offenders (91.7%), 18 years of age or younger, than victims aged 19 years or older (58.4%). It must be noted that a large number of missing values for victim age (35.5%) resulted in lower cell counts when controlling for this variable and may cast some doubt on these findings.

Victim gender did show a weak but significant correlation ($r = -0.094$, $p < 0.01$). Female victims were more likely to participate in mediation (65.6%) than male victims (56.3%). This significant correlation maintained itself when controlling for victim type and the number of measures given by youth workers. However, it proved to be spurious when controlling for the offender gender: there was, in that case, no significant correlation between the victim gender and participation in mediation. When controlling for the remaining independent variables, this correlation became conditional and female victims were found to be more likely to participate than male victims when cases involved: offenders aged 15 years or younger (69.3% of female victims vs. 57.9% of male victims), offenders who completed an elementary or junior high academic year (71.1% vs. 58.8%), unemployed offenders (66.9% vs. 57.7%), crimes against the person as the most serious offence committed by offenders (71.1% vs. 57.7%), two or more offences (59.5% vs. 47.9%), one victim (80.8% vs. 70.4%), offenders who were not previously referred to *Trajet* (65.3% vs. 56.3%), referrals made within 93 days after the crime was committed (73.2% vs. 62.3%), victims aged 19 years or older (68.2% vs. 56.8%), an interpersonal relationship between victim and offender (74% vs. 59.8), crimes against the person as the most serious offence committed against individual victims (72.1% vs. 58.2%) and two or more offences committed against individual victims (77.1% vs. 56.8%).

The type of relationship between victims and offenders was not correlated with participation in mediation, although a slightly higher number of parties sharing an interpersonal relationship participated (66.6%) as opposed to those sharing a transitory or non-existent relationship (61.5%). Partial correlations revealed some significant, conditional, correlations between the relationship type and participation in mediation. In cases involving offenders aged 15 years or younger, participation was more likely when parties shared an interpersonal relationship (70.7%) than when the relationship was transitory or non-existent (62.4%). When offenders committed one offence, there was no correlation with the nature of relationship on participation in mediation. However, when two or more offences were committed, interpersonal relationships were associated with an increased likelihood of participation (61.9% for interpersonal relationships vs. 51.6% for transitory/non-existent relationships). Cases involving one victim were more likely to result in a mediation encounter when parties shared a transitional or non-existent relationship (78.9%) than when they shared an interpersonal relationship (72%).

Relationship type had no impact on participation when two or more victims were involved. It must be noted that the small number of cases (73) involving two or more victims in an interpersonal relationship with offenders may cast some doubt on the accuracy of this finding. As it was not possible to control for victim type because corporate/institutional victims do not have a relationship with offenders, cases involving personal victims were isolated in order to further explore the association between relationship type and participation in mediation. It was found that personal victims were more likely to participate when they shared an interpersonal relationship with offenders (66.4%) than when their relationship was transitory/non-existent (53.5%). Finally, female victims were also more likely to participate when an interpersonal relationship tied them to offenders (74%), as opposed to a transitory/non-existent relationship (58%). Relationship type had no such impact where male victims were concerned.

The number of offences committed by offenders against each individual victim was not significantly correlated with participation in mediation: 61.0% of victims who had one offence committed against them and 65.2% of victims who had two or more offences committed against them participated in mediation. However, partial correlations did reveal some

significant, conditional, correlations between the number of offences committed against individual victims and participation in mediation. Specifically, victims were more likely to participate when offenders were aged 15 years or younger or had committed two or more offences against them (71.0%), as opposed to only one offence (62.6%). There was no significant difference in participation in cases involving offenders aged 16 years or older with regards to the number of offences committed against victims. Similarly, victims were also more likely to participate when offenders had completed an elementary or junior high academic year or had committed two or more offences against them (72.0%), as opposed to one offence (62.2%).

Another conditional relationship emerged when controlling for the most serious offence committed by offenders across all the cases in which they were involved. In cases involving property/other crimes, victims who experienced two or more offences (68.2%) were more likely to participate in mediation than those who experienced one offence (60.0%). There was no significant difference in participation regarding the number of offences committed against individual victims in cases involving crimes against the person: 62.6% when one offence was committed and 58.9% when two or more offences were committed.

Cases involving female victims also revealed a conditional relationship in that mediation was more likely to occur when two or more offences had been committed against victims (77.1%), as opposed to one offence (60.6%). There was no such significant difference in cases involving male victims. In terms of referral delay, once again, victims who had two or more offences committed against them (65.2%) were more likely to participate in mediation than victims who had one offence committed against them (52.8%) when the referral delay was 94 days or more. Finally, controlling for the number of measures given to offenders by youth workers or judges also showed that in cases where two or more measures were given, mediation was more likely to occur when victims had had one offence committed against them (57.9%), as opposed to two or more offences (27.8%). However, this last partial correlation may not be reliable due to the small number of cases where two or more measures were given by youth workers or judges ($n = 56$).

The most serious offence committed against individual victims was not found to be correlated with participation in mediation: 62.2% of cases where the most serious offence involved a person offence and 62.1% of cases involving a property/other offence resulted in mediation. However, some significant conditional correlations emerged through an exploration of partial correlations while controlling for third variables. When controlling for offender education level, cases where crimes against the person were the most serious offence committed against victim, (72.0%) were more likely to result in mediation than cases involving property/other crimes (61.0%) when offenders had completed an elementary or junior high academic year. Conversely, victims were less likely to participate in mediation when the most serious offence committed against them was a crime against the person (50.0%) as opposed to a property/other crime (65.1%) in cases involving offenders who completed a senior high or CEGEP academic year. The number of victims involved also revealed a significant conditional correlation: fewer victims who had a crime against a person committed against them (67.5%), as opposed to a property crime (78.5%), participated in mediation in cases that involved only one victim. Significant partial correlations also emerged when controlling for several victim-related characteristics: victim type, victim gender and victim age. In fact, in cases involving personal victims and female victims, participation in mediation was more likely in crimes against the person.

Specifically, 63.0% of personal victims involved in crimes against the person participated in mediation versus 54.9% of personal victims involved in property/other crimes. Mediation was more likely to occur when the most serious offence committed against female victims was a crime against the person (72.1%) as opposed to a property/other crime (60.8%). When controlling for the dichotomous victim age variable, a significant correlation showed that in cases involving victims in the same age bracket as offenders (18 years or younger), there was lower participation in mediation with crimes against the person (63.8%) than with property/other offences (91.7%). In addition, there was a significant correlation in cases involving victims of 19 years of age or older. Here, there appeared to be a greater likelihood of participation in mediation with crimes against the person (70.8%) than with property/other offences (58.4%). It must be noted that the large number of missing values for victim age

(35.5%) resulted in lower cell counts when controlling for this variable and some doubt may be cast on these latter findings.

3.2.1.3 Process characteristics

Bivariate correlations of process-related characteristics with participation in mediation are shown in Table XVI.

Table XVI. Bivariate correlations between process-related characteristics and participation in mediation

Bivariate correlations			
Process-related characteristics		Participation	
		No	Yes
Referral source	Alternative measure	37.6%	62.4%
	Court-ordered	51.4%	48.6%
Delay**	93 days or less	30.4%	69.6%
	94 days or more	43.6%	56.4%
Number of measures	One measure	37.3%	62.7%
	Two or more measures	50.0%	50.0%
* p< .05			
** p< .01			

Although a greater proportion of cases referred to mediation as an alternative measure (62.4%) than as a court order (48.6%) resulted in participation in mediation, this was not found to be a significant correlation. However, the small number of court-ordered cases (n = 32) may cast some doubt on the accuracy of this finding. Though partial correlations were attempted, the small number of court-ordered cases resulted in expected cell counts that were less than five, thus violating one of the assumptions of chi-square analysis.

Delay time between the date of a crime and the referral of its associated case to *Trajnet* had a modest significant impact on participation (r = -0.136, p<0.01). Shorter delays (under or equal to the 50th percentile mark of 93 days) resulted in a greater likelihood of mediation participation (69.6% vs. 56.4% for delays over 93 days). This significant correlation held up when controlling for offender age, offender gender, offence type (both the most serious crime committed by offenders and the most serious crime committed against individual victims),

offence number, victim number, victim gender and the nature of the relationship between victim and offender.

A conditional correlation appeared when controlling for other variables, however. In terms of offender occupation and education level attained, shorter delays (93 days or less) resulted in greater participation in mediation only in those cases that involved unemployed offenders (71.1% vs. 56.7% respectively) or offenders who completed an elementary or junior high education level (76.9% vs. 56.8% respectively). Regarding victim characteristics, shorter delays increased the likelihood of participation only in those cases that involved: personal victims (66.3% of them participated when referral delay was 93 days or less as opposed to 52.4% with delays of 94 days or more); victims 19 years of age or older (69.4% vs. 54.8%) and victims with one offence committed against them (71.0% vs. 52.8%). Partial correlations controlling for referral source and the number of measures were not reliable due to low cell counts.

In terms of the number of measures given by youth workers, a greater proportion of offenders who were given one measure to complete (62.7%) participated in mediation as compared to those given two or more measures to complete (50%). This correlation, however, was not found to be significant ($r = 0.053$). It must be noted that, because there were only a small number of cases in which youth workers or youth court judges gave offenders two or more measures to fulfill ($n = 35$), this may not be an accurate finding. Also, the small number of cases available did not allow for partial correlations due to low expected cell counts and the consequent violation of a chi-square analysis assumption.

Correlation between participation in mediation and mediation process variables (including reasons mediation did not occur, mediation process type, mediation outcome, number of terms and conditions to be completed as specified in victim-offender mediation agreements and the nature of these terms) was not possible since these independent variables pertained only to cases in which mediation occurred.

The bivariate analyses presented in the above sections allowed an examination of the relationship between participation in mediation and case characteristics. Analyses showed that

the following variables are significantly correlated with participation in mediation: offender age, offender gender, number of offences committed by offenders, victim number, victim type, victim age, victim gender and referral delay.

Partial correlations allowed further exploration of these significant relationships and determined that they were most often conditional upon other case characteristics. Some variables, such as the highest level of education attained by the offender, the most serious offence committed by the offender, prior referrals, victim age, the nature of relationship between victim and offender, the most serious offence committed against individual victims and the number of offences committed against individual victims were not significantly correlated with participation. However, partial correlations revealed significant conditional relationships when controlling for other case characteristics. Partial correlations also confirmed that offender occupation was not significantly correlated with participation in mediation. Finally, referral source and the number of measures given to an offender by a youth worker or a judge were not significantly correlated with participation. Unfortunately, the small number of cases involved court-ordered mediation and offenders who were given two or more measures to complete did not allow for reliable bivariate testing.

3.2.2 Outcome of victim-offender mediation

The very high success rate of victim-offender mediation, 94.8%, did not allow for a statistically reliable exploration of the relationship between mediation outcome and independent variables.

3.2.3 Correlations among independent variables

Bivariate analyses revealed significant correlations between independent variables. In the following, the independent variables that showed the strongest correlations and the greatest numbers of correlations with other variables are examined.

3.2.3.1 Offender gender

As previously discussed, the offender gender was significantly correlated with participation in mediation (females were more likely to participate than males). Bivariate correlations between offender gender and other offender characteristics showed variance between male and female offenders regarding a number of these characteristics. Male offenders appeared more likely to be 16 years of age or older ($r = 0.078$, $p < 0.05$), 46.7% vs. 36.5%, and to be employed ($r = 0.095$, $p < 0.01$), 18.1% vs. 8.9%, than female offenders. Otherwise, male and female offenders did not differ significantly with respect to the highest level of education they achieved.

In terms of the offences committed by offenders, the number of victims involved did not differ significantly between male and female offenders. However, gender was significantly correlated with other characteristics related to offending. While male offenders were more likely to have committed a property/other offence (66.4%), female offenders were more likely to have committed a person offence (68.6%) ($r = 0.273$, $p < 0.01$). In terms of offence number ($r = 0.111$, $p < 0.01$), male offenders were more likely to have committed two or more offences than female offenders (45.2% vs. 30.8% respectively). Moreover, a greater proportion of male offenders were previously referred to *Trajat* for past offending (11.2% vs. 4.3%; $r = 0.089$, $p < 0.01$).

A significant relationship was established between offender gender and all the variables pertaining to victim characteristics. Considering that female offenders were more likely to have committed a crime against the person, it follows that the victim type most often associated to their cases were personal victims. More precisely, personal victims were cited in 84.4% of cases involving female offenders and in 73.3% of cases involving male offenders ($r = 0.093$, $p < 0.01$). Victims of female offenders were more often female (77.3%), ($r = 0.320$, $p < 0.01$), and in the same age bracket as the offender (65.9%), ($r = 0.308$, $p < 0.01$). Victims of male offenders were more often male (66.3%) and aged 19 years or older (73.2%). The nature of the relationship between offenders and victims also significantly differed between males and females. Female offenders more often shared an interpersonal relationship with their

victims (52.8%), as opposed to males who shared an interpersonal relationship with their victims in 27.3% of cases ($r = -0.190, p < 0.01$). Regarding offences committed against victims, male offenders were more likely to have committed two or more offences against individual victims (31.5%) than female offenders (24.2%), ($r = 0.058, p < 0.05$) and were also more likely to have committed a property/other offence as their most serious crime against individual victims ($r = 0.304, p < 0.01$) than female offenders (71.7% vs. 31.9% respectively).

Process characteristics specifically related to case referral (referral source, referral delay, number of measures given) did not vary significantly according to offender gender. However, characteristics pertaining to the mediation process did so with the exception of the number of terms specified in mediation agreements. Reasons given for the non-occurrence of mediation were more often attributed to victims in cases that involved male offenders ($r = 0.102, p < 0.05$). Such reasons were cited in 83.8% of cases that involved male offenders and 72.2% of cases that involved female offenders. A form of restitution was included in 61.5% of mediation agreements involving male offenders and in 24.4% of agreements involving female offenders ($r = 0.285, p < 0.01$). A similar correlation emerged when looking at financial restitution more specifically ($r = 0.239, p < 0.01$), where male offenders were more likely to make financial restitution (42.8%) than female offenders (12.6%).

3.2.3.2 *Offence type*

Although the type of offence, based upon the most serious offence committed by the offenders was not found to be significantly correlated with participation in mediation, it was significantly correlated with most offender characteristics with the exception of victim number and prior referral to *Trajet*.

Crimes against the person were more often committed by offenders aged 15 or younger (43.5%) than by those aged 16 or older (35.3%). This correlation ($r = 0.083, p < 0.05$) is similar to the correlation found between the education of offenders and the type of offence they committed ($r = 0.118, p < 0.01$) in that offenders who completed an elementary or junior high academic year (44.6%) were more likely to have committed a person offence than those who

completed a senior high or post-secondary academic year (32.8%). As mentioned in the previous section, female offenders were more likely to commit a person offence than male offenders. A significant correlation between offender occupation and offence type ($r = 0.117$, $p < 0.01$) also showed: unemployed offenders were more likely to commit a crime against the person (42.5%) than employed offenders (27.0%). Finally, the number of crimes committed by an offender was also significantly related to offence type ($r = 0.084$, $p < 0.05$) in that offenders who committed a person offence were more likely to have committed one offence (62.5%), as opposed to two or more offences (54.0%).

Although all victim characteristic variables were significantly related to the type of offence committed by offenders, a correlation between the victim type and the offence type could not be considered accurate as crimes against the person only involved personal victims. In terms of property/other offences, 62.6% of victims were personal and 37.4% were corporate or institutional. A strong correlation ($r = 0.560$, $p < 0.01$) was found between offence type and victim age. Specifically, 91.8% of property/other crime victims were 19 years of age or older, therefore not in the same age bracket as the offender, as opposed to 38.9% of crime against the person victims. Both male and female victims were more often involved in property/other offences ($r = 0.070$, $p < 0.05$). However there were more male victims (63.2%) than female victims (56.2%) of this type of crime. Finally, another strong correlation ($r = -0.566$, $p < 0.01$) was found between offence type and the nature of the relationship between the parties involved: 87.2% of offenders who committed property/other offences had a transitory or non-existent relationship with their victims as opposed to 31.2% offenders who committed a crime against the person.

Of the referral process variables, referral delay was not significantly correlated with the type of offence committed. As for referral source, court-ordered cases (86.7%) more often involved crimes against the person than cases referred as an alternative measure (38.2%). In addition, crimes against the person were more likely to result in the offender being given two or more measures to complete (5.4%) than property/other offences (2.6%). Although both the referral source ($r = -0.179$, $p < 0.01$) and the number of measures to be completed by young offenders ($r = -0.071$, $p < 0.05$) were significantly related to offence type, the low number of

court-ordered cases and offenders who were given more than one measure to complete may shed some doubt on the accuracy of these results.

The reasons provided for which mediation did not occur were not significantly correlated with the offence type. Neither was the number of terms specified in mediation agreements. Offence type was, however, related to the type of mediation process that the parties participated in ($r = -0.117$, $p < 0.01$). In fact, crimes against the person (74.5%) more often resulted in direct mediation than property/other offences (62.8%). Agreement terms were also correlated with offence type. Whether or not agreements included some form of restitution was strongly correlated ($r = 0.440$, $p < 0.01$), in that property/other offences (71.0%) were much more likely to result in a form of restitution (financial or work-related) than crimes against the person (25.0%). Hence, crimes against the person more often resulted in agreements involving non-restitutive terms such as apologies, moral pledges or commitments, reflective essays and/or social skills workshops. A similar correlation was found with financial restitution ($r = 0.360$, $p < 0.01$): offenders who committed a property/other crime were more likely to pay restitution (50.7%) than those who committed a crime against the person (13.9%).

The second variable pertaining to offence type, the most serious offence committed against individual victims, showed very similar correlations with other independent variables (see Correlation matrix in Appendix 1). This is not surprising considering the very high correlation between both types of offence variables ($r = 0.971$, $p < 0.01$).

3.2.3.3 *Restitution*

Restitution was significantly correlated with almost all offender characteristics, with the exception of the offender education level and prior referral to *Trajet*. A difference of means test revealed a significant but weak correlation ($r = 0.093$, $p < 0.01$) with the continuous age variable, showing that the mean age of offenders who agreed to a form of restitution was higher ($\bar{X} = 15.7$ years of age) than the mean age of offenders who did not ($\bar{X} = 15.4$ years of age). Although there was no significant correlation between restitution and the dichotomous

age variable, a slightly greater proportion of offenders 16 years of age or older (58.6%) agreed to restitution than those aged 15 years or younger (52.1%). There was also a stronger, significant relationship ($r = 0.285$, $p < 0.01$) between restitution and offender gender: 61.5% of male offenders agreed to a form of restitution as opposed to 24.4% of female offenders. Offender occupation also significantly differed ($r = 0.095$, $p < 0.05$) in that restitution was more often included in agreements involving employed offenders (64.9%) than unemployed offenders (52.2%).

As seen in the section presenting correlations between offence type and restitution, crimes against the person (25.0%) were less likely to result in a form of restitution than property/other offences (71.0%). Finally, cases involving offenders who committed two or more offences ($r = 0.166$, $p < 0.01$) or cases involving two or more victims ($r = 0.089$, $p < 0.01$) were more likely to result in agreements including a form of restitution.

Victim type and gender were not significantly correlated with restitution. However, victim age (continuous: $r = 0.291$, $p < 0.01$; dichotomous: $r = 0.360$, $p < 0.01$), the nature of the relationship between the victim and offender ($r = 0.268$, $p < 0.01$), the number of offences committed against individual victims ($r = 0.109$, $p < 0.01$) and the most serious offences committed against individual victims ($r = 0.447$, $p < 0.01$) were. A difference of means test showed that the average age of victims who received restitution in mediated agreements ($\bar{X} = 35.2$ years) was greater than that of victims who did not ($\bar{X} = 25.7$ years). Bivariate analyses with the dichotomous age variable confirmed this finding: victims aged 19 years or older were more likely to include restitution in their agreements (69.5%) than victims aged 18 years or younger (31.9%). Restitution was also more often included in mediation agreements between parties who shared a transitory or non-existent relationship (66.3%), as opposed to parties who shared an interpersonal relationship (37.7%).

In terms of the offences committed against individual victims, restitution was less likely to be included when one offence was committed against victims (51.3%) than when two or more offences were committed against them (62.8%). As for the most serious type of crime committed against individual victims, restitution was less-often agreed upon in cases involving crimes against the person (23.9%) than property/other crimes (70.9%).

Restitution was significantly correlated with all variables tied to the referral process. There was a modest correlation between referral source and restitution ($r = -0.106$, $p < 0.01$), revealing that restitution was more often involved in cases that were referred as an alternative measure (55.7%) than through a court order (22.2%). However, the small number of court-ordered cases included in this study sheds some doubt on the accuracy of this result. The same could be said of the correlation between restitution and the number of measures given to youth by youth workers or judges.

Although offenders given one measure to complete were more likely to have restitution in their agreements (55.7%) than those given two or more measures to complete (34.5%), the small number of offenders in the latter category precluded any definitive conclusions ($r = -0.084$, $p < 0.05$). Finally, agreements in cases with delays of 93 days or less ($r = 0.094$, $p < 0.05$) were less likely to include restitution (52.8%) than those with longer delays (62.1%).

The type of mediation that victims and offenders participated in showed a significant and modest relation to restitution ($r = -0.121$, $p < 0.01$). Indirect mediation proved more likely to result in some form of restitution (64.2%) than direct mediation (51.4%). The number of terms included in mediated agreements was also significantly correlated with restitution ($r = -0.179$, $p < 0.01$) in that agreements including one term involved restitution in 50.9% of cases, whereas agreements specifying two or more terms involved restitution in 75.0% of cases.

In conclusion, the correlations detailed above demonstrate how offender gender, offence type and restitution resulted in the strongest correlations and a greater number of correlations with other independent variables.

3.2.4 Referral under the YOA or the YCJA

One of the questions this study explored is whether or not cases referred to victim-offender mediation differed under the YOA and the YCJA. Below, results of bivariate analyses comparing offender-, victim- and process-related characteristics under both laws are described. Then, participation and mediation outcomes under both laws are examined.

3.2.4.1 Offender characteristics

Table XVII presents the bivariate analyses of offender characteristics with respect to the law in effect at the time of case referral.

Table XVII. Bivariate correlations between offender characteristics and the law in effect at the time of case referral

Bivariate correlations			
Offender characteristics		Law	
		YOA	YCJA
Age	15 years or younger	52.1%	55.9%
	16 years or older	47.9%	44.1%
Gender	Female	18.8%	17.3%
	Male	81.2%	82.7%
Education	Elementary and junior high	56.8%	61.9%
	Senior high and post-secondary	43.2%	38.1%
Occupation	Unemployed	85.5%	82.2%
	Employed	14.5%	17.8%
Type of offence*	Crime against the person	46.2%	35.3%
	Property/other	53.8%	64.7%
Number of offences**	One offence	69.2%	48.9%
	Two or more offences	30.8%	51.1%
Number of victims	One victim	85.3%	83.7%
	Two or more victims	14.7%	16.3%
Prior referral*	No	92.3%	88.3%
	Yes	7.7%	11.7%

* p< .05
** p< .01

In terms of offender age, gender, education level and occupation, there was no significant difference between cases referred under the YOA and those referred under the YCJA. The average age of offenders was 15.6 under both the YOA and the YCJA. As for the dichotomous age variable, 47.9% of offenders referred under the YOA were 16 years or older and a slightly lower percentage, 44.1%, were in this same age bracket under the YCJA. Offender gender also remained the same, with 81.2% males under the YOA compared to 82.7% under the YCJA. Although insignificant, a slightly higher proportion of offenders completed an elementary or junior high academic year under the YCJA (61.9% versus 56.8% under the YOA). There was also a small difference in terms of offender occupation in that a slightly higher proportion of those referred to mediation under the YCJA were employed (17.8% vs. 14.5%).

Results indicate a significant modest correlation between the law under which the case was referred and the most serious offence committed by offenders ($r = 0.110$, $p < 0.01$). More specifically, offenders referred under the YCJA were more likely to have committed a property/other offence (64.7%) than under the YOA (53.8%). The number of offences committed by offenders had the strongest correlation with the law in effect at the time of case referral and a significant and moderate correlation was found ($r = 0.202$, $p < 0.01$). In fact, offenders referred under the YCJA (51.1%) were more likely to have committed two or more offences than those referred under the YOA (30.8%). The number of victims involved in the offences committed by offenders did not significantly differ: 16.3% of offenders' crimes involved two or more victims under the YCJA as opposed to 14.7% under the YOA. The final offender-related variable, offenders referred to *Trajjet* for past criminal offences, revealed a weak but significant correlation ($r = 0.066$, $p < 0.05$) with the law in effect. A greater proportion of offenders who were previously referred to *Trajjet* were referred under the YCJA (11.7%) than under the YOA (7.7%).

In summary, extra-legal offender characteristics, namely age, gender, education and occupation, did not show any significant change following the implementation of the YCJA. However, legal characteristics tied to offending did. Significant differences were found in the

offence type, offence number and the presence of prior referral(s) for past offending following the implementation of the YCJA.

3.2.4.2 *Victim characteristics*

Correlations between the law in effect at the time of case referral and victim characteristics were also examined (see Table XVIII).

Table XVIII. Bivariate correlations between victim characteristics and the law in effect at the time of case referral

Bivariate correlations			
Victim characteristics		Law	
		YOA	YCJA
Victim type	Personal	76.0%	74.4%
	Corporate/institutional	24.0%	25.6%
Age*	18 years or younger	38.3%	30.2%
	19 years or older	61.7%	69.8%
Gender	Female	39.2%	41.0%
	Male	60.8%	59.0%
Nature of relationship	Transitory/Non-existent	69.3%	69.1%
	Interpersonal	30.7%	30.9%
Number of offences (vic.)**	One offence	80.8%	61.4%
	Two or more offences	19.2%	38.6%
Type of offence (vic.)**	Crime against the person	39.0%	31.1%
	Property/other	61.0%	68.9%
* p< .05			
** p< .01			

Victim type did not significantly change following the implementation of the YCJA. Personal victims were involved in 76% of cases under the YOA and 74.4% of cases under the YCJA. Corporate/institutional victims were involved in 24.0% and 25.6% of cases respectively. A difference of means test showed that victim age was practically identical with a mean of 32.1 years of age under the YOA and 32.2 years of age under the YCJA. However, the dichotomous age variable did show a significant but weak correlation ($r = 0.084$, $p < 0.05$) in that victims were more likely to be in the same age bracket as offenders under the YOA (38.3%) than under the YCJA (30.2%). Just as offender gender did not vary from one law to

the next, neither did the victim gender: 60.8% were male under the YOA and 59.0% under the YCJA.

The nature of the relationship between victims and offenders was nearly identical under both laws: 30.7% of parties shared an interpersonal relationship under the YOA and 30.9% shared such a relationship in the cases referred under the YCJA. Both of the characteristics related to the crimes committed against victims were significantly correlated with the law in effect at the time of case referral. There was a modest correlation ($r = 0.209$, $p < 0.01$) between offence number and the law in effect: victims were more likely to have had two or more offences committed against them in cases referred under the YCJA (38.6%) than under the YOA (19.2%). In addition, a significant but weak correlation ($r = 0.083$, $p < 0.01$) was revealed regarding the most serious offence committed against individual victims in that cases involving crimes against the person were less likely to have been referred under the YCJA (31.1%) than under the YOA (39.0%).

In conclusion, following the implementation of the YCJA, cases involving victims who were not in the same age bracket as offenders, who had two or more offences committed against them or who experienced a property/other crime were more likely to have been referred to *Trajet* for victim-offender mediation.

3.2.4.3 Process characteristics

As shown in Table XIX, of the three variables related to the referral process (referral source, referral delay and number of measures given), only referral delay was significantly correlated with the law under which the case was referred.

The proportion of cases that were referred as an alternative measure or through a court order were nearly identical before and after the implementation of the YCJA: 96.4% were referred to mediation as an alternative measure under the YOA and 96.5% under the YCJA. A significant, but weak, correlation was revealed between the law in effect and referral delay ($r = -0.085$, $p < 0.05$).

Table XIX. Bivariate correlations between process characteristics and the law in effect at time of case referral

Bivariate correlations			
Process related characteristics		Law	
		YOA	YCJA
Referral source	Alternative measure	96.4%	96.5%
	Court-ordered	3.6%	3.5%
Referral delay*	93 days or less	45.5%	54.4%
	94 days or more	54.5%	45.6%
Number of measures	One measure	96.6%	95.6%
	Two or more measures	3.1%	4.4%
Reasons for no mediation**	Not attributable to victims	12.8%	23.6%
	Attributable to victims	87.2%	76.4%
Type of mediation	Indirect	30.6%	34.4%
	Direct	69.4%	65.6%
Number of terms	One term	80.7%	85.6%
	Two or more terms	19.3%	14.4%
Restitution**	No restitution	51.9%	41.2%
	Restitution	48.1%	58.8%
Financial restitution**	No financial restitution	74.2%	56.1%
	Financial restitution	25.8%	43.9%
* p< .05			
** p< .01			

More specifically, delays were shorter under the YCJA, with 54.4% of cases referred under or at the 50th percentile mark of 93 days, as opposed to 45.5% of cases referred under or at the 50th percentile mark under the YOA. There were some differences in the number of measures given to offenders by a youth worker or a youth court judge under the YOA and YCJA. Under the YOA, 3.1% of cases involved two or more measures, as opposed to 4.4% of cases under the YCJA; this difference was found to be insignificant.

Some variables provided an opportunity to investigate characteristics of the mediation process itself. The first, reasons for which a mediation did not occur, was found to have a modest significant correlation ($r = -0.141$, $p < 0.01$) with the law in effect. Reasons provided for the non-occurrence of mediation were more likely attributable to victims under the YOA (87.2%) than under the YCJA (76.4%).

When parties did participate in victim-offender mediation, the type of mediation process did not significantly change following the implementation of the YCJA: indirect mediation was used in 69.4% of cases under the YOA and 65.6% of cases under the YCJA.

Of the three variables that examined the nature of agreement terms, it was found that the number of terms did not have any significant correlation to the law in place at the time of referral. Two or more terms were stipulated in 19.3% of agreements made under the YOA and 14.4% of agreements made under the YCJA. Agreement terms that involved some form of restitution (financial compensation, community service or direct service to victims) were more often found under the YCJA than under the YOA (58.8% and 48.1% respectively). This difference was found to be modest and significant ($r = 0.104$, $p < 0.01$). A similar significant, modest, correlation ($r = 0.181$, $p < 0.01$) was found regarding whether or not offenders agreed to financial restitution specifically. Financial restitution was more likely to be made under the YCJA (43.9%) than under the YOA (25.8%).

The implementation of the YCJA seems therefore to have had an impact on several process-related characteristics: referral delays were shorter, the reasons for which mediation did not occur were less often attributable to victims and both restitution and financial restitution agreement terms were more frequent.

3.2.4.4 Participation and outcome under the YOA and the YCJA

Participation in mediation and mediation outcome were also examined with respect to the law in effect at the time of case referral.

Table XX. Bivariate correlations between dependent variables and the law in effect at time of case referral

Bivariate correlations			
Dependent variables		Law	
		YOA	YCJA
Participation**	No	46.7%	31.4%
	Yes	53.3%	68.6%
Outcome	Unsuccessful	4.8%	5.4%
	Successful	95.2%	94.6%
* $p < .05$			
** $p < .01$			

As presented in Table XX, a significant correlation was found between participation in mediation and the law in effect at the time of case referral ($r = 0.157$, $p < 0.01$). More precisely, cases referred to *Trajét* under the YCJA were more likely to result in participation in mediation (68.6%) than cases referred under the YOA (53.3%). There was, however, no significant correlation between mediation outcome and the law in effect at the time of referral: the process was successful in 95.2% of cases under the YOA and 94.6% under the YCJA. This very high success rate did not allow for reliable bivariate analyses.

3.2.4.5 Participation in mediation and partial correlations while controlling for law in effect

In order to further understand the possible impact of the implementation of the YCJA on participation in mediation, partial correlations were carried out between participation and the independent variables in this study while controlling for the law in effect.

❖ Offender characteristics

The significant correlations that were found between the dichotomous age of offenders' variable and participation proved to be spurious in that, when controlling for the law under which cases were referred, the correlations were no longer found to be significant. The same could be said about the correlation between offender gender and participation in mediation. The correlations between offender education level and occupation and participation also remained insignificant whilst controlling for the law in effect.

Although the type of offence committed by offenders was deemed insignificantly correlated with participation in mediation, a conditional correlation surfaced when controlling for the law under which the case was referred. Specifically, offence type was not significantly correlated with participation in mediation under the YOA but showed a modest significant correlation under the YCJA ($r = 0.123$, $p < 0.01$). After the implementation of the YCJA, cases involving property/other crimes were more likely to result in participation in mediation (81%) than crimes against the person (70.1%). Another conditional relationship with the law in place was found regarding the number of offences committed by offenders.

Although a modest and significant correlation was found between offence number and participation in mediation, this correlation ($r = -0.129$, $p < 0.01$) remained only for cases referred under the YCJA. Offenders who committed one offence were more likely to participate in mediation (82.7%) than offenders who committed two or more offences (71.8%). The strong and significant correlation ($r = -0.320$, $p < 0.01$) between the number of victims affected by the crimes committed by offenders and participation in mediation also became conditional when controlling for the law in place at the time. A moderate and significant correlation was found only after the implementation of the YCJA: offenders whose crime(s) involved one victim were more likely to participate in mediation (82.1%) than those whose crime(s) involved two or more victims (51.8%).

In terms of past offending, a previous referral to *Trajet* was not found to be significantly related to participation in mediation. However, a modest and significant correlation ($r = -0.136$, $p < 0.01$) did emerge when controlling for past referrals under the YOA and the YCJA. Under the YOA, offenders who were previously referred to *Trajet* were less likely to participate in mediation (37.9%) than those who had never been referred (63.0%). Whereas, under the YCJA, very similar proportions of offenders participated in mediation regardless of whether they had been previously referred (72.1%) or not (77.8%).

In terms of offender characteristics, partial correlations revealed that under the YCJA/*Entente cadre*, offenders who: committed property/other offences, committed one offence or whose crimes involved one victim were more likely to participate in mediation. On the other hand, offenders who were previously referred to *Trajet* were less likely to participate in mediation under the YOA.

❖ *Victim characteristics*

While controlling for the law in place at the time of referral, the significant and modest correlation between victim type and participation in mediation was maintained. Under both the YOA ($r = 0.147$, $p < 0.01$) and the YCJA ($r = 0.158$, $p < 0.01$), corporate or institutional victims were more likely to participate in mediation than personal victims.

Although victim gender was found to be significantly correlated with participation in mediation (with female victims being more likely to participate), the correlation was only found to be weakly significant under the YCJA ($r = -0.090$, $p < 0.05$), where again, females were more likely to participate (70.9%) than males (62.3%). The type of relationship shared between victims and offenders was not correlated with participation in mediation. However, this variable did reveal itself as modestly significant ($r = 0.112$, $p < 0.05$) under the YOA. Parties involved in interpersonal relationships were more likely to participate (62.0%) than those sharing a transitory or non-existent relationship (49.8%). Under the YCJA, 69.3% of parties sharing an interpersonal relationship participated in mediation as did 68.8% of those in a transitory or non-existent relationship. Finally, the dichotomous victim age variable, the number of offences committed against victims and offence type remained insignificant when controlling for the law in effect.

In sum, victim type was significantly correlated with participation regardless of the law in effect at time of case referral. Under the YOA, the nature of the relationship between the parties involved was significantly correlated with participation: those involved in interpersonal relationships were more likely to participate in mediation. Aside from victim type, the only other variable that significantly correlated with participation under the YCJA/*Entente cadre* was victim gender, with females being more likely to participate than males.

❖ *Process characteristics*

Referral source was not significantly correlated with participation in mediation. However, a conditional correlation was found in that there was a modest and significant correlation ($r = -0.122$, $p < 0.01$) between the referral source and participation under the YCJA wherein court-ordered cases were less likely to result in mediation (50%). Alternative measures referrals resulted in mediation in 78.1% of cases. The delay between the date of a crime and the date its associated case was referred to *Trajet* also resulted in a conditional correlation with participation in mediation. A modest and significant correlation emerged in cases under the YOA ($r = -0.144$, $p < 0.05$), with shorter delays appearing more likely to result in participation in mediation (71%) than longer delays (57.1%).

Under the YCJA, no such significant difference was found, as 78.1% of cases referred in 93 days or less and 76.1% of cases referred over 94 days or more resulted in participation. The correlation between the numbers of measures given by a youth worker or judge and participation in mediation remained insignificant under both laws. It must be noted, once again, that the small number of court-ordered cases and of cases involving offenders given two or more measures to complete sheds some doubt on the results pertaining to these variables. Consequently, referral delay was the only process characteristic to be significantly correlated with participation. This correlation appeared solely under the YOA.

3.2.4.6 Mediation outcome and partial correlations while controlling for law in effect

Due to the very high success rate of victim-offender mediation encounters, it was not possible to explore how the law in effect may have influenced correlations between independent variables and mediation outcome.

3.3 Multivariate findings

In order to perform multivariate analyses, logistic regression was carried out. Logistic regression allows for the prediction of outcomes with the use of independent variable combinations (Tabachnick & Fidell, 2007). This analysis took the bivariate analyses reported in the previous section one step further and revealed which independent variables contribute to the prediction of participation in mediation and its outcome. This section addresses the following question: will the significant correlations found through bivariate analyses remain? Or will other variables have an impact on participation and outcome?

3.3.1 Participation in victim-offender mediation

Bivariate findings revealed that eight variables, namely offender age, offender gender, the number offences committed by an offender, victim number, victim type, victim age, victim gender and referral delay, have significant correlations with participation in mediation. Logistic regression was performed in order to assess the impact that these and the remaining independent variables had on the likelihood that victims and offenders would participate in mediation. This analysis also helped to identify the model that would best predict participation in mediation.

Logistic regression results are presented in Table XXI. Several models were tested and the following four were retained according to the variance in participation that they explained and correct case classification.

Table XXI. Logistic regression results

Independent variables	Model 1			Model 2			Model 3			Model 4		
	β	S.E	Exp (B)	β	S.E	Exp (B)	β	S.E	Exp (B)	β	S.E	Exp (B)
Constant	2.130**	0.330		2.050**	0.336		2.456**	0.396		2.476**	0.387	
Offender age	-0.488*	0.215	0.614	-0.489*	0.215	0.613	'-1.371**	0.346	0.254	'-1.374**	0.376	0.253
Offender gender	-0.503	0.329	0.605	-0.548	0.330	0.578	-0.509	0.331	0.601	-0.517	0.335	0.596
Offender occupation	-0.112	0.260	0.894	-0.105	0.260	0.900	-0.177	0.263	0.838	-0.190	0.262	0.827
Number of victims	-1.685**	0.210	0.185	-1.858**	0.268	0.156	-1.796**	0.271	0.166	-1.808**	0.271	0.164
Victim age	0.288	0.233	1.334	0.268	0.234	1.308	-0.390	0.007	0.677	-0.405	0.321	0.667
Victim gender	-0.249	0.218	0.779	-0.243	0.218	0.784	-0.243	0.221	0.784	-0.239	0.22	0.787
Referral delay	-0.523*	0.203	0.593	-0.515*	0.204	0.598	-0.721**	0.263	0.486	-0.742**	0.273	0.476
Number of offences				0.300	0.272	1.350	0.225	0.278	1.253	0.224	0.278	1.251
Victim type				0.281	1.118	1.324	0.262	1.116	1.299	0.259	1.115	1.296
Type of offence (off.) x referral delay							0.407	0.297	1.503			
Offender age x victim age							1.294**	0.379	3.649			
Type of offence (vic.) x referral delay										0.428	0.310	1.534
Offender age x victim age										1.308**	0.447	3.698
r²		0.213**			0.216**			0.237**			0.237**	
X², df		90.97, 7			92.23, 9			102.13, 11			102.20, 11	
N		1196			1196			1196			1196	

* p< .05
** p< .01

Model 1, presented above, was retained because it explained a higher percentage of variance and correctly classified a higher percentage of cases, as compared to other models that included a similar number of variables. This first model contained seven variables (offender age, offender gender, offender occupation, victim number, victim age, victim gender and referral delay) and was found to be statistically significant, $X^2 (7, N = 1196) = 90.97, p < 0.01$. The model as a whole explained 21.3% of the variance in participation and improved the correct classification of cases by 7.9% (from 63.8% to 71.7%). Although six of the independent variables contained within the model, namely offender age, offender gender, victim number, victim age, victim gender and referral delay, were significantly correlated with participation in bivariate analyses, only three made a significant contribution to the model. The strongest predictor of participation in mediation was offender age by recording an odds ratio of 0.614. Offenders of 15 years of age or younger therefore proved just over 1.62 times more likely ($1/0.614 = 1.62$) to participate in mediation than offenders 16 years of age or older. The odds ratio of 0.185 for the number of victims indicated that cases involving one victim are almost five-and-a-half (5.4) times more likely to result in mediation. Finally, results indicate that shorter referral delays were associated with a greater likelihood of participation in mediation: delays of 93 days or less were 1.69 times more likely ($1/0.593$) to result in participation than delays of 94 days or more.

Due to the fact that Model 1 did not include two of the variables that were significantly correlated with participation in bivariate analyses (the number of offences committed by offenders and victim type), these were added to the Model 1 variable set in order to create Model 2. This second model was also statistically significant: $X^2 (9, N = 1196) = 92.23, p < 0.01$. It explains 21.6% of the variance in participation and correctly classifies 72.1% of cases (up from a 63.8% base rate). It must be noted that of all the models that were tested, this was the highest percentage of correct classifications. Once again, the same three variables made a significant contribution to the model: offender age, victim number and referral delay. Offender age remained the strongest predictor: its odd ratio was almost exactly the same as in Model 1, as was that of referral delay. The odds ratio for victim number did decrease and, according to Model 2, cases involving one victim were almost six-and-a-half times more likely to result in participation in mediation.

Model 3 accounts for the interactive effect between variables. In order to create this model, interaction terms were created and added to Model 2. Model 3 was statistically significant, $X^2(11, N = 1196) = 102.13$. This model as a whole explained the highest percentage of variance in participation (23.7%) of all the models that were tested. However, the correct classification of cases decreased to 70.6%. Offender age, victim number and referral delay remained significant. Of these three variables, referral delay was the strongest predictor, as opposed to offender age in the previous two models. In this third model, cases that were referred in 93 days or less appeared twice as likely to result in participation in mediation than those referred in 94 days or more. With an odds ratio of 0.254, offenders 15 years of age or younger were almost four times ($1/0.254 = 3.9$) more likely to participate in mediation than offenders aged 16 years or older. The odds ratio for victim number (0.166) did not differ greatly from its odds ratio in Model 2 (0.156) and cases involving one victim were six times more likely to result in participation in mediation. Offence type (most serious offence committed by offenders across all the cases they were involved in) and the referral delay interaction terms did not prove significant. However, offender age and victim age interaction terms were significant, with the model's strongest odds ratio at 3.649.

Because there was a very strong co-linearity between both offence type variables ($r = 0.971$, $p < 0.01$), they could not be included in the same model. Hence, Model 4 was produced and is essentially the same as Model 3 except for the fact that the offence type and the referral delay interaction terms now involved the most serious type of offence committed against individual victims. The statistical significance of Model 4, in terms of variance in participation (23.7%) and correct classification of cases (70.6%), was the same as Model 3. Offender age, number of victims, referral delay and offender age/victim age interactive terms also remained significant. Additionally, as in Model 3, offence type and referral delay interaction terms did not prove significant.

The logistic regression results that assessed the impact of independent variables on participation in mediation found that offender age, victim number and referral delay continued to relate significantly to participation. Although offender gender, the number of offences committed by offenders, victim type, victim age and victim gender were significantly correlated with participation in bivariate analyses, this was not the case at the multivariate level. A significant interactive effect between offender age and victim age also emerged.

3.3.2 *Mediation outcome*

Further analysis of mediation outcome through logistic regression was not possible in this study due to the fact that there was a very uneven split between outcome variable groups: only 5.2% of cases had an unsuccessful outcome, while 94.8% had a successful one.

CHAPTER 4: DISCUSSION

The principle objective of the present study was to investigate cases referred to *Trajnet* for victim-offender mediation. More specifically, four aspects were examined: general case characteristics, the relationship between case characteristics and participation in mediation, the relationship between case characteristics and mediation outcome and, the characteristics of the cases referred under the YOA and the YCJA. Below, the results reported thus far are discussed in light of research literature on this subject.

4.1 Case characteristics

This examination of the offender-, victim- and process-related characteristics of cases referred to *Trajnet* for victim-offender mediation from 1999 to 2009 revealed some similarities with conclusions found in other studies. In terms of the extralegal characteristics of the offenders, their gender (vast proportion of males) and average age ($\bar{X} = 15.6$ years of age) mirror findings in other studies (Coates & Gehm, 1989; Umbreit & Coates, 1993; Wyrick & Costanzo, 1999; Umbreit et al., 2001b). The similarity regarding offender gender is not surprising considering that comparable statistics have been reported with respect to juvenile crime in general. For instance, 77% of offenders who appeared in youth court in 2010 and 2011 were males (Brennan, 2012). In terms of the legal characteristics of offenders, the finding that the vast majority of offenders had not been previously referred to *Trajnet* for a past offence mirrors other studies, which found that most offenders were referred to mediation programs for their first offence (Umbreit & Coates, 1993; Schiff, 1999). Again, it should be noted that information regarding offenders' prior offences was not available for the present study and so a previous referral to *Trajnet* for past offences was used as a proxy. A final similarity was found regarding the success of the victim-offender mediation process as defined by the successful completion of mediated agreements; the success rate found in the present study falls well within the successful completion range found in other programs (Coates, 1990; Niemeyer & Shichor, 1996; Umbreit et al., 2001b).

There were also case characteristics in this study that differed from case descriptions found in the literature. One such characteristic is offence type, as explored here through two variables: the most serious offence committed by offenders across all the cases they were involved in and the most serious offence committed against individual victims. This study found that, as in other victim-offender mediation programs, property offences were most often involved in the cases referred to *Trajet* (as opposed to crimes against the person). However, the proportion of property/other crimes was lower and the proportion of crimes against the person was higher than those found in other studies (Umbreit & Coates, 1993; Kowalski, 1999; Wyrick & Costanzo, 1999; Umbreit et al., 2001b).

Across the country, variations have been found regarding the types of offences that have been referred to alternative measures. Although some provinces have lists of eligible offences and ineligible offences, “all offences are eligible for consideration for alternative measures” in Quebec (Kowalski, 1999: 8). In fact, even within Quebec, great variations among offence type have been found, with referrals to *Trajet* most often representing the highest proportion of crimes against the person (Martire, 2005). It can therefore be deduced that the present study’s findings do not reflect a country-wide or provincial pattern, but are more likely indicative of referral practices that are specific to *Trajet*. Unfortunately, it is not possible to ascertain at what point, between the occurrence of a crime and its case referral to *Trajet*, actions or decisions are taken which result in these higher referral rates for cases involving crimes against the person. Does the Montreal School Commissions’ zero tolerance policy on school violence lead to more crimes against the person being reported to the police (Barbeau, 2001)? Are youth workers less hesitant to refer crimes against the person to *Trajet* due to the long-standing history of alternative measures programs in Montreal? These and many other factors may come into play and further research is needed to draw conclusions.

Considering that the present study revealed a higher proportion of crimes against the person cases than other studies, it is not surprising that other case characteristics closely tied to this specific type of offence followed suit.

Although little information about victim type was found in the literature, it was determined that the cases referred to *Trajet* involved a greater proportion of personal victims when compared to other studies (Ghem, 1990; Wyrick & Costanzo, 1999). As for the inclusion of restitution terms in mediated agreements, almost half of the agreements in this study included a form of restitution. This result differs significantly from those in other studies which have found that over 80% of agreement terms involved a form of restitution (Coates & Gehm, 1989; Ghem, 1990; Umbreit et al., 2000). Again, this may not be surprising considering there were fewer property crime cases referred to *Trajet* than in other studies and considering restitution has been found of greater interest to victims of property crimes (Wemmers & Canuto, 2002).

A final characteristic of this study was found to differ from those in the literature: the reasons for which mediation did not occur. Other studies primarily focused upon the proportion of victims who declined to participate in victim-offender mediation. In the cases referred to *Trajet*, this number was been found to be lower (28.8%) than reported for other victim-offender mediation programs (40% to 60%) (Umbreit et al., 2001a; Coates, Burns, & Umbreit, 2003). Here, offence type is likely not a contributing factor because no significant difference in the reasons for which mediation did not occur was found when comparing person and property/other offences. The implementation of the *Entente cadre* may be the reason for this finding. Under the YOA, the proportion of cases that did not result in mediation due to victim-related reasons was lower than in the literature but much closer than under the YCJA. There was a significant decrease in this variable following the implementation of the YCJA/*Entente cadre*. The *Entente cadre* did in fact change victim contact procedures, in that victims were contacted earlier in the process, which may have resulted in lower rates of mediation not occurring due to victim-related reasons.

The present study also explored case characteristics that have been the subject of little or no attention in other victim-offender mediation research. One such characteristic is referral delay. Although the average delay of 110.6 days found in this study was similar to or higher than the delays reported for other programs, differing justice systems and practices did not allow for appropriate comparisons (Wyrick & Costanzo, 1999; Coates et al., 2003; Hayes & Daly, 2004).

Associations among case characteristics allowed for further exploration. This exploration revealed that three characteristics (offender gender, offence type and restitution terms in mediated agreements) had a greater number of significant correlations with other case characteristics. Firstly, significant differences were found between male and female offenders with respect to several case characteristics. In fact, results indicate that male and female offenders referred to *Trajet* for victim-offender mediation present different patterns of offending. However, it remains to be determined whether these differences reflect a general pattern among male and female young offenders or whether they are a result of youth worker case selection practices.

Secondly, offence type was significantly correlated with a number of offender-, victim- and process-related characteristics. For instance, property/other offences more often involved offenders aged 16 years or older. One possible explanation for this is that more serious sanctions were privileged in cases involving offenders 16 years of age or older who committed crimes against the person. Another possible explanation is that offenders in this age bracket simply committed fewer crimes against the person and more property offences. Both explanations may play a role in this study's findings. Canadian youth court statistics for 2006/2007 show that young offenders who appeared in youth court tended to be older, with 16- and 17-year-olds accounting for a greater proportion of cases (J. Thomas, 2008). In addition, youth court statistics for 2006/2007 show that older youth committed fewer crimes against the person than their younger counterparts (John Howard Society of Alberta, 2008; J. Thomas, 2008).

Another finding that merits further exploration is that mediation agreements in cases involving crimes against the person were less likely to include a form of restitution. This may be a reflection of victim needs. More specifically, restitution helps victims of property offences better deal with their losses whereas victims of crimes against the person may be more interested in gaining a better understanding of the events that transpired (Wyrick & Costanzo, 1999; Wemmers & Canuto, 2002). It is also possible that it is easier for victims of property crime to quantify restitution. In addition, it has been found that victims may not be aware of the extent to which they can claim restitution (Wemmers & Cyr, 2004). Providing more information and support to victims regarding their restitution options may increase the frequency of restitution being used as a term in cases of crimes against the person.

Finally, the inclusion of restitution terms in mediated agreements was also strongly correlated with many case characteristics. As mentioned above, restitution was more likely in cases involving property/other offences. Another interesting correlation revealed that adult victims (aged 19 years or older) were more likely to include restitution terms in mediated agreements than victims aged 18 years or younger. This is most likely due to the fact that the vast majority of property/other crime victims were 19 years of age or older. It also may also be due to the fact that victims in the same age bracket as offenders perceive mediation as a way to resolve conflict above all else (St-Louis & Wemmers, 2009). Another interesting correlation revealed that longer referral delays more often resulted in restitution being included in mediation terms. Offence type cannot explain this correlation as there was no significant difference in the referral delay for crimes against the person or property/other offences. It would be interesting to examine whether longer delays provide victims with more time to identify or quantify the form and/or amount of restitution they feel entitled to. In addition, it was found that restitution terms were more often included in indirect mediation processes. This finding may be due, in part, to the fact that property offences resulted in indirect mediation more often than those involving crimes against the person.

Overall, this study provides a greater understanding of the general characteristics of the cases referred to *Trajet* for victim-offender mediation. On a larger scale, it also contributes to existing literature on the subject by offering insight on the relationships between case characteristics and by establishing certain patterns within these relationships. It also identifies several research questions to be explored in the future for a more in-depth grasp of cases referred to victim-offender mediation.

4.2 Participation in victim-offender mediation

Results from bivariate analyses revealed that several variables were significantly correlated with participation in victim-offender mediation: offender age (dichotomous variable), offender gender, the number of offences committed by offenders across all the cases they were involved in, victim number, victim type, victim age (continuous variable), victim gender and referral delay. These results are discussed below in the following order: firstly, characteristics which impacted participation in mediation in the research literature; secondly, characteristics which correlated with participation in the present study but were not identified as such in the literature; and, thirdly, characteristics which significantly predicted participation through logistic regression.

4.2.1 Characteristics identified in literature as having an impact on participation

Research has shown that offence type, victim type and referral delay may have an impact on participation in mediation rates (Ghem, 1990; Niemeyer & Shichor, 1996; Wyrick & Costanzo, 1999; Umbreit et al., 2004).

Some studies have found that both victims and offenders are more likely to participate in mediation in cases involving property offences (Ghem, 1990; Niemeyer & Shichor, 1996; Wyrick & Costanzo, 1999). However, it has also been claimed that the “seriousness of offence has yet to demonstrate any consistent pattern as a predictor of participation rates” (Umbreit et al., 2004: 286). Offence type was not significantly correlated with participation in mediation in the present study. However, correlations did appear when controlling for certain offender- and victim-related characteristics. Only offender-related characteristics (age and highest level of education attained) mediated the relationship between participation and the most serious offence committed by an offender across all the cases he or she was involved in. In cases involving property crimes, offenders who were 16 years of age or older or who completed a senior high or post-secondary academic year, were more likely to participate in mediation. This lends some support to the finding that offenders are more likely to participate in cases involving property offences (Niemeyer & Shichor, 1996).

However, in the case of the most serious offence committed against individual victims, one offender characteristic (highest level of education achieved) and two victim characteristics (gender and victim type) increased the likelihood of participation in mediation in cases of crimes against the person. Specifically, offenders who completed an elementary or junior high academic year, female victims and personal victims were more likely to participate in cases involving crimes against the person. This does not support the finding that victims are more likely to participate in mediation in cases involving property crimes. It has been stated that victims sometimes feel like it is not worth the time and effort to get involved in victim-offender mediation (Coates & Gehm, 1989; Wemmers & Canuto, 2002; Coates et al., 2003; Umbreit et al., 2008). In light of this claim, it is possible that certain victims of crimes against the person are more likely to participate in mediation because the seriousness or impact of the crime makes it more worth the effort than property crimes.

To date, research has not clearly established the victim type most likely to participate in mediation. Some studies have found that corporate or institutional victims are more likely to participate than personal victims (Ghem, 1990; Wyrick & Costanzo, 1999; Umbreit et al., 2004). However, one study found that a greater referral of corporate victims resulted in lower participation rates (Marshall, 1990). The present study revealed a significant relationship between victim type and participation in mediation, in that corporate or institutional victims were more likely to participate than personal victims. Although case referrals to *Trajet* involved a higher proportion of personal victims than those found in other studies, this did not translate into an increased likelihood of their participation in mediation. It has been suggested that it may be easier for institutional/corporate victims to participate in mediation due to the fact that they may experience less anxiety or are less emotionally involved (fear, anger, etc.) when meeting with offenders (Ghem, 1990; Wyrick & Costanzo, 1999; Wemmers & Canuto, 2002).

Little research has been done regarding the impact of referral delay on participation in mediation. One study found that referral delays were shorter in cases where a mediation encounter had occurred (Coates et al., 2003). Another found that referral delay had an impact

on participation when considered in conjunction with offence type (Wyrick & Costanzo, 1999).

More specifically, it was found that longer delays increased the likelihood of participation in cases involving crimes against the person, but decreased participation in mediation related to property offences (Wyrick & Costanzo, 1999). The research findings from this study support the former conclusion. Here, referral delay was significantly correlated with participation, with shorter delays linked to an increased likelihood of participation, both in crimes against the person and property offences. The interactive effect of referral delay and offence type was also tested through logistic regression analyses with both types of offence variables, and was not found to significantly predict participation in mediation.

4.2.2 Characteristics correlated with participation in the present study but not identified as such in literature

This study's analyses also identified several variables which significantly correlated with participation in mediation but have not been identified as such in the literature. In terms of offender characteristics, the dichotomous age variable, gender, number of offences committed (across all the cases they were involved in) and victim number had a significant impact on participation. In terms of victim characteristics, age and gender also significantly correlated with participation. Other variables were revealed to be conditionally correlated with participation under specific circumstances: highest education level attained by offenders, the number of offences committed against individual victims and the nature of the relationship between the parties involved.

The patterns that emerged when comparing correlations between the number of offences committed by offenders and participation in mediation and the number of offences committed against individual victims and participation in mediation are of particular interest. Offenders who committed one offence were more likely to participate than those who committed two or more offences. However, in some specific instances, participation was more likely when victims had two or more crimes committed against them. Again, this may further indicate that

victims are more compelled to participate when they feel like mediation is worth the time and effort (as may be the case when one is a victim of several crimes).

These findings offer insight on characteristics that may influence participation in mediation but have not been explored in subject research to date. Only further investigation can inform or confirm the present study's findings.

4.2.3 Characteristics found to significantly predict participation through logistic regression

Three variables that significantly correlated with participation through bivariate analyses remained significant in logistic regression analysis assessing the impact of independent variables on participation in mediation. Offender age, victim number and referral delay were found to be significant predictors of participation. Thus cases involving offenders in the younger age bracket (15 years or less), one victim and shorter referral delays were more likely to result in mediation. Of these three, only referral delay has previously been shown in the research literature to have an impact on participation (Wyrick & Costanzo, 1999).

An interaction effect between offender age and victim age also contributed significantly to the prediction of participation. Partial correlation results may help illustrate this interaction: a) victims aged 18 years or younger, as opposed to victims aged 19 years or older, were more likely to participate in mediation in cases involving offenders aged 15 years or younger; and, b) victims aged 19 years or older, as opposed to victims aged 18 years or younger, were more likely to participate in mediation in cases involving offenders aged 16 years or older. It is of interest to note that crimes against the person were more likely to have been committed by offenders in the younger age bracket (15 years of age or less) and involved similarly-aged victims, while property offences were more often committed by offenders in the older age bracket (16 years or more) against older victims (19 years of age or more).

Although the logistic regression models presented were significant, they only managed to explain a little over a fifth of the variance in participation in mediation. This is most likely due to the fact that model specification was not achieved. Variables that were included in other studies, such as race, socio-economic status, young offender family situation, offender

attitude towards the process, reasons for participating and mediator behaviour are examples of variables that could have contributed to the creation of a more complete model (Pruitt et al., 1993; Wyrick & Costanzo, 1999; Bergseth & Bouffard, 2007).

4.3 Victim-offender mediation outcome

Successful mediation outcome, as defined in the present study, involved the successful completion of mediation agreements. The very high success rate found here echoes success rates found in similar programs (Coates, 1990; Niemeyer & Shichor, 1996; Umbreit et al., 2001a; Coates et al., 2003; Umbreit et al., 2004). This high success rate made it impossible to carry out bivariate and multivariate analyses exploring the relationship between case characteristics and mediation outcome.

Because high success rates are found across many programs, it could be surmised that the mediation process itself, rather than particular programs, are responsible. Many reasons have been given for high rates of satisfaction with the mediation process and these reasons may serve to explain the high rate of agreement completion. For instance, the fact that participants voluntarily choose to participate in such programs may increase the likeliness of satisfaction through a self-selection bias (Latimer et al., 2001; Umbreit et al., 2001a, 2004). Could this also contribute to the successful completion of mediation agreements? In the present study, there were three instances in which participants could have communicated their interest or lack thereof in participating in mediation: (1) when they were contacted by *Trajet* to discuss the possibility of participating in mediation (following the implementation of the *Entente cadre* only); (2) when youth workers met with young offenders to determine the measures that they would be have to be complete; and (3) when *Trajet* contacted participants in order to confirm their willingness to participate and organise logistics of the victim-offender mediation process. This study revealed that this last instance resulted in mediation not occurring in 38% of the cases referred to *Trajet* for victim-offender mediation. The refusal rate would therefore be higher if one were to consider the number of victims and offenders who availed themselves of the option of not participating in mediation in the two first instances. It is therefore possible that having the opportunity to choose to participate in mediation may result in participants

whose willingness to participate increases the likelihood of reaching and completing an agreement.

Other elements can also contribute to the successful completion of mediated agreements. For example, restorative justice practices give victims process control over procedures such as the mediation type, the questions they want to address to offenders and agreement terms (Van Camp & Wemmers, 2013). In addition, restorative justice interventions are considered to be flexible in that they can be adapted to a variety of needs and motives for participating (Van Camp & Wemmers, 2013). One motive cited by victims is their desire to help offenders (Coates & Gehm, 1989; Umbreit et al., 2001a; Coates et al., 2003; St-Louis & Wemmers, 2009; Van Camp & Wemmers, 2013). It has also been found that, for offenders, making a commitment to victims to repair the consequences of their actions, reaching an agreement, establishing restitution terms and respecting these terms are all factors perceived as being of great restorative importance (St-Louis & Wemmers, 2009). In fact, offenders who did not reach an agreement with victims felt that they had not repaired the harm that they had caused and that they had not done anything for their victims (St-Louis & Wemmers, 2009). Indeed, the nature of restorative practices, the motivations of the parties involved and the meaning each party attributes to restorative actions may all play a role in achieving a successful outcome.

4.4 Victim-offender mediation under the YOA and the YCJA/*Entente cadre*

Two significant changes have marked victim-offender mediation practice in Quebec in the last decade: the implementation of the YCJA by the federal government and the implementation of the *Entente cadre* by the *Association des centres jeunesse du Québec* and the *Regroupement des organismes de justice alternative du Québec* (ROJAQ).

Analyses of the cases referred to *Trajet* for victim-offender mediation revealed that some differences exist between those cases referred under the YOA and those referred under the YCJA.

4.4.1 Case characteristics

Regarding offence type, it was found that property/other crimes were more often referred under the YCJA than under the YOA. Although it is difficult to ascertain the specific role that the new legislation played in this increase, one must consider the following: “(...) a presumption is built into the legislation that non-violent offences will be dealt with outside of the judicial process, making it likely that violent offences would be directed to the courts.” (Charbonneau, 2005: 80). It is therefore possible that the YCJA did influence the decrease of referrals to mediation of offenders who committed crimes against the person because, under this law, their cases would more likely be directed to youth court. The role that the *Entente cadre* has played must also be considered. Under the YOA, victims were contacted when their case was referred to *Trajet* for victim-offender mediation. Under the *Entente cadre* this process was changed and victims were contacted earlier in the process. Their interest in participating in mediation was then communicated to youth workers who decided on the measures to be completed by offenders (Association des Centres jeunesse du Québec & Regroupement des organismes de justice alternative du Québec, 2001). Although logistic regression analyses did not show an overall interactive effect between referral delay and offence type, it should be noted that longer delays between offence date and victim contact have been found to increase participation in mediation in cases involving crimes against the person but decrease participation in cases involving property offences. Thus, earlier contact with victims under the YCJA/*Entente cadre* may have contributed to a greater referral of property offences (Wyrick & Costanzo, 1999).

Some other characteristics stood out in terms of significant changes after the implementation of the YCJA and the *Entente cadre*: offenders were more likely to have committed more than one offence and to have been previously referred to *Trajet* for a past offence. This may indicate that cases referred after the implementation of the YCJA and *Entente cadre* present more complex offending profiles. However, the finding that fewer crimes against the person were referred post-YCJA/*Entente cadre* mitigates this theory because the severity of the offences involved did not increase.

One victim characteristic did distinguish itself from the others regarding differences between the cases referred under the YOA and the YCJA: fewer victims aged 18 years or younger were involved in cases referred under the YCJA than under the YOA. This could possibly be attributed to the fact that cases referred under the YCJA more often involved property/other crimes and property/other crimes were more likely to involve older victims (i.e. not in the same age bracket as young offenders). It follows that the proportion of younger victims would decrease under the YCJA.

In terms of process characteristics, analyses showed that there was a significant decrease in the delay between the date an offence was committed and the date the associated case was referred to *Trajet* under the YCJA/*Entente cadre*. This is surprising because the implementation of the *Entente cadre* represented an additional step in the referral process whereby victims were contacted before the case was even referred to mediation in order to determine whether or not they would be interested in participating in such a measure. In fact, youth workers from the *centres jeunesse* stated that they felt that this new step resulted in increased delays in case processing (Jaccoud, 2007). The reasons underlying the non-participation in mediation also showed a significant difference between the two laws. Under the YOA, reasons given were more often victim-related. This may be because, under the YCJA, victims were contacted before their case was referred to *Trajet* for mediation in order to determine whether or not they would be interested in participating in such a measure. Hence, this initial filtering process possibly resulted in a higher participation rate among victims whose cases were referred to *Trajet* for mediation.

A last characteristic was found to have significantly changed following the implementation of the YCJA/*Entente cadre*: the inclusion of restitution in agreement terms. Under the new law, mediation agreements included a form of restitution more often. Specifically, financial restitution was more frequently included. Because a greater number of cases involving property crimes were referred to mediation under the YCJA than under the YOA and because this type of offence is more often associated with restitution in agreement terms, this finding is not surprising.

4.4.2 *Participation in mediation under the YOA and the YCJA/Entente cadre*

Once mediation was decided upon as an alternative measure or extrajudicial sanction by *centres jeunesse* youth workers and the case was referred to *Trajet*, the victim(s) and offender(s) involved were contacted by *Trajet* youth workers in order to confirm their willingness to participate in mediation and to organise the process. Victim and offender participation in mediation was found to be more likely following the implementation of the YCJA and *Entente cadre*. In order to try to explain this increase, the case characteristics that showed significant change following the implementation of the YCJA/*Entente cadre* and that were significantly correlated with participation in mediation were identified. There were two such characteristics. The first involved the number of offences committed by offenders: it was found that the number of cases with offenders who committed two or more offences increased significantly following the implementation of the YCJA and the *Entente cadre*. However, because offenders who committed two or more offences were less likely to participate in mediation, this factor most likely did not contribute to the increase of participation under the YCJA. The second case characteristic involved referral delay, which was found to have significantly decreased under the YCJA and the *Entente cadre*. Considering that shorter delays were found to result in a greater probability of participation in mediation, it is possible that quicker referrals resulted in increased participation in mediation following the implementation of the YCJA and the *Entente cadre*.

Another factor, which is unrelated to case characteristics, may also have contributed to the increased likelihood of participation following the implementation of the YCJA/*Entente cadre*. Under the YOA, victims were contacted once mediation was decided upon by a *centres jeunesse* youth worker and the case was transferred to *Trajet* to organise the mediation encounter. As mentioned above, upon the implementation of the *Entente cadre*, victims were contacted by an OJA youth worker to confirm participation in mediation and this information was then communicated to the *centres jeunesse* youth workers who decided which alternative measure the offender would have to complete. This new procedure introduced a preliminary screening process whereby victims declared their interest or lack thereof in the mediation process before mediation was decided upon by *centres jeunesse* youth workers.

In the results described above, bivariate analyses revealed that offender age, offender gender, the number of offences committed by offenders, victim number, victim type, victim gender and referral delay were significantly correlated with participation in mediation. When controlling for the law in effect, only victim type remained correlated with participation under both laws in that corporate/institutional victims were found to be more likely to participate than personal victims. Otherwise, it was found that different case characteristics significantly related to participation rates under the YOA and the YCJA/*Entente cadre*. Prior referrals to *Trajet*, the nature of the relationship between the parties involved and referral delay were significantly related to participation under the YOA, whereas the number of offences committed by offenders, victim number, offence type and victim gender were significantly related to participation under the YCJA/*Entente cadre*.

Prior referral to *Trajet* was correlated with participation in mediation under the YOA and it was found offenders who were previously referred were less likely to participate. However, because the available sample size for this variable was so small ($n = 29$), no definitive conclusions could be made in this regard.

It was difficult to ascertain why victims and offenders who shared an interpersonal relationship, as opposed to those with a transitory or non-existent relationship, were more likely to participate in mediation under the YOA and why this correlation did not appear under the YCJA/*Entente cadre*. A combination of factors may be at play. For instance, referral delays under the YOA were significantly longer. Victims who shared an interpersonal relationship with offenders (whose cases more likely involved crimes against the person), may have felt more invested in participating in mediation regardless of the delay than victims who had a transitory or non-existent relationship with offenders (whose cases more likely involved property crimes). Following the implementation of the YCJA/*Entente cadre*, referral delays were significantly shorter and victims were contacted earlier in the process. In addition, as mentioned above, property offences were more likely to be referred to mediation under the YCJA/*Entente cadre*. These factors, and possibly others, could then have nullified the association between the nature of the relationship and participation in mediation under the YCJA/*Entente cadre*.

The last variable that significantly correlated with participation in mediation under the YOA was referral delay. Shorter delays increased the likelihood of participation in mediation. Interestingly, this correlation was not found under the YCJA/*Entente cadre*. Once again, the process change implemented through the *Entente cadre* may have confounded this result because victims were contacted before the case was even referred to *Trajet* for mediation in order to determine whether or not they were interested in participating. Therefore, the referral date no longer represents the earliest date upon which victims were contacted for participation in mediation. This makes it difficult to conclusively state that referral delay did not correlate with victim participation under the YCJA/*Entente cadre*. On the contrary, this may indicate that shorter referral delays increase victim participation because when there are long delays, mediation typically does not occur for reasons attributable to the victim. And, under the YCJA/*Entente cadre*, mediation non-occurrence was less often attributed to victims.

Under the YCJA/*Entente cadre*, cases that involved: offenders who committed two or more offences; two or more victims; crimes against the person; or male victims were less likely to result in participation in mediation. Yet, none of these variables correlated with participation under the YOA. Once again, the reasons for this were difficult to pinpoint.

The implementation of the YCJA and the *Entente cadre* brought some changes to the alternative measures process in Quebec. The YCJA established a hierarchy of measures and allowed for the referral of offenders with prior offences to extrajudicial sanctions such as mediation. The *Entente cadre* also implemented a hierarchy of measures and established a new procedure whereby victims were contacted at an earlier point in the process in order to determine their interest in participating in mediation. Unfortunately, it is very difficult to ascribe the very micro level changes found in these case characteristics and levels of participation in mediation to the macro level changes that the YCJA and *Entente cadre* ushered in. The fact that different case characteristics were correlated with participation in mediation under the YOA and the YCJA/*Entente cadre* may indicate that the changes made to the alternative measures process did in fact have an impact on victim-offender mediation at *Trajet*. Only further research will allow for a better understanding of this impact.

CONCLUSION

Trajet, a Quebec *Organisme de justice alternative* (OJA) with a long-standing history of development and implementation of alternative justice measures for young offenders, furnished the backdrop for the present study. The objective of this study was to provide an in-depth look at the cases referred to *Trajet* for victim-offender mediation from 1999 to 2009 in order to:

1. describe the cases in terms of offender-, victim- and process-related characteristics;
2. examine the relationship between case characteristics and victim-offender participation in mediation and outcome;
3. compare case characteristics, participation in mediation and, mediation outcome under the Young Offenders Act and under the Youth Criminal Justice Act.

Description of the cases referred to *Trajet* for victim-offender mediation allowed for comparisons with cases referred to other mediation programs as described in the research literature. Results indicated that the characteristics of the cases in this study mirrored some characteristics of cases in other mediation programs, namely offender gender, offender age, occurrence of prior offences and mediation outcome. However, the characteristics of the cases in this study also set themselves apart regarding offence type, victim type, the inclusion of restitution terms and the reasons for which mediation did not occur. This study also examined characteristics that have been the subject of little or no attention in the research literature to date, including: the highest level of education attained by offenders, offender occupation, number of offences committed, victim number, victim age, victim gender, the nature of the relationship between parties referred to mediation, referral delay, the number of measures to be completed by offenders, mediation process type and the number of terms included in mediated agreements. In addition, an assessment of the relationships between case characteristics, specifically regarding the offender gender, offence type and the inclusion of restitution terms, revealed some interesting patterns.

An examination of the relationship between case characteristics and participation in mediation revealed that offender age, offender gender, the number of offences committed by an offender across all cases he or she was involved in, the number of victims affected by an offender, victim type, victim age, victim gender and referral delay were the case characteristics significantly associated with participation in mediation. These results confirmed research literature conclusions that victim type and referral delay have an impact on participation in mediation. Although offence type has been correlated with participation in mediation in the literature, this was not the case in the present study. These findings identified several variables that significantly correlated with participation in mediation but have not been identified as such elsewhere: offender age, offender gender, the number of offences committed, victim number, victim age and victim gender. Finally, offender age, victim number and referral delay were found to be significant predictors of participation in mediation through logistic regression analyses.

A comparison of the cases referred under the YOA and those referred under the YCJA/*Entente cadre* revealed significant differences regarding offence type, the number of offences committed, the occurrence of prior referral(s) to *Trajét*, victim age, referral delay, the reasons for which mediation did not occur and the inclusion of restitution terms. Participation in victim-offender mediation was found to have increased under the latter law. In addition, it was found that participation in mediation was, for the most part, related to different variables under the YOA than under the YCJA/*Entente cadre*. Only one variable was correlated with participation in mediation under both laws: victim type. Under the YOA, the occurrence of prior referral(s) to *Trajét*, the nature of the relationship between parties and referral delay were significantly correlated with participation. Under the YCJA/*Entente cadre* the number of offences committed, victim number, offence type and victim gender were significantly correlated with participation in mediation. It was difficult to explain why different variables were related to participation in mediation under the YOA and under the YCJA/*Entente cadre*. However, these differences suggest that the legal and procedural changes associated with the implementation of the YCJA/*Entente cadre* did impact the characteristics of cases referred to *Trajét* for victim-offender mediation and participation in mediation.

The results of the univariate, bivariate and multivariate analyses summarised above indicate that almost all of this study's objectives were met. However, it was not possible to further explore the factors related to mediation outcome through bivariate and multivariate analyses due to the very high success rate found across cases. Some inferences can be drawn from this. Firstly, it is quite possible that a "self-selection" process, in which victims and offenders who chose to participate in the mediation process, optimised successful outcomes (Latimer et al., 2001; Umbreit et al., 2001a, 2004). Secondly, considering that almost all victim-offender mediation encounters have a successful result, efforts to further victim-offender mediation at *Trajet* should focus on enhancing referral processes as well as participation rates.

Unfortunately, several findings could not be fully explained within the confines of this study. This underlines the need for future research. It is suggested that the following topics be examined further:

- the high proportion of cases involving crimes against the person referred to *Trajet* as compared to similar programs;
- the extent of the impact of referral delay on agreement terms (restitution) and on participation in mediation;
- the decrease of cases involving crimes against the person referred to *Trajet* after the implementation of YCJA/*Entente cadre*;
- the impact that offence type and the number of crimes committed have on victim participation in mediation;
- the possibility that cases referred to *Trajet* after the YCJA/*Entente cadre* was implemented became more complex than those referred under the YOA;
- the impact that earlier contact with victims following the implementation of the *Entente cadre* has had on victim participation in mediation;
- changes in case characteristics following the implementation of the YCJA/*Entente cadre*;
- case characteristic differences related to participation in mediation under the YOA and the YCJA/*Entente cadre*.

It must be noted that this is the first time such an in-depth quantitative portrayal has been undertaken with respect to the cases referred to *Trajet* for victim-offender mediation. Previous statistical reports on the subject have been fairly descriptive in nature and did not study the correlations among case characteristics and between case characteristics and participation in mediation. The results presented here offer new information about the factors that affect participation in mediation. This information will help identify how referral practices and participation in mediation can be improved. In addition, this study also provided exploratory analyses of the changes in case characteristics and participation in mediation following the implementation of the YCJA and *Entente cadre*. On a large scale, the results of this study also contribute to the current literature on victim-offender mediation by confirming or infirming previous findings and by examining case characteristics that have not been extensively researched before.

It is uncertain to what extent these results represent victim-offender mediation in all of Quebec's OJAs or victim-offender mediation in Canada, for that matter. It is also not known at the present time how the practice of victim-offender mediation at *Trajet* has evolved since 2009. Nonetheless, these findings can be used to facilitate the research and monitoring of victim-offender mediation practice at *Trajet* as it evolves. Moreover, the questions that emerged from this study may incite future qualitative and quantitative research that can further the development of victim-offender mediation.

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APPENDIX 1: CORRELATIONS MATRIX

		Variables																										
Variables	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
1. Pre or post YJCA	—																											
2. Participation in mediation	0.157**	—																										
3. Mediation outcome	-0.013	—	—																									
4. Offender age (continuous)	0.006	0.027	0.083*	—																								
5. Offender age (dichotomous)	-0.038	-0.064*	-0.089*	—	—																							
6. Offender gender	0.019	-0.066*	0.042	0.083*	0.078*	—																						
7. Offender education	-0.052	-0.048	-0.069	0.515**	0.455**	0.054	—																					
8. Offender occupation	0.045	-0.013	-0.012	0.255**	0.228*	0.095**	0.107**	—																				
9. Type of offence (off.)	0.110**	0.010	-0.016	0.159**	0.083*	0.273**	0.118**	0.117**	—																			
10. Number of offences (off.)	0.202**	-0.190**	-0.044	0.082*	0.047	0.111**	-0.005	0.025	0.084*	—																		
11. Number of victims	0.023	-0.320**	-0.036	0.036	0.006	0.043	0.026	0.047	0.023	0.501**	—																	
12. Priors	0.066*	-0.036	-0.022	0.133**	0.125**	0.089**	-0.010	0.049	0.032	-0.006	-0.022	—																
13. Victim type	0.018	0.154**	-0.040	0.095**	0.095	0.093**	0.096**	0.082**	0.388**	-0.183*	0.159*	0.059*	—															
14. Victim age (continuous)	0.003	0.107*	0.070	0.108*	0.106*	0.252**	0.074	0.105*	0.457**	0.185**	0.229**	0.037	0.076	—														
15. Victim age (dichotomous)	0.084*	-0.056	0.065	0.206**	0.184**	0.308**	0.017	0.113**	0.560**	-0.209*	0.216**	0.051	0.074	0.752**	—													
16. Victim gender	-0.018	-0.094**	0.047	0.049	0.066	0.320**	0.080*	0.091**	0.070*	0.026	0.007	-0.033	0.035	0.038	-0.021	—												
17. Nature of relationship	0.002	0.048	-0.04**	0.174**	-0.145**	-0.190**	-0.148**	-0.094**	-0.566**	-0.089**	-0.192*	0.016	-0.376**	0.352**	-0.491**	-0.098**	—											
18. Number of offences (vic.)	0.209**	0.040	-0.013	0.084**	0.062*	0.056*	-0.003	-0.002	0.048	0.580**	-0.046	0.042	-0.084**	0.032	0.088*	0.044	0.068	—										
19. Type of offence (vic.)	0.083**	-0.004	0.012	0.112**	0.060*	0.304**	0.085**	0.102**	0.971**	0.166**	0.165**	0.011	0.401**	0.488**	0.576**	0.070*	-0.562**	0.049	—									
20. Referral source	-0.004	-0.050	0.038	0.022	-0.009	-0.051	-0.001	-0.051	-0.179**	0.015	0.017	0.095**	-0.089**	0.064	-0.19**	-0.043	0.140**	-0.018	-0.200*	—								
21. Delay	-0.085*	-0.136**	-0.085*	0.500	-0.040	-0.068	-0.035	0.06	-0.059	-0.009	0.048	0.029	-0.078*	0.048	0.010	-0.026	0.045	-0.059	0.008	0.107**	—							
22. Number of measures	0.034	-0.056	0.009	0.015	-0.025	-0.041	0.021	0.01	-0.071**	0.107**	0.182**	-0.028	-0.072*	0.064	0.077	0.014	-0.032	0.015	-0.053	0.396**	0.045	—						
23. Reasons for no mediation	-0.141**	—	—	0.189**	-0.184**	0.102*	-0.050	-0.071	0.087	0.192**	0.321**	-0.083	-0.056	0.062	-0.045	-0.116*	0.050	-0.136**	0.096	0.037	0.159**	0.19*	—					
24. Type of mediation	-0.038	—	0.064	0.002	0.011	-0.107**	0.003	-0.02	-0.117**	-0.063	-0.078*	0.009	0.019	0.064	-0.010	-0.062	0.040	-0.071	-0.125*	0.072	-0.084*	0.025	—					
25. Number of terms	-0.065	—	0.053	0.039	-0.044	0.017	-0.017	0.000	-0.038	-0.111**	0.102**	0.049	-0.044	0.046	0.038	-0.043	0.095**	-0.052	-0.046	0.026	-0.01	-0.033	—					
26. Restitution	0.104**	—	-0.116**	0.093**	0.065	0.265**	0.061	0.095*	0.440**	0.166**	0.089**	0.043	0.028	0.291**	0.360**	0.081	-0.268**	0.109**	0.447**	-0.106*	0.094*	-0.084*	—					
27. Financial restitution	0.181**	—	-0.075*	0.113**	0.084*	0.239**	0.032	0.126**	0.360**	0.232**	0.123**	0.099**	-0.169**	0.248**	0.345**	0.100*	-0.197**	0.197**	0.373**	-0.051	0.101**	-0.42	—					

*p<.05

**p<.01

APPENDIX 2: PARTIAL CORRELATION RESULTS

Offender age and participation

Z = Offender gender		Offender gender: female		Offender gender: male	
	Participation	No	Yes	No	Yes
Offender age		25.4%	74.6%	37.4%	62.6%
		39.7%	60.3%	41.7%	58.3%
		Phi = -0.149 p<0.05			
Z = Offender education		Offender education : elementary and first cycle		Offender education : second cycle and post secondary	
	Participation	No	Yes	No	Yes
Offender age		35.0%	65.0%	33.6%	66.4%
		34.5%	65.5%	42.1%	57.9%
		Non significant			
Z = Offender occupation		Offender occupation : unemployed		Offender occupation : employed	
	Participation	No	Yes	No	Yes
Offender age		35.3%	64.7%	32.8%	67.2%
		39.5%	60.5%	41.4%	58.6%
		Non significant			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
	Participation	No	Yes	No	Yes
Offender age		32.2%	67.8%	36.9%	63.1%
		46.7%	53.3%	38.2%	61.8%
		Phi = -0.147 p<0.01			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
	Participation	No	Yes	No	Yes
Offender age		24.6%	75.4%	43.5%	56.5%
		30.8%	69.2%	48.6%	51.4%
		Non significant			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
	Participation	No	Yes	No	Yes
Offender age		23.5%	76.5%	55.7%	44.3%
		30.1%	69.9%	63.3%	36.7%
		Phi = -0.074 p<0.05			
Z = Prior referral		Prior referral: no		Prior referral: yes	
	Participation	No	Yes	No	Yes
Offender age		35.2%	64.8%	34.2%	65.8%
		40.5%	59.5%	47.8%	52.2%
		Non significant			
Z = Victim type		Victim type: personal		Victim type: corp./inst.	
	Participation	No	Yes	No	Yes
Offender age		38.5%	61.5%	22.1%	77.9%
		45.7%	54.3%	27.0%	73.0%
		Phi = -0.073 p<0.05			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
	Participation	No	Yes	No	Yes
Offender age		23.8%	76.2%	41.6%	58.4%
		53.7%	46.3%	35.0%	65.0%
		Phi = -0.290 p<0.01			
Z = Victim gender		Victim gender : female		Victim gender : male	
	Participation	No	Yes	No	Yes
Offender age		30.7%	69.3%	42.1%	57.9%
		40.3%	59.7%	45.9%	54.1%
		Non significant			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
	Participation	No	Yes	No	Yes
Offender age		30.8%	69.2%	37.6%	62.4%
		46.6%	53.4%	38.5%	61.5%
		Phi = -0.161 p<0.01			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
	Participation	No	Yes	No	Yes
Offender age		37.4%	62.6%	29.0%	71.0%
		41.3%	58.7%	40.5%	59.5%
		Non significant			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
	Participation	No	Yes	No	Yes
Offender age		37.6%	62.4%	29.3%	70.7%
		39.4%	60.6%	41.7%	58.3%
		Non significant			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
	Participation	No	Yes	No	Yes
Offender age		34.6%	65.4%	55.0%	45.0%
		41.5%	58.5%	40.0%	60.0%
		Phi = -0.071 p<0.05			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
	Participation	No	Yes	No	Yes
Offender age		26.4%	73.6%	41.6%	58.4%
		34.8%	65.2%	46.7%	53.3%
		Phi = -0.091 p<0.05			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
	Participation	No	Yes	No	Yes
Offender age		34.9%	65.1%	41.4%	58.6%
		40.7%	59.3%	55.6%	44.4%
		Phi = -0.059 p<0.05			

Offender gender and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	25.4%	74.6%	39.7%	60.3%
Offender gender	male	37.4%	62.6%	41.7%	58.3%
		Phi = -0.096 p<0.05			
Z = Offender education		Offender education : Elementary and first cycle		Offender education : second cycle and post secondary	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	24.3%	75.7%	37.3%	62.7%
Offender gender	male	37.2%	62.8%	40.2%	59.8%
		Phi = -0.103 p<0.01			
Z = Offender occupation		Offender occupation : unemployed		Offender occupation : employed	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	27.4%	72.6%	47.1%	52.9%
Offender gender	male	38.9%	61.1%	37.8%	62.2%
		Phi = -0.090 p<0.01			
Z = Type of offence (off.)		Type of offence : person		Type of offence : property	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	32.3%	67.7%	25.5%	74.5%
Offender gender	male	41.1%	58.9%	38.4%	61.6%
		Non significant			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	28.2%	71.8%	33.3%	66.7%
Offender gender	male	27.1%	72.9%	47.4%	52.6%
		Non significant			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	25.9%	74.1%	46.5%	53.5%
Offender gender	male	26.7%	73.3%	60.5%	39.5%
		Non significant			
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	29.5%	70.5%	50.0%	50.0%
Offender gender	male	39.0%	61.0%	42.9%	57.1%
		Phi = -0.072 p<0.05			
Z = Victim type		Victim type : personal		Victim type : corp./inst.	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	29.1%	70.9%	28.6%	71.4%
Offender gender	male	44.3%	55.7%	24.0%	76.0%
		Phi = -0.118 p<0.01			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	26.7%	73.3%	22.6%	77.4%
Offender gender	male	35.5%	64.5%	39.8%	60.2%
		Non significant			
Z = Victim gender		Victim gender : female		Victim gender : male	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	24.5%	75.5%	33.3%	66.7%
Offender gender	male	38.5%	61.5%	44.5%	55.5%
		Phi = -0.135 p<0.05			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	33.8%	66.2%	25.0%	75.0%
Offender gender	male	39.0%	61.0%	36.0%	64.0%
		Non significant			
Z = Type of offence (vic.)		Type of offence : person		Type of offence : property	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	32.3%	67.7%	25.9%	74.1%
Offender gender	male	39.8%	60.2%	38.9%	61.1%
		Non significant			
Z = Number of offences (vic.)		Number of offences: 1 offence		Number of offences: 2 or more offences	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	31.9%	68.1%	25.0%	75.0%
Offender gender	male	40.5%	59.5%	36.2%	63.8%
		Non significant			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	31.8%	68.2%	13.4%	86.6%
Offender gender	male	38.6%	61.4%	70.8%	29.2%
		Non significant			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	14.3%	85.7%	36.5%	63.5%
Offender gender	male	32.7%	67.3%	44.6%	55.4%
		Phi = -0.132 p<0.01			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender gender	female	32.4%	67.6%	7.7%	92.3%
Offender gender	male	38.3%	61.7%	62.2%	37.8%
		Non significant			
		Phi = -0.455 p<0.01			

Offender education and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Offender education	Elementary/first cycle	35.0%	65.0%	34.5%	65.5%
	Second cycle/post-sec.	33.6%	66.4%	42.1%	57.9%
		Non significant			
Z = Offender gender					
		Offender gender: female		Offender gender: male	
Offender education	Elementary/first cycle	24.3%	75.7%	37.2%	62.8%
	Second cycle/post-sec.	37.3%	62.7%	40.2%	59.2%
		Non significant			
Z = Offender occupation					
		Offender occupation: unemployed		Offender occupation: employed	
Offender education	Elementary/first cycle	35.4%	64.6%	33.3%	66.7%
	Second cycle/post-sec.	38.1%	61.9%	44.8%	55.2%
		Non significant			
Z = Type of offence (off.)					
		Type of offence: person		Type of offence: property	
Offender education	Elementary/first cycle	29.3%	70.7%	38.5%	61.5%
	Second cycle/post-sec.	50.4%	49.6%	34.5%	65.5%
		Phi = -0.208 p<0.01			
Z = Number of offences (off.)					
		Number of offences: 1		Number of offences: 2 or more	
Offender education	Elementary/first cycle	23.7%	76.3%	43.8%	56.2%
	Second cycle/post-sec.	31.6%	68.4%	45.9%	54.1%
		Non significant			
Z = Number of victims					
		Number of victims: 1		Number of victims: 2 or more	
Offender education	Elementary/first cycle	23.0%	77.0%	58.3%	41.7%
	Second cycle/post-sec.	30.2%	69.8%	57.8%	42.2%
		Phi = -0.081 p<0.05			
Z = Prior referral					
		Prior referral: no		Prior referral: yes	
Offender education	Elementary/first cycle	34.6%	65.4%	38.7%	61.3%
	Second cycle/post-sec.	38.9%	61.1%	48.7%	51.3%
		Non significant			
Z = Victim type					
		Victim type: personal		Victim type: corp./inst.	
Offender education	Elementary/first cycle	37.0%	63.0%	26.3%	73.7%
	Second cycle/post-sec.	45.9%	54.1%	23.8%	76.2%
		Phi = -0.088 p<0.05			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		No	Yes	No	Yes
Offender education	Elementary/first cycle	22.8%	77.2%	39.0%	61.0%
	Second cycle/post-sec.	50.0%	50.0%	38.3%	61.7%
		Phi = -0.276 p<0.01			
Z = Victim gender					
		Victim gender: female		Victim gender: male	
Offender education	Elementary/first cycle	28.9%	71.1%	41.2%	58.8%
	Second cycle/post-sec.	38.6%	61.4%	45.7%	54.3%
		Non significant			
Z = Nature of relationship					
		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
Offender education	Elementary/first cycle	37.1%	62.9%	29.3%	70.7%
	Second cycle/post-sec.	38.4%	61.6%	38.6%	61.4%
		Non significant			
Z = Type of offence (vic.)					
		Type of offence: person		Type of offence: property	
Offender education	Elementary/first cycle	28.0%	72.0%	39.0%	61.0%
	Second cycle/post-sec.	50.0%	50.0%	34.9%	65.1%
		Phi = -0.219 p<0.01			
Z = Number of offences (vic.)					
		Number of offences: 1		Number of offences: 2 or more	
Offender education	Elementary/first cycle	37.8%	62.2%	28.0%	72.0%
	Second cycle/post-sec.	39.0%	61.0%	38.6%	59.7%
		Non significant			
Z = Referral source					
		Referral measure: Alternative measure		Referral source: Court-ordered	
Offender education	Elementary/first cycle	34.2%	65.8%	57.1%	42.9%
	Second cycle/post-sec.	39.7%	60.3%	42.9%	57.1%
		Non significant			
Z = Delay					
		Delay: 93 days or less		Delay: 94 days or more	
Offender education	Elementary/first cycle	23.1%	76.9%	43.2%	56.8%
	Second cycle/post-sec.	35.3%	64.7%	43.1%	56.9%
		Phi = -0.134 p<0.01			
Z = Number of measures					
		Number of measures: 1		Number of measures: 2 or more	
Offender education	Elementary/first cycle	34.8%	65.2%	40.9%	59.1%
	Second cycle/post-sec.	38.9%	61.1%	50.0%	50.0%
		Non significant			

Offender occupation and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	35.3%	64.7%	39.5%	60.5%
	Employed	32.8%	67.2%	41.4%	58.6%
		Non significant		Non significant	
Z = Offender gender		Offender gender: female		Offender gender: male	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	27.4%	72.6%	38.9%	61.1%
	Employed	47.1%	52.9%	37.8%	62.2%
		Non significant		Non significant	
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	35.4%	64.6%	38.1%	61.9%
	Employed	33.3%	66.7%	44.8%	55.2%
		Non significant		Non significant	
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	36.3%	63.7%	37.1%	62.9%
	Employed	48.1%	51.9%	33.3%	66.7%
		Non significant		Non significant	
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	25.7%	74.3%	45.8%	54.2%
	Employed	31.2%	68.8%	42.2%	57.8%
		Non significant		Non significant	
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	25.2%	74.8%	59.7%	40.3%
	Employed	29.6%	70.4%	52.7%	47.3%
		Non significant		Non significant	
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	36.7%	63.3%	39.2%	60.8%
	Employed	37.2%	62.8%	48.0%	52.0%
		Non significant		Non significant	
Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	40.2%	59.8%	23.8%	76.2%
	Employed	43.0%	57.0%	27.9%	72.1%
		Non significant		Non significant	

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	32.3%	67.7%	36.3%	63.7%
	Employed	28.6%	71.4%	46.7%	53.3%
		Non significant		Non significant	
Z = Victim gender		Victim gender: female		Victim gender: male	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	33.1%	66.9%	42.3%	57.7%
	Employed	31.0%	69.0%	45.8%	54.2%
		Non significant		Non significant	
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	38.0%	62.0%	31.5%	68.5%
	Employed	34.8%	65.2%	46.2%	53.8%
		Non significant		Non significant	
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	35.9%	64.1%	37.3%	62.7%
	Employed	44.4%	55.6%	35.5%	64.5%
		Non significant		Non significant	
Z = Number of offences (vic.)		Number of offences: 1 offence		Number of offences: 2 or more offences	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	37.8%	62.2%	34.5%	65.5%
	Employed	38.5%	61.5%	35.7%	64.3%
		Non significant		Non significant	
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	36.4%	63.6%	50.0%	50.0%
	Employed	38.5%	61.5%	50.0%	50.0%
		Non significant		Non significant	
Z = Delay		Delay: 95 days or less		Delay: 94 days or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	28.9%	71.1%	43.3%	56.7%
	Employed	35.0%	65.0%	40.2%	59.8%
		Non significant		Non significant	
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Offender occupation	Unemployed	36.5%	63.5%	47.4%	52.6%
	Employed	38.6%	63.4%	58.8%	41.2%
		Non significant		Non significant	

Type of offence (most serious offence committed by offender) and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Type of offence (off.)	Person Property	32.2%	67.8%	46.7%	53.3%
		36.9%	63.1%	38.2%	61.8%
		Non significant			
Z = Offender gender		Offender gender: female		Offender gender: male	
		Non significant			
Type of offence (off.)	Person Property	32.3%	67.7%	41.1%	58.9%
		25.5%	74.5%	38.4%	61.6%
		Non significant			
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		Non significant			
Type of offence (off.)	Person Property	28.3%	70.7%	50.4%	49.6%
		38.5%	61.5%	34.5%	65.5%
		Phi = 0.094 p<0.05			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		Non significant			
Type of offence (off.)	Person Property	36.3%	63.7%	48.1%	51.9%
		37.1%	62.9%	33.3%	66.7%
		Non significant			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Non significant			
Type of offence (off.)	Person Property	31.7%	68.3%	46.1%	53.9%
		24.0%	76.0%	45.8%	54.2%
		Non significant			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Non significant			
Type of offence (off.)	Person Property	32.5%	67.5%	54.5%	45.5%
		21.5%	78.5%	60.8%	39.2%
		Phi = 0.122 p<0.01			
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Non significant			
Type of offence (off.)	Person Property	37.3%	62.7%	50.0%	50.0%
		37.0%	63.0%	40.3%	59.7%
		Non significant			
Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		Non significant			
Type of offence (off.)	Person Property	37.7%	62.3%	44.4%	55.6%
		44.7%	55.3%	23.8%	76.2%
		Phi = 0.071 p<0.05			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		No	Yes	No	Yes
Type of offence (off.)	Person Property	36.3%	63.6%	31.4%	68.6%
		8.3%	91.7%	41.0%	59.0%
		Phi = 0.201 p<0.01			
Z = Victim gender		Victim gender: female		Victim gender: male	
		Non significant			
Type of offence (off.)	Person Property	23.9%	76.1%	42.3%	57.7%
		38.7%	61.3%	44.6%	55.4%
		Non significant			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Non significant			
Type of offence (off.)	Person Property	41.0%	59.0%	35.8%	64.2%
		38.0%	62.0%	27.5%	72.5%
		Non significant			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		Non significant			
Type of offence (off.)	Person Property	37.4%	62.6%	62.5%	37.5%
		-	-	37.3%	62.7%
		N/A			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		Non significant			
Type of offence (off.)	Person Property	67.4%	32.6%	41.1%	58.9%
		40.0%	60.0%	31.8%	68.2%
		Non significant			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Non significant			
Type of offence (off.)	Person Property	36.8%	63.2%	58.1%	41.9%
		37.5%	62.5%	25.0%	75.0%
		Non significant			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		Non significant			
Type of offence (off.)	Person Property	30.7%	69.3%	42.8%	57.2%
		30.3%	69.7%	44.0%	56.0%
		Non significant			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Non significant			
Type of offence (off.)	Person Property	37.9%	62.1%	44.8%	55.2%
		36.5%	63.5%	59.3%	40.7%
		Non significant			

Number of offences committed by offender across all cases and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Number of offences (off.)	1 offence	24.6%	75.4%	30.8%	69.2%
	2 or more offences	43.5%	56.5%	48.6%	51.4%
		Phi = -0.196 p<0.01			
Z = Offender gender		Offender gender: female		Offender gender: male	
		Participation		Participation	
Number of offences (off.)	1 offence	28.2%	71.8%	27.1%	72.9%
	2 or more offences	33.3%	66.7%	47.4%	52.6%
		Phi = -0.204 p<0.01			
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		Participation		Participation	
Number of offences (off.)	1 offence	23.7%	76.3%	31.6%	68.4%
	2 or more offences	43.8%	56.2%	45.9%	54.1%
		Phi = -0.210 p<0.01			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		Participation		Participation	
Number of offences (off.)	1 offence	25.7%	74.3%	31.2%	68.8%
	2 or more offences	45.8%	54.2%	42.2%	57.8%
		Phi = -0.207 p<0.01			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
Number of offences (off.)	1 offence	31.7%	68.3%	24.0%	76.0%
	2 or more offences	46.1%	53.9%	45.8%	54.2%
		Phi = -0.148 p<0.01			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
Number of offences (off.)	1 offence	27.3%	72.7%	N/A	N/A
	2 or more offences	23.0%	77.0%	59.1%	40.9%
		Non significant			
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
Number of offences (off.)	1 offence	26.1%	73.9%	37.7%	62.3%
	2 or more offences	45.6%	54.4%	49.1%	50.9%
		Phi = -0.200 p<0.01			
Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		Participation		Participation	
Number of offences (off.)	1 offence	30.2%	69.8%	19.6%	80.4%
	2 or more offences	48.5%	51.5%	31.6%	68.4%
		Phi = -0.181 p<0.01			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		No	Yes	No	Yes
Number of offences (off.)	1 offence	28.6%	71.4%	23.1%	76.9%
	2 or more offences	37.2%	62.8%	45.5%	54.5%
		Phi = -0.214 p<0.01			
Z = Victim gender		Victim gender: female		Victim gender: male	
		Participation		Participation	
Number of offences (off.)	1 offence	24.4%	75.6%	28.6%	71.4%
	2 or more offences	40.5%	59.5%	52.1%	47.9%
		Phi = -0.164 p<0.01			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
Number of offences (off.)	1 offence	22.7%	77.3%	28.4%	71.6%
	2 or more offences	48.4%	51.6%	38.1%	61.9%
		Phi = -0.258 p<0.01			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
Number of offences (off.)	1 offence	37.1%	62.9%	24.0%	76.0%
	2 or more offences	44.6%	55.4%	46.3%	53.7%
		Phi = -0.133 p<0.01			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
Number of offences (off.)	1 offence	27.3%	72.7%	-	-
	2 or more offences	58.8%	41.2%	34.8%	65.2%
		Phi = -0.205 p<0.01			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
Number of offences (off.)	1 offence	26.0%	74.0%	68.8%	31.3%
	2 or more offences	46.0%	54.0%	42.1%	57.9%
		Phi = -0.205 p<0.01			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		Participation		Participation	
Number of offences (off.)	1 offence	19.4%	80.6%	30.7%	69.3%
	2 or more offences	39.1%	60.9%	51.6%	48.4%
		Phi = -0.213 p<0.01			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
Number of offences (off.)	1 offence	27.1%	72.9%	40.0%	60.0%
	2 or more offences	45.2%	54.8%	54.3%	45.7%
		Phi = -0.187 p<0.01			

Number of victims and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Number of victims	1 victim	23.5%	76.5%	30.1%	69.9%
	2 or more victims	55.7%	44.3%	63.3%	36.7%
		Phi = -0.325 p<0.01			
Z = Offender gender		Offender gender: female		Offender gender: male	
		No	Yes	No	Yes
Number of victims	1 victim	25.9%	74.1%	26.7%	73.3%
	2 or more victims	46.5%	53.5%	60.5%	39.5%
		Phi = -0.189 p<0.05			
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		No	Yes	No	Yes
Number of victims	1 victim	23.0%	77.0%	30.2%	69.8%
	2 or more victims	58.3%	41.7%	57.8%	42.2%
		Phi = -0.350 p<0.01			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		No	Yes	No	Yes
Number of victims	1 victim	25.2%	74.8%	29.6%	70.4%
	2 or more victims	59.7%	40.3%	52.7%	47.3%
		Phi = -0.338 p<0.01			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Number of victims	1 victim	32.5%	67.5%	21.5%	78.5%
	2 or more victims	54.5%	45.5%	60.8%	39.2%
		Phi = -0.201 p<0.01			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Number of victims	1 victim	27.3%	72.7%	23.0%	77.0%
	2 or more victims	59.7%	40.3%	60.8%	39.2%
		Phi = -0.312 p<0.01			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		No	Yes	No	Yes
Number of victims	1 victim	25.5%	74.5%	57.7%	42.3%
	2 or more victims	59.7%	40.3%	36.4%	63.4%
		Phi = -0.337 p<0.01			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		No	Yes	No	Yes
Number of victims	1 victim	20.3%	79.7%	28.1%	71.9%
	2 or more victims	53.2%	46.8%	63.9%	36.1%
		Phi = -0.330 p<0.01			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		No	Yes	No	Yes
Number of victims	1 victim	26.5%	73.5%	29.4%	70.6%
	2 or more victims	59.1%	40.9%	58.5%	41.5%
		Phi = -0.318 p<0.01			
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		No	Yes	No	Yes
Number of victims	1 victim	27.2%	72.8%	21.9%	78.1%
	2 or more victims	54.1%	45.9%	61.3%	38.7%
		Phi = -0.230 p<0.01			
Z = Victim gender		Victim gender: female		Victim gender: male	
		No	Yes	No	Yes
Number of victims	1 victim	19.2%	80.2%	29.6%	70.4%
	2 or more victims	55.9%	44.1%	63.3%	36.7%
		Phi = -0.381 p<0.01			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		No	Yes	No	Yes
Number of victims	1 victim	21.1%	78.9%	28.0%	72.0%
	2 or more victims	61.9%	38.1%	59.1%	40.9%
		Phi = -0.416 p<0.01			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Number of victims	1 victim	32.5%	67.5%	21.5%	78.5%
	2 or more victims	53.1%	46.9%	60.9%	39.1%
		Phi = -0.183 p<0.01			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Number of victims	1 victim	27.3%	72.7%	23.0%	77.0%
	2 or more victims	58.8%	41.2%	59.8%	40.2%
		Phi = -0.360 p<0.01			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		No	Yes	No	Yes
Number of victims	1 victim	25.5%	74.5%	57.7%	42.3%
	2 or more victims	59.7%	40.3%	36.4%	63.4%
		Phi = -0.337 p<0.01			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		No	Yes	No	Yes
Number of victims	1 victim	20.3%	79.7%	28.1%	71.9%
	2 or more victims	53.2%	46.8%	63.9%	36.1%
		Phi = -0.330 p<0.01			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		No	Yes	No	Yes
Number of victims	1 victim	26.5%	73.5%	29.4%	70.6%
	2 or more victims	59.1%	40.9%	58.5%	41.5%
		Phi = -0.318 p<0.01			

Prior referral to *Traj* and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
	No	Yes	No	Yes	Participation
Prior referral	No	35.2%	64.8%	40.5%	59.5%
	Yes	34.2%	65.8%	47.8%	52.2%
	Non significant				
Z = Offender gender		Offender gender: female		Offender gender: male	
	No	Yes	No	Yes	Participation
Prior referral	No	29.5%	70.5%	39.0%	61.0%
	Yes	50.0%	50.0%	42.9%	57.1%
	Non significant				
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
	No	Yes	No	Yes	Participation
Prior referral	No	34.6%	65.4%	38.9%	61.1%
	Yes	38.7%	61.3%	48.7%	51.3%
	Non significant				
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
	No	Yes	No	Yes	Participation
Prior referral	No	36.7%	63.3%	37.2%	62.8%
	Yes	39.2%	60.8%	48.0%	52.0%
	Non significant				
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
	No	Yes	No	Yes	Participation
Prior referral	No	37.3%	62.7%	37.0%	63.0%
	Yes	50.0%	50.0%	40.3%	59.7%
	Non significant				
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
	No	Yes	No	Yes	Participation
Prior referral	No	26.1%	73.9%	45.6%	54.4%
	Yes	37.7%	62.3%	49.1%	50.9%
	Non significant				
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
	No	Yes	No	Yes	Participation
Prior referral	No	25.3%	74.7%	59.0%	41.0%
	Yes	37.2%	62.8%	60.0%	40.0%
	Phi = -0.081 p<0.05				
Z = Victim type		Victim type: personal		Victim type: corp./inst.	
	No	Yes	No	Yes	Participation
Prior referral	No	41.9%	58.1%	21.3%	78.7%
	Yes	38.2%	61.8%	47.1%	52.9%
	Non significant				
	Phi = -0.195 p<0.01				

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
	No	Yes	No	Yes	Participation
Prior referral	No	31.5%	68.5%	38.8%	61.2%
	Yes	50.0%	50.0%	35.0%	65.0%
	Non significant				
Z = Victim gender		Victim gender: female		Victim gender: male	
	No	Yes	No	Yes	Participation
Prior referral	No	34.7%	65.3%	43.7%	56.3%
	Yes	31.4%	68.6%	43.9%	56.1%
	Non significant				
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
	No	Yes	No	Yes	Participation
Prior referral	No	38.5%	61.5%	32.4%	67.6%
	Yes	37.9%	62.1%	42.4%	57.6%
	Non significant				
Z = Type of offence (vic.)		Type of offence: person		Type of offences: property	
	No	Yes	No	Yes	Participation
Prior referral	No	36.4%	63.6%	37.5%	62.5%
	Yes	48.6%	51.4%	41.1%	58.9%
	Non significant				
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
	No	Yes	No	Yes	Participation
Prior referral	No	38.6%	61.4%	33.7%	66.3%
	Yes	43.5%	56.5%	43.6%	56.4%
	Non significant				
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
	No	Yes	No	Yes	Participation
Prior referral	No	37.2%	62.8%	44.8%	55.2%
	Yes	41.0%	59.0%	75.0%	25.0%
	Non significant				
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
	No	Yes	No	Yes	Participation
Prior referral	No	29.3%	70.7%	44.0%	56.0%
	Yes	40.8%	59.2%	40.0%	60.0%
	Non significant				
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
	No	Yes	No	Yes	Participation
Prior referral	No	36.7%	63.3%	49.1%	50.9%
	Yes	43.0%	57.0%	100.0%	0.0%
	Non significant				

Victim type and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Victim type	Personal	38.5%	61.5%	45.7%	54.3%
	Corporate/institutional	22.1%	77.9%	27.0%	73.0%
		Phi = 0.146 p<0.01			
Z = Offender gender		Offender gender: female		Offender gender: male	
		No	Yes	No	Yes
Victim type	Personal	29.1%	70.9%	44.3%	55.7%
	Corporate/institutional	28.6%	71.4%	24.0%	76.0%
		Phi = 0.184 p<0.01			
Z = Offender education		Offender education : Elementary and first cycle		Offender education : second cycle and post secondary	
		No	Yes	No	Yes
Victim type	Personal	37.0%	63.0%	45.9%	54.1%
	Corporate/institutional	26.3%	73.7%	23.8%	76.2%
		Phi = 0.094 p<0.05			
Z = Offender occupation		Offender occupation : unemployed		Offender occupation : employed	
		No	Yes	No	Yes
Victim type	Personal	40.2%	59.8%	43.0%	57.0%
	Corporate/institutional	23.8%	76.2%	27.9%	72.1%
		Phi = 0.145 p<0.01			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Victim type	Personal	37.7%	62.3%	44.7%	55.3%
	Corporate/institutional	44.4%	55.6%	23.8%	76.2%
		Phi = 0.210 p<0.01			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Victim type	Personal	30.2%	69.8%	48.5%	51.5%
	Corporate/institutional	19.6%	80.4%	31.6%	68.4%
		Phi = 0.114 p<0.05			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		No	Yes	No	Yes
Victim type	Personal	28.6%	71.4%	61.5%	38.5%
	Corporate/institutional	18.1%	81.9%	46.8%	53.2%
		Phi = 0.110 p<0.01			
Z = Prior referral		Prior referral: no		Prior referral: yes	
		No	Yes	No	Yes
Victim type	Personal	41.9%	58.1%	38.2%	61.8%
	Corporate/institutional	21.3%	78.7%	47.1%	52.9%
		Phi = 0.183 p<0.01			
		Non significant			

Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		No	Yes	No	Yes
Victim type	Personal	32.6%	67.4%	38.7%	61.3%
	Corporate/institutional	N/A	N/A	16.7%	83.3%
		Non significant			
Z = Victim gender		Victim gender: female		Victim gender: male	
		No	Yes	No	Yes
Victim type	Personal	36.1%	63.9%	44.5%	55.5%
	Corporate/institutional	12.0%	88.0%	36.2%	63.8%
		Phi = 0.132 p<0.05			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		No	Yes	No	Yes
Victim type	Personal	46.5%	53.5%	33.6%	66.4%
	Corporate/institutional	24.9%	75.1%	20.0%	80.0%
		Phi = 0.215 p<0.01			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Victim type	Personal	37.0%	63.0%	45.1%	54.9%
	Corporate/institutional	--	--	24.7%	75.3%
		Phi = 0.204 p<0.01			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Victim type	Personal	43.6%	56.4%	37.1%	62.9%
	Corporate/institutional	26.4%	73.6%	18.2%	81.8%
		Phi = 0.120 p<0.01			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		No	Yes	No	Yes
Victim type	Personal	41.2%	58.8%	51.5%	48.5%
	Corporate/institutional	24.6%	75.4%	0.0%	100.0%
		Phi = 0.151 p<0.01			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		No	Yes	No	Yes
Victim type	Personal	33.7%	66.3%	47.6%	52.4%
	Corporate/institutional	21.6%	78.4%	29.1%	70.9%
		Phi = 0.120 p<0.01			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		No	Yes	No	Yes
Victim type	Personal	40.9%	59.1%	53.2%	46.8%
	Corporate/institutional	24.5%	75.5%	16.7%	83.3%
		Phi = 0.149 p<0.01			
		Non significant			

Victim age and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Victim age	18 years or less	23.8%	76.2%	53.7%	46.3%
	19 years or more	41.6%	58.4%	35.0%	65.0%
Phi = -0.183 p<0.01					
Z = Offender gender		Offender gender: female		Offender gender: male	
		No	Yes	No	Yes
Victim age	18 years or less	26.7%	73.3%	35.5%	64.5%
	19 years or more	22.6%	77.4%	39.8%	60.2%
Non significant					
Z = Offender education		Offender education : Elementary and first cycle		Offender education : second cycle and post secondary	
		No	Yes	No	Yes
Victim age	18 years or less	22.8%	77.2%	50.0%	50.0%
	19 years or more	39.0%	61.0%	38.3%	61.7%
Phi = -0.165 p<0.01					
Z = Offender occupation		Offender occupation : unemployed		Offender occupation : employed	
		No	Yes	No	Yes
Victim age	18 years or less	32.3%	67.7%	28.8%	71.4%
	19 years or more	36.3%	63.7%	46.7%	53.3%
Non significant					
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Victim age	18 years or less	36.3%	63.8%	8.3%	91.7%
	19 years or more	31.4%	68.6%	41.0%	59.0%
Non significant					
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Victim age	18 years or less	28.6%	71.4%	37.2%	62.8%
	19 years or more	23.1%	76.9%	45.5%	54.5%
Non significant					
Z = Referral source		Alternative measure		Referral source: Court-ordered	
		No	Yes	No	Yes
Victim age	18 years or less	28.6%	71.4%	37.2%	62.8%
	19 years or more	23.1%	76.9%	45.5%	54.5%
Non significant					
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		No	Yes	No	Yes
Victim age	18 years or less	27.2%	72.8%	54.1%	45.9%
	19 years or more	21.9%	78.1%	61.3%	38.7%
Non significant					
Z = Prior referral		Prior referral: no		Prior referral: yes	
		No	Yes	No	Yes
Victim age	18 years or less	31.2%	68.8%	50.0%	50.0%
	19 years or more	38.8%	61.2%	35.0%	65.0%
Non significant					

Z = Victim type		Victim type: personal		Victim type: corp./inst	
		No	Yes	No	Yes
Victim age	18 years or less	32.6%	67.4%	N/A	N/A
	19 years or more	38.7%	61.3%	16.7%	83.3%
Non significant					
Z = Victim gender		Victim gender: female		Victim gender: male	
		No	Yes	No	Yes
Victim age	18 years or less	25.7%	74.3%	37.3%	62.7%
	19 years or more	31.8%	68.2%	43.2%	56.8%
Non significant					
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		No	Yes	No	Yes
Victim age	18 years or less	24.2%	75.8%	34.0%	66.0%
	19 years or more	40.7%	59.3%	32.7%	67.3%
Non significant					
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		No	Yes	No	Yes
Victim age	18 years or less	36.3%	63.8%	8.3%	91.7%
	19 years or more	29.2%	70.8%	41.6%	58.4%
Non significant					
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		No	Yes	No	Yes
Victim age	18 years or less	34.4%	65.6%	28.6%	71.4%
	19 years or more	42.0%	58.0%	32.9%	67.1%
Non significant					
Z = Referral source		Alternative measure		Referral source: Court-ordered	
		No	Yes	No	Yes
Victim age	18 years or less	30.3%	69.7%	77.8%	22.2%
	19 years or more	38.5%	61.5%	25.0%	75.0%
Non significant					
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		No	Yes	No	Yes
Victim age	18 years or less	30.7%	69.3%	34.4%	65.6%
	19 years or more	30.6%	69.4%	45.2%	54.8%
Non significant					
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		No	Yes	No	Yes
Victim age	18 years or less	31.6%	68.4%	57.1%	42.9%
	19 years or more	36.7%	63.3%	58.6%	41.4%
Non significant					

Victim gender and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Victim gender	Female	30.7%	69.3%	40.3%	59.7%
	Male	42.1%	57.9%	45.9%	54.1%
		Phi = -0.118 p<0.01			
Z = Offender gender		Offender gender: female		Offender gender: male	
	Female	24.5%	75.5%	38.5%	61.5%
	Male	33.3%	66.7%	44.5%	55.5%
		Non significant			
Z = Offender education		Offender education: elementary and first cycle		Offender education: second cycle and post secondary	
	Female	28.9%	71.1%	38.6%	61.4%
	Male	41.2%	58.8%	45.7%	54.3%
		Phi = -0.127 p<0.01			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
	Female	33.1%	66.9%	31.0%	69.0%
	Male	42.3%	57.7%	45.8%	54.2%
		Phi = -0.093 p<0.05			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
	Female	28.9%	71.1%	38.7%	61.3%
	Male	42.3%	57.7%	44.6%	55.4%
		Phi = -0.138 p<0.05			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
	Female	24.4%	75.6%	40.5%	59.5%
	Male	28.6%	71.4%	52.1%	47.9%
		Phi = -0.114 p<0.01			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
	Female	19.2%	80.8%	55.9%	44.1%
	Male	29.6%	70.4%	63.3%	36.7%
		Phi = -0.118 p<0.01			
Z = Prior referral		Prior referral: no		Prior referral: yes	
	Female	34.7%	65.3%	31.4%	68.6%
	Male	43.7%	56.3%	43.9%	56.1%
		Phi = -0.090 p<0.05			

Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		No	Yes	No	Yes
Victim gender	Female	36.1%	63.9%	12.0%	88.0%
	Male	44.5%	55.5%	36.2%	63.8%
		Phi = -0.084 p<0.05			
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
	Female	25.7%	74.3%	31.8%	68.2%
	Male	37.3%	62.7%	43.2%	56.8%
		Non significant			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
	Female	42.0%	58.0%	26.0%	74.0%
	Male	44.9%	55.1%	40.2%	59.8%
		Non significant			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
	Female	27.9%	72.1%	39.2%	60.8%
	Male	41.8%	58.2%	44.8%	55.2%
		Phi = -0.144 p<0.01			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
	Female	39.4%	60.6%	22.9%	77.1%
	Male	44.0%	56.0%	43.2%	56.8%
		Non significant			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
	Female	34.1%	65.9%	40.0%	60.0%
	Male	43.3%	56.7%	64.3%	35.7%
		Phi = -0.091 p<0.01			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
	Female	26.8%	73.2%	40.8%	59.2%
	Male	37.7%	62.3%	49.6%	50.4%
		Phi = -0.112 p<0.05			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
	Female	34.8%	65.2%	27.8%	72.2%
	Male	42.2%	57.8%	69.0%	31.0%
		Phi = 0.075 p<0.05			

Type of offence (most serious offence committed against individual victims) and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Type of offence (vic.)	Person	30.8%	69.2%	46.6%	53.4%
	Property	37.6%	62.4%	38.5%	61.5%
		Non significant			
Z = Offender gender		Offender gender: female		Offender gender: male	
		Participation		Participation	
Type of offence (vic.)	Person	32.3%	67.7%	39.8%	60.2%
	Property	25.9%	74.1%	38.9%	61.1%
		Non significant			
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		Participation		Participation	
Type of offence (vic.)	Person	28.0%	72.0%	50.0%	50.0%
	Property	39.0%	61.0%	34.9%	65.1%
		Phi = -0.112 p<0.01			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		Participation		Participation	
Type of offence (vic.)	Person	35.9%	64.1%	44.4%	55.6%
	Property	37.3%	62.7%	35.5%	64.5%
		Non significant			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
Type of offence (vic.)	Person	37.4%	62.6%	37.3%	62.7%
	Property	62.5%	37.5%	--	--
		Phi = -0.099 p<0.05			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
Type of offence (vic.)	Person	31.7%	68.3%	44.6%	55.4%
	Property	24.0%	76.0%	46.3%	53.7%
		Non significant			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
Type of offence (vic.)	Person	32.5%	67.5%	53.1%	46.9%
	Property	21.5%	78.5%	60.9%	39.1%
		Phi = 0.122 p<0.01			
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
Type of offence (vic.)	Person	36.4%	63.6%	48.6%	51.4%
	Property	37.5%	62.5%	41.1%	58.9%
		Non significant			

Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		No	Yes	No	Yes
Type of offence (vic.)	Person	37.0%	63.0%	--	--
	Property	45.1%	54.9%	24.7%	75.3%
		Phi = -0.082 p<0.05			
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		Participation		Participation	
Type of offence (vic.)	Person	36.3%	63.8%	29.2%	70.8%
	Property	8.3%	91.7%	41.6%	58.4%
		Phi = 0.201 p<0.01			
Z = Victim gender		Victim gender: female		Victim gender: male	
		Participation		Participation	
Type of offence (vic.)	Person	27.9%	72.1%	41.8%	58.2%
	Property	39.2%	60.8%	44.8%	55.2%
		Phi = -0.118 p<0.05			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
Type of offence (vic.)	Person	40.2%	59.8%	34.2%	65.8%
	Property	38.2%	61.8%	31.6%	68.4%
		Non significant			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
Type of offence (vic.)	Person	36.4%	63.6%	40.2%	59.8%
	Property	40.5%	59.5%	32.4%	67.6%
		Non significant			
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
Type of offence (vic.)	Person	35.7%	64.3%	55.1%	41.9%
	Property	38.0%	62.0%	25.0%	75.0%
		Non significant			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		Participation		Participation	
Type of offence (vic.)	Person	30.0%	70.0%	41.4%	58.6%
	Property	30.6%	69.4%	44.6%	55.4%
		Non significant			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
Type of offence (vic.)	Person	36.8%	63.2%	46.2%	53.8%
	Property	37.1%	62.9%	56.7%	43.3%
		Non significant			

Number of offences committed against individual victims and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	37.4%	62.6%	41.3%	58.7%
	2 or more offences	29.0%	71.0%	40.5%	59.5%
Phi = 0.079 p<0.05					
Z = Offender gender		Offender gender: female		Offender gender: male	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	31.9%	68.1%	40.5%	59.5%
	2 or more offences	25.0%	75.0%	36.2%	63.8%
Non significant					
Z = Offender education		Offender education: elementary and first cycle		Offender education: second cycle and post secondary	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	37.8%	62.2%	39.0%	61.0%
	2 or more offences	28.0%	72.0%	40.3%	59.7%
Phi = 0.094 p<0.05					
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	37.8%	62.2%	38.5%	61.5%
	2 or more offences	34.5%	65.5%	35.7%	64.3%
Non significant					
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	37.4%	62.6%	40.0%	60.0%
	2 or more offences	41.1%	58.9%	31.8%	68.2%
Non significant					
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	27.3%	72.7%	58.8%	41.2%
	2 or more offences	--	--	34.8%	65.2%
N/A					
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	27.3%	72.7%	58.8%	41.2%
	2 or more offences	23.0%	77.0%	59.8%	40.2%
Non significant					
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	38.6%	61.4%	43.5%	56.5%
	2 or more offences	33.7%	66.3%	43.6%	56.4%
Non significant					

Z = Victim type		Victim type: personal		Victim type: corp./Inst	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	43.6%	56.4%	26.4%	73.6%
	2 or more offences	37.1%	62.9%	18.2%	81.8%
Non significant					
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	34.4%	65.6%	42.0%	58.0%
	2 or more offences	28.6%	71.4%	32.9%	67.1%
Non significant					
Z = Victim gender		Victim gender: female		Victim gender: male	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	39.4%	60.6%	44.0%	56.0%
	2 or more offences	22.9%	77.1%	43.2%	56.8%
Phi = 0.160 p<0.01					
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	36.4%	63.6%	40.5%	59.5%
	2 or more offences	40.2%	59.8%	32.4%	67.6%
Phi = 0.078 p<0.05					
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	39.9%	60.1%	35.3%	64.7%
	2 or more offences	35.0%	65.0%	30.2%	69.8%
Non significant					
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	38.4%	61.6%	57.7%	42.3%
	2 or more offences	34.5%	65.5%	44.4%	55.6%
Non significant					
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	29.0%	71.0%	47.3%	52.8%
	2 or more offences	33.1%	66.9%	34.8%	65.2%
Non significant					
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
		No	Yes	No	Yes
Number of offences (vic.)	1 offence	38.9%	61.1%	42.1%	57.9%
	2 or more offences	32.7%	67.3%	72.2%	27.8%
Phi = 0.281 p<0.05					

Nature of relationship and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Nature of relationship	Transitory/Non-existent	37.6%	62.4%	39.4%	60.6%
	Interpersonal	29.3%	70.7%	41.7%	58.3%
		Phi = 0.084 p<0.05			
Offender gender: female		Participation		Offender gender: male	
		No	Yes	No	Yes
Nature of relationship		33.8%	66.2%	39.0%	61.0%
Interpersonal		25.0%	75.0%	36.0%	64.0%
		Non significant			
Offender education: second elementary and first cycle		Participation		Offender education: second elementary and first cycle	
		No	Yes	No	Yes
Nature of relationship		37.1%	62.9%	38.4%	61.6%
Interpersonal		29.3%	70.7%	38.6%	61.4%
		Non significant			
Offender occupation: unemployed		Participation		Offender occupation: employed	
		No	Yes	No	Yes
Nature of relationship		38.0%	62.0%	34.8%	65.2%
Interpersonal		31.5%	68.5%	46.2%	53.8%
		Non significant			
Type of offence: person		Participation		Type of offence: property	
		No	Yes	No	Yes
Nature of relationship		41.0%	59.0%	38.0%	62.0%
Interpersonal		35.8%	64.2%	27.5%	72.5%
		Non significant			
Number of offences: 1		Participation		Number of offences: 2 or more	
		No	Yes	No	Yes
Nature of relationship		22.7%	77.3%	48.4%	51.6%
Interpersonal		28.4%	71.6%	38.1%	61.9%
		Phi = 0.093 p<0.05			
Number of victims: 1		Participation		Number of victims: 2 or more	
		No	Yes	No	Yes
Nature of relationship		21.1%	78.9%	61.9%	38.1%
Interpersonal		28.0%	72.0%	52.1%	47.9%
		Phi = -0.079 p<0.05			
Prior referral: no		Participation		Prior referral: yes	
		No	Yes	No	Yes
Nature of relationship		38.5%	61.5%	37.9%	62.1%
Interpersonal		32.4%	67.6%	42.4%	57.6%
		Non significant			

Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		No	Yes	No	Yes
Nature of relationship	Transitory/Non-existent	46.5%	53.5%	24.6%	75.1%
	Interpersonal	33.6%	66.4%	20.0%	80.0%
		Phi = 0.128 p<0.01			
Victim age: 18 years or less		Participation		Victim age: 19 years or more	
		No	Yes	No	Yes
Nature of relationship		24.2%	75.8%	40.7%	59.3%
Interpersonal		34.0%	66.0%	32.7%	67.3%
		Non significant			
Victim gender: female		Participation		Victim gender: male	
		No	Yes	No	Yes
Nature of relationship		42.0%	58.0%	44.9%	55.1%
Interpersonal		26.0%	74.0%	40.2%	59.8%
		Phi = 0.166 p<0.01			
Type of offence: person		Participation		Type of offence: property	
		No	Yes	No	Yes
Nature of relationship		40.2%	59.8%	38.2%	61.8%
Interpersonal		34.2%	65.8%	31.6%	68.4%
		Non significant			
Number of offences: 1		Participation		Number of offences: 2 or more	
		No	Yes	No	Yes
Nature of relationship		39.9%	60.1%	35.0%	65.0%
Interpersonal		35.3%	64.7%	30.2%	69.8%
		Non significant			
Referral source: Alternative measure		Participation		Referral source: Court-ordered	
		No	Yes	No	Yes
Nature of relationship		38.6%	61.4%	33.3%	66.7%
Interpersonal		31.0%	69.0%	76.5%	23.5%
		Phi = 0.071 p<0.05			
Delay: 93 days or less		Participation		Delay: 94 days or more	
		No	Yes	No	Yes
Nature of relationship		31.1%	68.9%	45.9%	54.1%
Interpersonal		27.3%	72.7%	38.8%	61.2%
		Non significant			
Number of measures: 1		Participation		Number of measures: 2 or more	
		No	Yes	No	Yes
Nature of relationship		37.6%	62.4%	55.9%	44.1%
Interpersonal		32.4%	67.6%	63.6%	36.4%
		Non significant			

Referral source and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	34.6%	65.4%	41.5%	58.5%
	Court-ordered	55.0%	45.0%	40.0%	60.0%
		Non significant			
Z = Offender gender		Offender gender: female		Offender gender: male	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	31.8%	68.2%	38.6%	61.4%
	Court-ordered	15.4%	84.6%	70.8%	29.2%
		Non significant			
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	34.2%	65.8%	39.7%	60.3%
	Court-ordered	57.1%	42.9%	42.9%	57.1%
		Phi = -0.086 p<0.05			
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	36.4%	63.6%	38.5%	61.5%
	Court-ordered	50.0%	50.0%	50.0%	50.0%
		Non significant			
Z = Type of offence (off.)		Type of offence: person		Type of offence: property	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	36.8%	63.2%	37.5%	62.5%
	Court-ordered	58.1%	41.9%	25.0%	75.0%
		Phi = -0.115 p<0.05			
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	26.0%	74.0%	46.0%	54.0%
	Court-ordered	68.8%	31.2%	42.1%	57.9%
		Phi = -0.167 p<0.01			
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	25.5%	74.5%	59.7%	40.3%
	Court-ordered	57.7%	42.3%	36.4%	63.6%
		Phi = -0.132 p<0.01			
Z = Prior referral		Prior referral: no		Prior referral: yes	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	37.2%	62.8%	41.0%	59.0%
	Court-ordered	44.8%	55.2%	75.0%	25.0%
		Non significant			

Z = Victim type		Victim type: personal		Victim type: corp./inst.	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	41.2%	58.8%	24.6%	75.1%
	Court-ordered	51.5%	48.5%	0.0%	100.0%
		Non significant			
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	30.3%	69.7%	38.5%	61.5%
	Court-ordered	77.8%	22.2%	25.0%	75.0%
		Phi = -0.219 p<0.01			
Z = Victim gender		Victim gender: female		Victim gender: male	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	34.1%	65.9%	43.3%	56.7%
	Court-ordered	40.0%	60.0%	64.3%	35.7%
		Non significant			
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	38.6%	61.4%	31.0%	69.0%
	Court-ordered	33.3%	66.7%	76.5%	23.5%
		Non significant			
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	35.7%	64.3%	38.0%	62.0%
	Court-ordered	58.1%	41.9%	25.0%	75.0%
		Phi = -0.124 p<0.05			
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	38.4%	61.6%	34.9%	65.1%
	Court-ordered	57.7%	42.3%	44.4%	55.6%
		Phi = -0.070 p<0.05			
Z = Delay		Delay: 93 days or less		Delay: 94 days or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	30.0%	70.0%	43.4%	56.6%
	Court-ordered	66.7%	33.3%	50.0%	50.0%
		Non significant			
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
	Participation	No	Yes	No	Yes
Referral source	Alternative measure	36.9%	63.1%	55.0%	45.0%
	Court-ordered	63.2%	36.8%	38.9%	61.1%
		Phi = -0.070 p<0.05			

Referral delay and participation

Z = Offender age		Offender age: 15 years or less		Offender age: 16 years or more	
		No	Yes	No	Yes
Delay	93 days or less	26.4%	73.6%	34.8%	65.2%
	94 days or more	41.6%	58.4%	46.7%	53.3%
Phi = 0.158 p<0.01					
Z = Offender gender		Offender gender: female		Offender gender: male	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	14.3%	85.7%	32.7%	67.3%
Phi = 0.263 p<0.01					
Z = Offender education		Offender education: Elementary and first cycle		Offender education: second cycle and post secondary	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	23.1%	76.9%	35.3%	64.7%
Phi = -0.209 p<0.01					
Z = Offender occupation		Offender occupation: unemployed		Offender occupation: employed	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	28.9%	71.1%	35.0%	65.0%
Phi = -0.150 p<0.01					
Z = Type of offence (off)		Type of offence: person		Type of offence: property	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	30.7%	69.3%	30.3%	69.7%
Phi = -0.125 p<0.05					
Z = Number of offences (off.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	19.4%	80.6%	39.1%	60.9%
Phi = -0.131 p<0.05					
Z = Number of victims		Number of victims: 1		Number of victims: 2 or more	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	20.3%	79.7%	53.2%	46.8%
Phi = -0.092 p<0.05					
Z = Prior referral		Prior referral: no		Prior referral: yes	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	29.3%	70.7%	40.8%	59.2%
Phi = -0.151 p<0.01					

Z = Victim type		Victim type: personal		Victim type: corp./inst.	
		No	Yes	No	Yes
Delay	93 days or less	33.7%	66.3%	21.6%	78.4%
	94 days or more	47.6%	52.4%	29.1%	70.9%
Phi = -0.140 p<0.01					
Z = Victim age		Victim age: 18 years or less		Victim age: 19 years or more	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	30.7%	69.3%	30.6%	69.4%
Phi = -0.149 p<0.01					
Z = Victim gender		Victim gender: female		Victim gender: male	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	26.8%	73.2%	37.7%	62.3%
Phi = -0.100 p<0.01					
Z = Nature of relationship		Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	40.8%	59.2%	49.6%	50.4%
Phi = -0.147 p<0.01					
Z = Type of offence (vic.)		Type of offence: person		Type of offence: property	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	30.0%	70.0%	30.6%	69.4%
Phi = -0.118 p<0.05					
Z = Number of offences (vic.)		Number of offences: 1		Number of offences: 2 or more	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	29.0%	71.0%	33.1%	66.9%
Phi = -0.186 p<0.01					
Z = Referral source		Referral source: Alternative measure		Referral source: Court-ordered	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	43.4%	56.6%	50.0%	50.0%
Phi = -0.138 p<0.01					
Z = Number of measures		Number of measures: 1		Number of measures: 2 or more	
		Participation		Participation	
Delay	93 days or less	No	Yes	No	Yes
	94 days or more	28.9%	71.1%	60.0%	40.0%
Phi = -0.151 p<0.01					

Number of measures and participation

Z = Offender age	Offender age: 15 years or less		Offender age: 16 years or more	
	No	Yes	No	Yes
Number of 1 measure	34.9%	65.1%	40.7%	59.3%
measures 2 or more measures	41.4%	58.6%	55.6%	44.4%
	Non significant			
Z = Offender gender	Offender gender: female		Offender gender: male	
	No	Yes	No	Yes
Number of 1 measure	32.4%	67.6%	38.3%	61.7%
measures 2 or more measures	7.7%	92.3%	62.2%	37.8%
	Non significant			
Z = Offender education	Offender education : Elementary and first cycle		Offender education : second cycle and post secondary	
	No	Yes	No	Yes
Number of 1 measure	34.8%	65.2%	38.9%	61.1%
measures 2 or more measures	40.9%	59.1%	50.0%	50.0%
	Non significant			
Z = Offender occupation	Offender occupation : unemployed		Offender occupation : employed	
	No	Yes	No	Yes
Number of 1 measure	36.5%	63.5%	36.6%	63.4%
measures 2 or more measures	47.4%	52.6%	58.8%	41.2%
	Non significant			
Z = Type of offence (off.)	Type of offence: person		Type of offence: property	
	No	Yes	No	Yes
Number of 1 measure	37.9%	62.1%	36.5%	63.5%
measures 2 or more measures	44.8%	55.2%	59.3%	40.7%
	Non significant			
Z = Number of offences (off.)	Number of offences: 1		Number of offences: 2 or more	
	No	Yes	No	Yes
Number of 1 measure	27.1%	72.9%	45.2%	54.8%
measures 2 or more measures	40.0%	60.0%	54.3%	45.7%
	Non significant			
Z = Number of victims	Number of victims: 1		Number of victims: 2 or more	
	No	Yes	No	Yes
Number of 1 measure	26.5%	73.5%	59.1%	40.9%
measures 2 or more measures	29.4%	70.6%	58.5%	41.5%
	Non significant			
Z = Prior referral	Prior referral: no		Prior referral: yes	
	No	Yes	No	Yes
Number of 1 measure	36.7%	63.3%	43.0%	57.0%
measures 2 or more measures	49.1%	50.9%	100.0%	0.0%
	Non significant			

Z = Victim type	Victim type: personal		Victim type: corp./inst.	
	No	Yes	No	Yes
Number of 1 measure	40.9%	59.1%	24.5%	75.5%
measures 2 or more measures	53.2%	46.8%	16.7%	83.3%
	Non significant			
Z = Victim age	Victim age: 18 years or less		Victim age: 19 years or more	
	No	Yes	No	Yes
Number of 1 measure	31.6%	68.4%	36.7%	63.3%
measures 2 or more measures	57.1%	42.9%	58.6%	41.4%
	Non significant			
Z = Victim gender	Victim gender: female		Victim gender: male	
	No	Yes	No	Yes
Number of 1 measure	34.8%	65.2%	42.2%	57.8%
measures 2 or more measures	27.8%	72.2%	69.0%	31.0%
	Non significant			
Z = Nature of relationship	Nature of relationship: Transitory/Non-existent		Nature of relationship: Interpersonal	
	No	Yes	No	Yes
Number of 1 measure	37.6%	62.4%	32.4%	67.6%
measures 2 or more measures	55.9%	44.1%	63.6%	36.4%
	Phi = -0.079 p<0.05			
Z = Type of offence (vic.)	Type of offence: person		Type of offence: property	
	No	Yes	No	Yes
Number of 1 measure	36.8%	63.2%	37.1%	62.9%
measures 2 or more measures	46.2%	53.8%	56.7%	43.3%
	Non significant			
Z = Number of offences (vic.)	Number of offences: 1		Number of offences: 2 or more	
	No	Yes	No	Yes
Number of 1 measure	38.9%	61.1%	32.7%	67.3%
measures 2 or more measures	42.1%	57.9%	72.2%	27.8%
	Non significant			
Z = Referral source	Referral source: Alternative measure		Referral source: Court-ordered	
	No	Yes	No	Yes
Number of 1 measure	36.9%	63.1%	63.2%	36.8%
measures 2 or more measures	55.0%	45.0%	38.9%	61.1%
	Phi = -0.069 p<0.05			
Z = Delay	Delay: 93 days or less		Delay: 94 days or more	
	No	Yes	No	Yes
Number of 1 measure	28.9%	71.1%	43.5%	56.5%
measures 2 or more measures	60.0%	40.0%	46.2%	53.8%
	Phi = -0.146 p<0.01			
	Non significant			

Correlations between independent variables and participation while controlling for law and processes in effect

Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Offender age	35.0%	65.0%	20.4%	79.6%
	43.2%	56.8%	25.8%	74.4%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Offender gender	42.5%	57.5%	16.7%	83.3%
	38.0%	62.0%	24.2%	75.8%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Offender education	35.9%	64.1%	18.8%	81.3%
	40.1%	59.9%	26.1%	73.9%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Offender occupation	37.2%	62.8%	22.5%	77.5%
	43.4%	56.6%	23.3%	76.7%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Type of offence (off.)	41.2%	58.8%	29.9%	70.1%
	33.5%	64.5%	19.0%	81.0%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Number of offences (off.)	37.4%	62.6%	17.3%	82.7%
	39.8%	60.2%	28.2%	71.8%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Number of victims	38.0%	62.0%	17.9%	82.1%
	43.9%	56.1%	48.2%	51.8%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Prior referral	37.0%	63.0%	22.2%	77.8%
	62.1%	37.9%	27.9%	72.1%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Victim type	50.7%	49.3%	35.0%	65.0%
	33.6%	66.4%	18.5%	81.7%
	Phi = 0.147 p<0.01			

Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Victim age	43.0%	57.0%	24.8%	75.2%
	50.4%	49.6%	32.1%	67.9%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Victim gender	44.5%	55.5%	29.1%	70.9%
	54.6%	45.5%	37.7%	62.3%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Nature of relationship	50.2%	49.8%	31.4%	68.6%
	38.0%	62.0%	30.7%	69.3%
	Phi = 0.112 p<0.05			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Type of offence (vic.)	42.9%	57.1%	32.5%	67.5%
	48.8%	51.2%	30.9%	69.1%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Number of offences (vic.)	47.6%	52.4%	30.8%	69.2%
	41.8%	58.2%	32.3%	67.7%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Referral source	38.2%	61.8%	21.9%	78.1%
	57.1%	42.9%	50.0%	50.0%
	Non significant			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Delay	29.0%	71.0%	21.9%	78.1%
	42.9%	57.1%	23.9%	76.1%
	Phi = -0.144 p<0.05			
Z = Law/processes in effect at time of referral	YOA Participation		YJCA/Entente cadre Participation	
	No	Yes	No	Yes
Number of measures	39.2%	60.8%	22.1%	77.9%
	27.3%	72.7%	39.1%	60.9%
	Non significant			