

**RESTORATIVE PRACTICES IN A CUSTODIAL SETTING; AN EVALUATION OF
THE NSYF'S NEW PILOT PROJECT**

PREPARED FOR

**THE NOVA SCOTIA YOUTH FACILITY, CORRECTIONS, NOVA SCOTIA
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FOREWORD

This assessment began in 2011 with discussions between Don Clairmont and Lorri Bower one of the project's initiators in Corrections Nova Scotia. An evaluation proposal was accepted in May 2012 and the actual evaluation began in the Fall of that year. The principal investigator for this assessment has been Don Clairmont, director, Atlantic Institute of Criminology at Dalhousie University. Ethan Kim, a long-term research associate with the Atlantic Institute of Criminology, was engaged to join the evaluation in the fall of 2012. There was a division of labour with Kim carrying out virtually all the interviews with the youths while Clairmont wrote the evaluation proposal, developed all the instruments / questionnaires used, and conducted most of the interviews with the other role players at the NSYF and in Halifax. Clairmont is fully responsible for writing this report but both he and Kim have worked closely together, attending RP sessions, undertaking different tasks, and collaborating in the review of draft reports. Kim's contribution went well beyond the compensation he received and deservedly he is listed as a co-author.

The level of support provided the evaluation team by staff and youths at the NSYF has been considerable and is much appreciated. All the participants in Units 2A and 3B were informative and generous with their time. In particular we are very grateful for the exceptional cooperation given by Jimmy Nickerson, program coordinator Unit 2A and Ralph Hayden, programs director, NSYF.

EXECUTIVE SUMMARY

The RP initiative in Unit 2A at the NSYF represented a different thrust for the restorative approach than has been common in youth and adult prisons to date. Its target was life in the unit and, by implication, the subculture of the unit and the relationships among the youths and youth workers involved there. Its objectives in these regards were quite unusual and a challenge to the widespread view that the concept of RP in a prison context was itself an oxymoron. As such, the NSYF project represented a creative initiative with significant potential implications in the long-run for incarcerated youths, the role of the youth worker, and prison management. The RP initiative was well-conceived and well-implemented. Judged from a “do no harm” perspective, there were few if any negatives. It was implemented at little cost to the NSYF, did not result in extra work for the YWs, and did not apparently conflict with their established formal responsibilities. There were no significant hardships for youths as a result of the RP initiative, no increased vulnerability among the youths, and no interference with or diminution of any of the on-going programs and services.

Despite the challenges of the formally authoritarian prison context, the many issues posed by the youths incarcerated for typically serious offences or otherwise “out-of-control” behaviour as determined by the CJS, and the turnover due to either short sentences or remand status, the assessments below of findings anticipated in the initiative’s logic model, processing and outcomes charts, indicate that the initiative largely achieved what it set out to do and in the manner prescribed. There was overall much positive acceptance of and participation in the RP “program” by youths, youth workers and unit leadership coupled with resource support and relative operational autonomy – within the general NSYF rules and protocols – provided by senior management. There was clear evidence for the hypothesized incremental change in the living patterns of the unit and especially in the youth to youth worker relationships. There were benefits garnered and attested to by both youths and youth workers. And some evidence was obtained for a modest synergetic effect through linkages with other programs, especially the educational program.

The major area of direct benefits for the youths appeared to be, by consensus among the unit’s role players, in their social skills, self-esteem and cognitive capacity. Changes in youth behaviour were more modest in most instances, basically reflected in less use of write-ups and

informal sanctions for minor offences, and more earned privileges in everyday activities (e.g., use of telephone) than in reintegration leaves or special work assignments. The RP initiative impacted less on underlying explosive predispositions such as impulsivity and aggression which generated a number of serious incidents in the unit and attested perhaps to the need for RP linking up with programs such as a revitalized CALM or kindred programs that are focused specifically on these issues. Whether in implementation or in impact, the RP initiative continued to evolve in a positive, anticipated fashion as reflected in the second phase interviews with youths and youth workers in Unit 2A, and in the many comparisons drawn with youths and youth workers in Unit 3B. It has been a good beginning for a long-run vision of change in the youth facility.

Within the context of a successful implementation that has generated positive change and can do more, some suggestions are offered here for consideration

1. Expand the RP initiative throughout cottages 2 and 3. The implementation issues here will be (a) the buy-in of the youth workers and the program coordinator in these units, and (b) selecting a leadership team among them to provide the insight, skill and commitment required; the latter may be the more difficult challenge but there are advantages of having a subgroup rather than a single person charged with the implementation.
2. The morning circle has been the centerpiece of the RP initiative and the evidence is that it has been appropriate and an effective strategy. It called attention in a rather dramatic way to the innovation and required significant skills and commitment on the part of the initiative's leader in the unit – the program coordinator – to convey its meaning and value. The morning circle should continue to be a central feature of the RP approach along with its adjunct, the reintegration circle, for youths returning to normal unit life after a period of segregation for a serious violation of the rules.
3. Now there should be continuing modest evolution in two fundamental respects, namely (a) greater engagement in the circles by the YWs and youths to strengthen the sense that RP is indeed a “community” effort, and (b) moving more beyond the morning circle in implementing other RP strategies and monitoring them for

- occurrence and best practices much better than has been done to date – it is interesting that in many school RP programs, the full classroom circle is infrequently employed in the RP approach but rather the emphases are on the small impromptu grouping, the restorative statements and questions in everyday interactions.
4. It is important to engage YWs as per their agreement in delivering the RP initiative and monitoring and learning from the experience. Similarly, while proceeding cautiously, selecting interested and capable youths to more meaningfully collaborate in the operation of the circles should be moved up on the RP agenda. It is interesting that in their interviews the YWs suggested that much more could be done along these lines. These evolving adjustments may well be facilitated by the manual of supportive strategies and exercises being developed by the Unit 2A program coordinator with some assistance from a few YWs and some consultation / feedback from the youths; also, it would be valuable to provide systematic feedback to the YWs and youths with respect to how they do participate in the implementation of circles and other RP strategies.
 5. There are other issues concerning the morning circles that might be considered, including how to make them more interactive and not simply serial comments by the participants. In other RP and RJ milieus there are often, second rounds where the circle participants can build on comments and respond in a productive way to those made by the other participants. Time constraints, given that the RP here does not interfere with other extant programs and services for the youths, and the crucial importance of providing all youths with the opportunity to freely and without risk of vulnerability make comments, may well properly limit what can be done.
 6. Another issue concerns RP and dealing with victimization. Currently there appears to be limited direct use of the restorative approach to deal with straight-forward incidents of victimization. Impromptu conferences can play a bigger role in preventing disputes from cascading into serious violence (as the evaluators observed in a few instances where the preventative response was lacking). But where incidents of victimization in the usual sense have occurred, such as harassment or simple assaults, there appears to be no mechanism in place other than direct response by the YW and one wonders in such cases if an opportunity to address the victimization

effectively (e.g., victims discussing the significance of the victimization from their own perspective) by a conventional RJ session (including facilitators, offender, victim and “unit” representative) would be more effective and more in keeping with the RP approach.

7. How the RP approach links up and contributes in a synergetic way to the programs and services at the NSYF might now be given more consideration given the successful implementation in Unit 2A. It does appear to have had a modest impact on the overall quality of the programs and services for the 2A youth but it would also appear that much more can be done. Clearly reducing serious violations – the level 2 and 3 offences – requires specialized programs and services so how RP can facilitate the overall effectiveness should be a crucial area for future planning. It may be noted too that in other RP milieus more and more attention is being paid to such planning; recently, for example, the IIRP announced that it is adding to its repertoire “aggression replacement training”.
8. Data collection and management should be another area of development in the RP initiative. It is valuable and effective learning to standardize more and enhance the daily YW recording of the RP implementation and also to make more user-friendly the way unit-level information on simultaneous write-ups, youth numbers and custody status can be accessed so impact analyses can be readily made.

9. LIST OF ABBREVIATIONS

AD	Adult Diversion
AM	Alternative Measures (Youth Diversion)
ANS	African Nova Scotian
CALM	Controlling Anger and Learning to Manage it
CBRM	Cape Breton Regional Municipality
CCRA	Corrections and Conditional Release Act 1992 (amended)
CCRSO	Corrections and Conditional Release Statistical Overview
CJF	Community Justice Forum (RCMP)
CJS	Criminal Justice System
CRCVC	Canadian Resource Centre for Victims of Crime (also NRCVC)
CSC	Correctional Services of Canada
EJS	Extra-Judicial Sanctions
FGC	Family Group Conferencing
FN	First Nation
GSS	General Social Survey (conducted by Statistics Canada every 5 years)
IARJPP	Integrated Adult Restorative Justice Pilot Project
IIRP	International Institute for Restorative Practices
HRM	Halifax Regional Municipality
JHS	John Howard Society
MLSN	Mi'kmaq Legal Support Network (Nova Scotia)
NSRJ	Nova Scotia Restorative Justice
NSVS	Nova Scotia Victim Services
NPB	National Parole Board (Canada)
NSYF	Nova Scotia Youth Facility
OCI	Office of the Correctional Investigator
PMR	Performance Monitoring Report
PO	Probation Officer
PSE	Post-Secondary Education
PSR	Pre-sentence Report

RCAP Royal Commission on Aboriginal Peoples
RCMP Royal Canadian Mounted Police
RJ Restorative Justice
RP Restorative Practice(s)
SAP Strategic Action Plan
SC Sentencing Circle
SrecC Sentencing recommendation Circle
SCC Supreme Court of Canada
VIS Victim Impact Statement
VOM Victim Offender Mediation
VRJ Valley Restorative Justice Program (Kentville)
YCJA Youth Criminal Justice Act (2003)
YW Youth Worker (NSYF)

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“Human beings are happier, more productive and more likely to make positive changes in their behaviour when those in positions of authority do things with them rather than to them or for them”. (Watchel, 2004)

THE RESTORATIVE PRACTICES INITIATIVE AT THE NSYF

Introduction: The Problematic

There are three major dimensions to the problematic of the NSYF’s RP initiative, namely (a) the viability of a restorative approach in a prison context; (b) the “Nunn challenge” of providing effective services to high-risk youths, and (c) selecting the strategies of the restorative approach to be implemented and emphasized. As discussed in some depth in the Evaluation Proposal, many scholars and RJ practitioners have contended that the idea of a restorative approach in prisons is an oxymoron, basically on the grounds that the prison milieu is the hallmark of coercion and presumably violates profoundly the principle of voluntarism that underlies the restorative approach. Engaging in restorative practices in the prison milieu represents a challenge to that presumption, a challenge that acknowledges coercion but also advances the idea of a continuum where there is scope for participants to act freely even though there may be negative consequences depending upon their actions. Restorative justice in mainstream society also could and usually does entail negative consequences if an accused does not select that option where it is offered. The literature on the implementation of the restorative approach in prisons typically has indicated that it has been rarely focused on the prison milieu itself (e.g., the prison relationships, the prison subculture) but rather has been directed at the participants’ understanding the restorative approach and at contributing to the healing process for participants and their victims outside the prison. In this NSYF strategy, the focus is on doing and on the prison milieu itself. There are few models of such an approach that the NSYF can draw upon for guidance and nothing similar could be found in the North American literature on youth prisons. The challenges are many, extending beyond the extant prison culture to other crucial factors such as the characteristics of the youths incarcerated in the post-YCJA era, and the short sentences and high turnover among these incarcerated youths

The Report of the Nunn Commission of Inquiry in Nova Scotia (2006) underlined several major issues in the CJS’s response to high risk youths, especially shortcomings in the YCJA

which governs young offenders, and the need to avoid the “warehousing” of the youths who do get incarcerated. The presumption is that these youths, a much smaller proportion of young offenders than in the pre-YCJA era, while justifiably incarcerated because of their violent offenses or intransigence in responding to CJS rules, are nevertheless malleable youths and can be reintegrated into mainstream society or at least are worth the institution’s best efforts in that regard. In a subsequent appearance before a special federal government committee (2011), Nunn in fact contrasted the apparent positive impact on youths’ skills and pro-social behaviour of the NSYF’s programming and relationships with the provincial adult prison system where rehabilitative thrusts have been minimal. A related aspect of responding to malleability and avoiding “warehousing” is what programming can be effective in producing positive impact. The NSYF project presumes that restorative practices, especially group circles, can be effective, both directly and in enhancing other programs and services (creating a synergy effect). Different restorative practices may be highlighted in different milieus (e.g., in some Nova Scotia schools the large group circles appear to be rare) but in the NSYF project the morning circle among all youths and youth workers present at the time in the Unit has been the centerpiece.

In 2011 Corrections Nova Scotia and the management of its Nova Scotia Youth Facility (NSYF) put the finishing touches to a plan to launch a restorative practices (RP) approach – whose central premise is captured by Watchel in the caption above - at the secure custody facility for youth in Waterville, Nova Scotia. Restorative Practices were deemed to focus on creating more collaborative, “with” relationships among youth and staff at the institution, more of a sense of community as it were. It was anticipated that such emphasis could produce positive change especially, but not only, on how the youth think about themselves and others, grasp alternative ways of responding to issues, and translate that into more socially positive and productive behaviour. The focus was to be clearly on carving out more positive relationships within the institution, with anticipated beneficial correlates, using an approach that had acquired much credibility over the past decade in dealing with conflict and problems in schools, community corrections and prisons elsewhere. A wide variety of strategies and tools to achieve such goals has, increasingly, been conceptualized and honed, and a popular RP continuum advanced, ranging from using affective statements in interpersonal interactions to having full-fledged circles among the involved individuals and stakeholders (Costello et al, 2009). What is perhaps

singular about the NSYF initiative, in the context of such programs in other secure custody institutions, is that, while in virtually all of the latter projects, the programs and the policy advocates refer to changing prison culture, nevertheless the restorative practices actually implemented typically highlight only external linkages such as victim-offender mediation (VOM) or family group conferencing types of exit circles (FGC), supplemented usually by instructive programs offered inmates within the institution such as “learning to appreciate victims’ needs and issues”, role playing and so forth. In the NSYF project, on the other hand, the emphasis has been focused squarely and, at least at this point, exclusively on prison culture, that is, everyday life in the institution.

The focus on prison life brings to the fore that there are really four chief relationships that would be impacted by the initiative, namely youth and staff youth workers (YWs) relationships, youth to youth relationships, youth worker – youth worker relationships, and youth workers - management relationships. All have to be taken into consideration in any evaluation of the pilot program since the life in the designated custodial unit which is the focus of attention, affects all the youth and youth workers involved, and the variation within and between these bodies with respect to the various implementation imperatives of the project is crucial in determining how successful the program will be. Of course, the implication of restorative practices could impact on personnel matters, adequacy of resources (e.g., training, meetings) and perhaps on larger policy issues at the NSYF, so the YWs – NSYF management relationship could also be crucial.

CONTEXTS FOR RP AT NSYF

There are three types of context that are important in appreciating why the RP pilot project at the NSYF emerged when it did, namely (a) developments occurring elsewhere that have generated a broad RP movement in institutional settings such as schools and prisons, (b) the evolution of restorative justice and alternative justice processing in Nova Scotia, and (c) opportunities and challenges at the NSYF. These three contexts have been described and discussed at length in the Evaluation Proposal (Clairmont, 2012). It is fair to say that the RP project was top-down (headquarters-driven) in becoming a major initiative at the NSYF, though, as shall be evidenced well below, that does not mean that the staff and the institution management were resistant to the pilot project but more that they favored an incremental approach much along that lines that now guide the RP implementation at the institution.

Declining inmate numbers driven by demographics (e.g., the aging population and the small provincial population growth over the past decade) and significant changes in laws (e.g., YCJA in 2003) and sentencing policy for young offenders (e.g., court decisions have minimized the ‘step policy’ in sentencing save for offences clearly placing the public at risk) have created opportunity and pressures for more programming. A widespread view is that, while nowadays youths are in custody typically because of violent offences and egregious offending that do indeed place the public at risk, their small number, combined with a revulsion among policy makers at mere “warehousing”, do require imaginative programming that may involve teaching new skills and ways of thinking that can balance incarceration with opportunities for reintegration. This approach to the custodial situation of young inmates arguably has been a feature of NSYF programming in recent years prior to the RP initiative. Clearly, too, a major factor in accounting for why the RP initiative has developed here is the significant growth in both RJ and RP in Nova Scotia and elsewhere (USA, Britain and Australia-New Zealand, Europe) in the past decade which has encouraged, and perhaps pressured the NSYF to expand such programming there.

A review of the literature dealing with RP in prisons elsewhere has indicated that the initiative of the NSYF is indeed somewhat path-breaking in its focus on relationships and cultural patterns within the institution, and that while it may require a long-term commitment, performance measurement and quality control built in from the start, searching for better solutions in this fashion fits well with recent developments in RP and in Corrections policy. It fits well too with the comment of John Howard in the eighteenth century – “there is a mode of managing some of the most desperate with ease to yourself and advantage to them”.

In light of the post-YCJA sentencing patterns the inmates nowadays at the NSYF would be – and are – much more serious offenders, likely with deeper problems compelling their criminal acts, usually violent and often involving drug dealings. Clearly the challenges facing a rehabilitative strategy at the NSYF could be expected to be considerable. A review of the NSYF’s document, *Young Person Information Handbook*, indicates that there are a wide range of sanctioned behaviours and attitudes – obviously reasonable so but also potentially controversial – such as insulting, harassing, bullying, making threats, personal appearance, cleaning up, and not attending the required NSYF programs. There are three levels of incident write-up with increasing associated sanctions. There are also modest incentives, the possibility of various types

of reintegration leaves, some special work assignments yielding more earnings, and access to personal funds in trust is proportional to earned income. The number one and two incident types over the past four years (2007 to 2011) have been “detrimental behaviour” and “program non-participation”; the former has skyrocketed from a low of 48 incidents in 2007 to 695 in 2010 and 841 in 2011, in part corresponding to the decline in categories such as “program non-participation” and “other”. It is not clear what expectations exist with respect to possible changes in the rules and procedures that might follow in the wake of the RP initiative but such facts do suggest that the initiative will have challenges to overcome.

There are other challenges too, such as the turnover and short sentences (the mode being about three months), the challenges of the RP initiative being top-down, and the mix of an RP approach with other youth worker responsibilities. The latter’s role appears to be changing to more one of a change agent, though informally youth worker to varying extents, might well have been so engaged already. Certainly there are opportunities that counter the challenges. The YCJA and the Nova Scotian demographics have resulted in much small numbers of young inmates but the 24/7 organizational responsibility still requires an almost similar number of staff so the opportunity is there to provide more penetrating service and explore options in managing youth-staff relationships.

As discussed in the Evaluation Proposal, the opportunities are also enhanced by a supportive provincial government which has been spearheading RJ and RP in other milieus throughout the province and by a rejuvenation of the rehabilitative approach in Corrections throughout Canada. Moreover, the NSYF has itself been in the forefront of innovation and program development in recent years. Its Centre 24/7 program, established for about twelve years, has been unique in Canada for its off-site program that brings together NSYF and community-based youths. It provides a comprehensive educational, and life style support program and often has held circles and employed other RP strategies. In addition, the NSYF has funded a biweekly RJ orientation for newly received inmates for the past ten years. Other programs have been put in place with the assistance of outside parties for minority groups (especially African Nova Scotians and Aboriginals (regular sweats by gender are open to all interested youths)). For its approach to working with young inmates the NSYF has recently received the high praise from Judge Nunn referred to above.

Other positive facets, that allow for optimism despite the challenges, include good labour –management relations (at least by normal indicators) which are important since unexpected issues may arise, the cottage context of small numbers of persons living together where some collaboration is required and is evident among the youth and between the youth and the youth worker, and the sense among some staff that the RP approach has been characteristic of their interactions with the youth.

THE EVALUATION FRAMEWORK

The central requirement in any evaluation of a project such as this may well be to provide a solid, detailed description of what was done and whether it was consistent with the objectives and protocols / processes of the pilot project, and if not, why not. Aside from that, the three central issues for evaluation are (a) the impact on the key role players (young inmates in Unit 2A, youth workers in Unit 2, other youths in custody at the NSYF and other role players at the facility); (b) the impact on the relationships, “prison culture”, and NSYF policies and protocols at two different levels, namely the Unit and the institution; (c) the three major evaluation vantage points for such justice initiatives namely, the implications for efficiency, effectiveness and equity. In putting together the suggested evaluation framework, there has been a review of the project documents, a review of pertinent literature on similar programs elsewhere and on developments in Nova Scotia and elsewhere focused around relevant contextual factors and issues, examining data on trends and patterns in youth incarceration and practices and policies at the NSYF, selective interviews on site, and feedback with the project’s initiators and Unit 2A staff with respect to possible evaluation strategies. Creating the evaluation framework has been a “formative evaluation” approach in every sense of that word. The evaluator has worked closely examining project documents, and collaborating with program developers and the staff of Unit 2A in developing the major instruments that were used in the evaluation, especially the logic model and the performance monitoring model. In addition there was some limited involvement in the training / orientation provided staff on the RP approach. That kind of collaboration characterized the actual evaluation itself with continuous data collection and interviewing, and periodic updates on how the pilot project was evolving.

The evaluation strategy was essentially two-fold, namely (a) developing in concert with the project’s management the overall logic model for the initiative and the entailed process and

outcomes models; (b) developing specific methodologies to measure the extent to which the various components of these models have been implemented and had impact as intended.

Logic Model for the RP Initiative

The logic model (see below) was constructed from a close examination of the project documents and vetted through the project's initiators and the NSYF staff most involved, namely Unit 2A staff and senior management at NSYF. It identifies the general objectives of the pilot project, considered to be increasing collaborative relationships and achieving a sense and reality of "community" in the Unit, RP-related skill development for both youth and youth workers in the test Unit, and a greater focus on activities that beneficially impact relationships. These objectives are expected to be realized through activities, including RP orientation and exercises across the full RP continuum (from affective statements to the full-fledged circle), encouragement of youths' and staff's input, their appreciation of RP benefits, and through regular staff meetings where problems are dealt with and best practices identified.

The outcomes are considered in terms of short term, medium term and long term. Short term outcomes are expected to be fewer incident write-ups (at all 3 levels of incident type but especially levels 1 and 2), more RP activities recorded in the Unit's daily logs and in other reports (e.g., small group conferences, full circles, affective statements and questions), more positive assessments of Unit life by staff and youth, and more eligibility for earned NSYF privileges among Unit youths. Medium term outcomes are premised on the above and it was expected that as Unit 2A experiences a more pervasive RP approach, there would be some changes in the relationships and culture that could yield the following outcomes – increase in youth empathy and self-awareness scores, decrease in their impulsivity scores, more pro-social thinking and attitudinal change, better career management planning, more self-esteem / confidence on the part of both youth and staff, and more job satisfaction among the Unit's staff. Re-offending and re-incarceration, as noted in the background sections above, are quite common among the youth at the NSYF and realistically the forces that perhaps have the greatest impact on their likelihood are matters beyond the reach of the NSYF and certainly beyond the scope of this pilot project. Nevertheless, the long term impact of the RP initiative was a reasonable expectation stated as, "by creating more positive skills and strengthening certain attitudes, youths

can better take advantage of favorable external circumstances when released and thus less recidivism and greater positive community reintegration should occur”. Process and outcomes models are discussed below in the findings sections of this report.

Specific Methodologies

The specific methodologies used in this evaluation have been the following

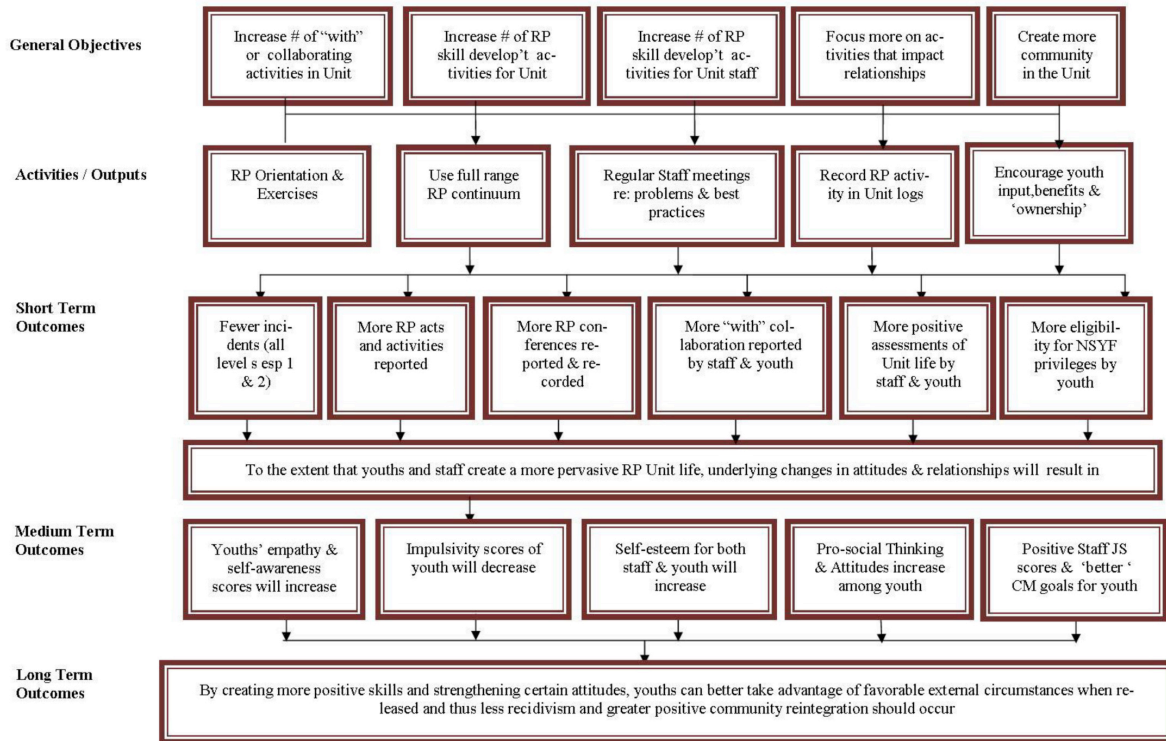
1. Obtaining Unit 2A participants’ views at regular intervals throughout the pilot project’s duration. The participants include youths, youth workers, and specialist roles (e.g., teacher, program coordinator, and supervisor).
2. Interviews were also conducted with the senior management at NSYF and Corrections (Halifax), and with the project initiator.
3. There was much use of available data sources, namely incident records, Unit logs, JEIN administrative data, and other available material at the NSYF.
4. Formal measures were developed –gleaned from proven measures accessible in the literature – for the attitudinal and viewpoint variables discussed in the context of expected medium term outcomes (self-awareness, impulsivity, pro-social attitudes, empathy etc).
5. A comparison unit – Unit 3A – was selected as recommended in the Evaluation proposal
6. There was continuing review of salient literature and documents.

Three specific strategies guiding the evaluation should be highlighted. A key strategy given the small number of youths and youth workers in the project unit (2A) was to spend much time in participant-observation, getting to know the project participants and the experience of life in the unit prior to undertaking formal interviews. It was hoped that by this strategy the quality of the formal interview would also be enhanced. To that end the principal evaluator and his associate made 69 trips (roughly 35 each) to the Waterville facility, attending as many morning circles as possible together then fanning out, one to discussions with youth workers, teachers and management and the other to interactions with the youths. It does seem that the strategy was effective as the vast majority of respondents appeared comfortable and forthcoming when formally interviewed. The formal questionnaires used are appended to this report.

The second key evaluation strategy was to have a comparison unit, namely 3B, where the unit's participants there were also interviewed regularly and the unit's "rap session" attended on a handful of occasion. The two units had a common set of core programs (i.e., education and substance abuse) and the same NSYF rules and protocols for life in the unit; they differed in that 2A had the RP approach whereas 3B featured the CALM program. The comparison was not a strict experimental test for the impact of the RP approach at the NSYF since, as noted below in the section Waterville Youth, the two units also differed significantly in many other respects such as in the characteristics of their youths and youth workers. However, what the comparison did do was to enable the evaluators to focus on similarities and differences from a more nuanced position; without the comparison, behaviours and attitudes might well have been attributed to the RP approach by "naïve" evaluators, that were common to the "prison culture". The evaluators were also able to draw some insights on the RP impact in Unit 2A from a modest comparison with the on-going iMOVE program at the NSYF.

Thirdly, there were two sets of formal interviews among subgroups of youths and youth workers in 2A and these proved to be sources of quality data about their evolving experiences with the RP approach. No comparable second set of formal interviews were completed with 3B respondents since there was no internal change being evaluated there.

**Restorative Practices NSYF
LOGIC MODEL
2 Year Project
A Project for Youth in Custody**



IMPLEMENTATION: SPECIFIC RP INITIATIVES

The RP initiative has been implemented in a multi-dimensional fashion in Unit 2A. The implementation is examined drawing upon notebook logs, “the black book”, which is completed each day by a youth worker. Implementation information from the notebook is conveyed via the Restorative Practices Question Sheet which is reviewed below for the type of RP practice recorded. In addition, implementation is frequently discussed by 2A on-duty staff at weekly meeting and occasionally at off-site sessions where further orientation is provided 2A staff on RP and progress in implementation is assessed by the staff. There has also been an on-going sub-project headed up by the 2A program coordinator preparing a handbook of lessons / exercises that could be utilized to enhance the RP approach.

2A UNIT LOGS

The log notebooks maintained in 2A were completed daily and from these a summary, generated by the 2A program coordinator, was provided on the implementation of the RP initiative there. This information was supplemented by access to the Unit 2A program coordinator’s “Briefing Topics” record of what was discussed each day, and by the participant observation of the two researchers who attended roughly 25 morning circles. The morning circles typically included the youths (ranging from 4 to 9 in number), the two youth workers on duty, the program coordinator and frequently the cottage supervisor and the teacher; the total number of circle participants has ranged from a low of 7 to a high of 16 persons. The log notebook summaries were scrutinized for the nine months, September 2012 through May 2013. Following the summary format, the categories used in analysis, were, for each day, whether there was a morning RP circle, whether the youth worker recorder indicated that the participation of the youths in the morning circle was reasonably full and good (or even enthusiastic), whether there was a reintegration circle held as a sanctioned youth returned to full participation in the 2A living unit, whether there was an indication of restorative questions or statements being used on the part of the youth workers (e.g. possibly a best practice) and whether there was an informal conference held involving a youth worker and at least two youths.

The analyses provided below can only be seen as one indicator of the RP implementation since the reference to the quality of the youths' involvement in the circles was not formally requested of, nor formally reported in clear operational terms by, the youth workers entering the comments; nor, for that matter, were the variables "restorative questions", "restorative statements", and "informal conferencing" clearly operationalized for recording purposes. Given that the recording of youths' participation in the daily notebooks was inconsistent, the reference to it from that source can only be treated as suggestive of youth workers' positive assessment of the youths' engagement. Also, it seems quite likely (see the analyses of the youth workers' interviews below) that there has been significant under-reporting of the frequency of restorative questions and statements used by the youth workers. In the case of "informal conferences", the under-reporting would be much less since often that designation was used for one-on-one sessions separately with the youth disputants. That is not considered to be an RP informal conference by the evaluator but it is quite likely that in these few cases the youth workers did engage in restorative questions and statements.

The youths' participation in the circles extended to suggesting topics for discussion, and beginning and ending the circle with a comment and subsequent "thanks for participating" to the participants. This level of youth participation did become more frequent in the later months and clearly represented a deliberative strategy to encourage more community and ownership with the RP approach among the youths. Table 1 provides a brief overview of the recorded frequency of implementation of the central RP strategies.

MONTHLY SUMMARIES

In **September 2012** the information on RP available in the notebook logs was for the period September 10th to the end of the month. The morning circles were regular during the weekdays and there were 13, 10 of which were reported in the logs as exemplifying good participation on the part of the youths. With one exception the 2A program coordinator facilitated the circle; the exception was a circle facilitated by the Unit teacher. The circles had begun in March 2012 and by September a central feature of the morning circle attendance was established, namely building a sense of community among all the Unit 2A members present whether they be youth workers, youths or middle management (i.e., the program coordinator and unit supervisor) and other staff. All circle participants were expected to and did contribute to the

circle theme whether that be indicating their personal objectives for the week at the Monday morning session, commenting on their achievement of these objectives at the Friday morning session or giving their views on the varied themes discussed in the circles on Tuesday through Thursday. The youths' weekly goals typically focused on their schoolwork and physical conditioning (e.g., "cardios") while the adults' weekly objectives were more diverse but largely dealt with household and familial tasks. Another community-building feature, repeated occasionally in all subsequent months, was having circle participants – usually in the Friday "goal review" session - say something positive about the person sitting next to them, whether he/she be a youth worker or a youth, or other NSYF staff member; this occurred three times in the September morning sessions for which data were available in the logs. The September logs also show that there was one reintegrative circle and two informal conferences. No reference was made to any restorative statement or question being utilized.

In **October**, there were 21 weekday morning circles, all facilitated by the 2A program coordinator with again one exception being a facilitation by the teacher. Youth participation was noted as good and reasonably full in seven of the 21 morning circles. A handful of the morning circles explored the various strategies of restorative practice, namely what constitutes a restorative statement or question and what an informal conference entails – this "learning about RP" approaches was repeated occasionally (e.g., see the February 2013 sessions) over the ensuing seven months. In most of the Friday morning circle sessions the circle participants were requested to say something positive about whoever was sitting next to them, whether youth worker, youth or others, building a sense of "community" and enhancing empathy. In attention to the morning circles, there was one reintegration circle, two informal conferences and one restorative statement cited in the logs.

In **November** there were 20 morning circles, all facilitated by the program coordinator according to the logs. Seven of the twenty circles reportedly had good youth participation. As in the other months, the Friday "weekly goal review" circle sessions concluded with a more personal assessment, this month featuring circle participants' (whether youths or others) views concerning what the participant thought he or she might work on in changing their personality or behaviour. There were two reintegration circles as well as one informal conference noted in November. In **December** there were 16 morning circles, with seven reported to have had good

participation by the youths. In addition, there was one restorative question and one restorative statement noted, as well as one informal or impromptu conference held.

With the new year, the basic features of the RP implementation as noted above continued but over the next five months there was an increase in the co-facilitation by youth workers and other staff; this occurred especially in the Tuesday through Thursday period where a wide-range of topics (e.g., thoughts about the legalization of marijuana, the abortion controversy, what one looks for in a friend, issues related to professional athletics and so on) were discussed in the circle. There were more signs of youths being assigned a modest role in the circles (e.g., youth were encouraged to think about topics for the mid-week morning circles) and also of the program coordinator drawing all participants' attention to, and requesting them to comment on, the linkage between short-term weekly objectives and long-term life goals. Another emphasis between January and June was circle discussions about community standards and team building and how these applied to living in Unit 2A.

In **January** there were 19 morning circles reported in the logs; in six write-ups the youths were reported to have been participated well. There were three reintegration circles. There were no reported incidents of restorative questions or statements and no informal conferences. In **February** there were 17 morning circles and in six instances the good participation of the youths was noted. In three of the seventeen circles the theme discussed centered on understanding the RP techniques (i.e., restorative questions, restorative statements and informal conferences). There were three reintegration circles and three informal conferences reported in February. In **March** there were 15 morning circles held and in 7 of these the participation of the youths was noted as full and positive with but a few exceptions. The feature "make a positive comment about whoever is sitting next to you" accompanied each week's "goal review" session. There was no recorded reintegration circle nor any reference to informal conferencing, restorative questions or restorative statements. In **April**, there were 18 morning circles and in 8 of those the youth worker scribe noted that youth participation was good. There were also 3 reintegration circles and one informal group conference. As in the other months, there were the regular RP features – Monday goal setting, Friday goal review, "make a positive comment", and interesting themes for mid-week discussion. In **May**, there were 17 morning circles of which 10 were identified as having good youth participation; additionally, there was one reintegration circle held.

SUMMARY OF IMPLEMENTATION

Overall, then, the RP project has been reasonably well-implemented in Unit 2A. It has followed the IIRP format for RP as described above. The centerpiece has been the morning circle lasting roughly 30 to 45 minutes and basically facilitated by the Unit's program coordinator. There have been on average 17 morning circles a month and there has been a gradual evolution to including a specific organizational role for both youth workers and youths, the former as facilitators and suggesting topics and the latter as "openers", "closers" and "suggesting themes for discussion". This evolution remains modest and the circle is identified by all parties as basically the domain of the Unit's program coordinator; it would be unusual to have a morning circle in his absence.

Rules have developed concerning the functioning of the circle, perhaps the big three being (a) "listen, do not interrupt when another is talking", (b) "a circle participant can "pass" for the moment but the facilitator returns to the passer for comment later, and (c) attendance and minimal participation at the morning circle is required so a youth's refusal to participate can and has resulted in modest sanctioning (e.g., confined to one's cell for a short time). In the typical Monday and Friday morning circle, the responses, whether by the youths or youth workers, focus on weekly goal setting and subsequent achievement; there is much routinization and predictability here but the central fact is that the participants are in a collaborative exercise, sharing thoughts and plans however modestly formulated, and listening to one another. In addition, several circles have been devoted to the participants' linking up modest weekly goals and achievements to long-range life goals, in that way thinking about the significance of what they are doing and perhaps helping them to develop strategic thinking. .

In the mid-week, theme circles, the participants briefly talk about various topics and while there is rarely a discussion of any one's views or a group-level interactive discussion, each participant does listen to the views of the others and learns from them; in that way youths may appreciate the positions of the youth workers (and vice versa), as well as those of their fellow inmates. The theme circles reflect both a cognitive and a relationship building exercise (remember that they are together in close quarters for many hours and days and such themes would likely form the basis for many subsequent conversations). These circles typically are not occasions of intense emotion or soul-baring but their regular occurrence – three times a week – can yield a significant incremental impact.

In implementing RP much attention has been given to creating a sense of community and ownership of the RP process among the Unit 2A youths and youth workers, one agreed to at the outset of the RP initiative by the youth workers in Unit 2A but essentially imposed on the youths. A community board lists some norms that are to govern life in 2A (e.g., avoiding certain language, exhibiting attitudinal and behavioural respect for others and so forth). The community board and its norms, while developed largely under the leadership of the program coordinator, are vetted by the 2A residents and violations or changes are treated as community issues with significant support and compliance from these persons. A major RP strategy which presumably underscores the sense of the community is the reintegration circle adopted from the IIRP programs in schools. As noted above, when youths return to regular living in the Unit from segregation or significant confinement to his cell,¹ there is such a circle where the youth has to respond to the five reintegration questions; this indication of what the youth has learned (e.g., what was I thinking about? who has been affected by my behaviour? what can I do to get back on track?) is followed by circle participants each providing constructive advice on how the individual might avoid similar behaviour in the future. The reintegration circles underscore that life in the Unit has been negatively impacted by the particular behaviour and that all participants are collaborative in maintaining community norms of living in the unit.

There are other strategies used to foster a sense of community and increase of collegiality such as the regular “say something positive about the person sitting next to you” which concludes many Friday morning circles, and other circles where the session ends with all participants being asked to suggest changes in their own or others’ behaviour that can lead to better life for all in the unit. Additionally, in Unit 2A – as in other Units at NSYF - there are group sanctions sometimes when a few youths create problems; these sanctions may lead to all youths being allowed only limited time outside their cells or the cancellation of the special Saturday food treats (a special bonus which is deemed to be earned). While sometimes

¹ When a youth is sent to the segregation unit 1B he cannot go to the gym or the recreation room. He may be allowed out during the day at some point, do some clean-up work and so forth, but spends most time in the small cell (certainly more time in the cells, than he would in his living unit). Also, instead of going to the dining room to eat, food is brought in to eat in his cell. Essentially segregation then means that the youth loses a lot of privileges when sent to 1B in addition to the greater isolation, and only eventually starts to get some privileges back. The loss of some privileges and greater restriction to one cell also characterize an alternative form of segregation, namely being confined to one’s cell in the living unit. These sanctions are linked with level 2 and level 3 write-ups, especially level 3.

considered unfair by youths who had nothing to do with the offending behaviour, the policy does reinforce the point that there is a community of interest among the youths and sends the message that peace and order in the living unit is the responsibility of youths as well as staff.

There are some areas in the RP implementation where there appear to be challenges with respect to implementation strategies. There apparently has been less explicit attention given by Unit 2 staff to conceptualizing and recording best practices with respect to restorative statements and restorative questions; this shortfall may well be a consequence of the widespread view among staff and management that Unit 2A youth workers had usually carried out these types of interactions with the youths and that in these regards not much has changed with the RP initiative (e.g., “as one staff person said, “RP just gave a label to what we were already doing”); with that definition of the situation, the under-reporting hypothesized above seems valid but nevertheless, it also reinforces the position that the basic RP innovation has centered more or less exclusively on the morning circles. Similarly, there are fewer small, informal or impromptu sessions than might have been anticipated. This might be a more important shortfall since such RP strategies can be very effective in a proactive way; for example, knowing that two youths are in a dispute and that the youths in the Unit are explosive (i.e., have high levels of impulsivity and aggressive tendencies), impromptu conferences, supplementing RP questions and statements with the individual youths, could keep the dispute from escalating into serious violence.

These overall themes are also reflected well in the views of youth workers and youths as discussed below.