

SECTION ONE: OVERVIEW

A. Program Goals And Objectives

The Nova Scotia Restorative Justice Program has four goals. The Program aims to:

1. Reduce recidivism
2. Increase victim satisfaction
3. Strengthen communities
4. Increase public confidence in the justice system

It is believed that these goals can be met by using a justice process which achieves a sense of healing for the victim and the community, repairs the harm caused by the offence, reintegrates the offender and holds the offender accountable in a meaningful way. This process has at its foundation the following objectives:

Provide a voice and an opportunity to participate for the victim and the community

- a. The victim and community members are actively involved in the justice process as early and as fully as possible
- b. The victim is provided with the support and assistance he/she needs in order to participate in a Restorative Justice process
- c. The victim is given a voice in the process and the chance to talk about his/her feelings, concerns and experience in a safe and supportive environment
- d. The victim and community members actively participate in a process which identifies how the offender may begin to repair the harm
- e. The victim is given an explanation as to why a Restorative Justice referral was made, and is given updates of any outcomes or processes
- f. Input from victims is encouraged in the planning and decision making within the Restorative Justice Program.

Repair the harm caused by the offence

- a. The offender accepts responsibility for what he/she has done
- b. The victim, offender and community members actively participate in a process which identifies how the offender may begin to repair the harm
- c. Reparation plans to respond to the harm done are developed, and can include compensation.

Reintegrate the Offender

- a. The offender understands and addresses the problems which may have contributed to the wrongdoing
- b. Community members focus on and respond to the causes of crime
- c. Community members support the offender in making positive changes in his/her life
- d. Community members ensure that there are opportunities in the community for the offender to make amends
- e. The offender participates in a process which focuses on responsibility and obligations.

Hold the offender accountable in a meaningful way

- a. The offender accepts responsibility for what he/she has done
- b. The offender demonstrates a genuine understanding of how his/her behaviour has affected the victim and the community
- c. The offender actively participates in a process which identifies how he/she may begin to repair the harm
- d. The offender is given an opportunity to “make things right” and to ask for help with problems that may have contributed to the wrongdoing.

B. Service Delivery

Pursuant to the Program Authorization, April 2003, and the April 2003 Order in Council stipulating the Nova Scotia Rules for Conferencing under s.19 of the *Youth Criminal Justice Act(Canada)*, this Protocol provides the legal and operational requirements for the Restorative Justice Program. The Program will engage the community as partners in the provision of service through community based Restorative Justice agencies (hereinafter referred to as the Agency). The Agency will:

- (i) Assess victim needs and willingness to participate in a Restorative Justice process;
- (ii) Assess offender needs and acceptance of responsibility;
- (iii) Assess community needs and willingness of community members to participate in a Restorative Justice process;
- (iv) Determine the suitable Restorative Justice process for the case;
- (v) Prepare the victim, offender, and all other participants for the Restorative Justice process;
- (vi) Facilitate the Restorative Justice process; and
- (vii) Provide follow-up to the victim and offender, including the monitoring of the Restorative Justice agreement.

SECTION TWO: ELIGIBILITY CRITERIA

A. Eligibility Criteria for Pre Charge (Police) /Post Charge (Crown) referrals

1. The peace officer shall complete a “Restorative Justice Checklist”(See Appendix “A”) in all cases involving a Level 1 or Level 2 offence (See Appendix “B”).
2. Prior to a young person being referred to the Restorative Justice Program, the referring body (peace officer or Crown attorney) must ensure that the following minimum requirements, under section10(2) of the *Youth Criminal Justice Act(Canada)* and the *Youth Justice Act(Nova Scotia)*, and found in the Restorative Justice Checklist, are met:
 - (a) the referral is consistent with the protection of society;
 - (b) the referral is considered appropriate having regard to the interests of the victim, the young person, and the community;
 - (c) the young person accepts responsibility for his/her actions;
 - (d) the young person has been informed of, and consents freely and fully, to participation in the Program;
 - (e) the young person is advised of his/her right to counsel without delay and is given a reasonable opportunity to retain and instruct counsel;
 - (f) there is sufficient evidence to proceed with the prosecution; and
 - (g) prosecution of the offence is not barred by law.
3. In addition, prior to a young person being referred to the Restorative Justice Program, the referring body (peace officer or Crown Attorney) must ensure that the following discretionary factors, as found in the Restorative Justice Checklist, have been considered:
 - (a) the cooperation of the young person;
 - (b) the willingness of the victim to participate in the process;
 - (c) the desire and need on the part of the community to achieve a restorative result;
 - (d) the motive behind the commission of the offence;
 - (e) the seriousness of the offence and the level of participation of the young person in the offence, including the level of planning and deliberation prior to the offence;
 - (f) the relationship of the victim and the young person prior to the incident, and the possible continued relationship between them in the future;
 - (g) the young person’s apparent ability to learn from a restorative experience, and follow through with an agreement;

- (h) the potential for an agreement that would be meaningful to the victim (i.e., restitution, personal service to the victim);
- (i) the harm done to the victim;
- (j) whether the young person has been referred to a similar program in recent years;
- (k) whether any government or prosecutorial policy conflicts with a Restorative Justice referral; and
- (l) such other reasonable factors about the offence, young person, victim, and community which may be deemed to be exceptional and worthy of consideration.

B. Eligibility Criteria for Post Finding of Guilt Referrals and Post Sentence Referrals (Referrals by Youth Justice Courts and by Correctional Services or Victim’s Services officers)

1. Prior to a young person being referred to the Restorative Justice Program, the following minimum requirements will be met:
 - (a) the referral is consistent with the protection of society;
 - (b) the referral is considered appropriate having regard to the interests of the victim, the young person, and the community;
 - (c) the young person accepts responsibility for his/her actions;
 - (d) the young person has been informed of, and consents freely and fully, to participation in the Program; and
 - (e) the young person is advised of his/her right to counsel without delay and is given a reasonable opportunity to retain and instruct counsel.
2. In addition, prior to a young person being referred to the Restorative Justice Program, the following discretionary factors may be considered:
 - (a) the cooperation of the young person;
 - (b) the willingness of the victim to participate in the process;
 - (c) the desire and need on the part of the community to achieve a restorative result;
 - (d) the motive behind the commission of the offence;
 - (e) the seriousness of the offence and the level of participation of the young person in the offence, including the level of planning and deliberation prior to the offence;
 - (f) the relationship of the victim and the young person prior to the incident, and the possible continued relationship between them in the future;

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- (g) the young person's apparent ability to learn from a restorative experience, and follow through with a proposed sentence plan;
- (h) the potential for an agreement that would be meaningful to the victim (i.e., restitution, personal service to the victim);
- (i) the harm done to the victim;
- (j) whether the young person has been referred to a similar program in recent years;
- (k) whether any government or prosecutorial policy conflicts with a Restorative Justice referral; and
- (l) such other reasonable factors about the offence, young person, victim, and community which may be deemed to be exceptional and worthy of consideration.

SECTION THREE: REFERRAL PROCESSES

A. Pre Charge Referral Process (Referral by Peace Officer)

1. If, after completing the Restorative Justice Checklist, a referral to the Restorative Justice Program is considered appropriate, the officer shall:
 - (a) ensure that the young person and the young person's parent/guardian is aware of the young person's right to counsel; and
 - (b) send the Restorative Justice Checklist to the Agency.

2. The referring officer shall make all referrals to the Restorative Justice Program in a timely manner.

In cases where the Agency, based on new information regarding the minimum requirements or discretionary factors, deems a referral inconsistent with the pre-charge/post charge eligibility criteria as noted in Section Two, or problematic for the Restorative Justice Program, it may issue a "Notice of Reconsideration" to the peace officer. Unless otherwise resolved between the agency and the referring officer, the file associated with the referral may be closed by the agency 30 days after the release of the "Notice of Reconsideration".

4. Once a referral has been accepted, the Agency shall provide a progress report regarding the status of the referral to the officer no later than four (4) months from the date of the offence.

B. Post-charge Referral Process (Referral by Crown Attorney)

1. If the Crown Attorney considers a referral to the Restorative Justice Program appropriate, the Crown Attorney shall:
 - (a) review the Restorative Justice Checklist, as completed by the peace officer;
 - (b) complete the appropriate section on the Restorative Justice Checklist; and
 - (c) send the Restorative Justice Checklist to the Agency.

2. The Crown Attorney shall make all referrals to the Restorative Justice Program in a timely manner.

3. In cases where the Agency, based on new information regarding the minimum requirements or discretionary factors, deems a referral inconsistent with the pre charge/post charge eligibility criteria as noted in Section Two, or problematic for the Restorative Justice Program, it may issue a "Notice of Reconsideration" to the Crown

Attorney. Unless otherwise resolved between the agency and the referring Crown Attorney, the file associated with the referral may be closed by the agency 30 days after the release of the “Notice of Reconsideration”.

4. Once a referral has been accepted, the Agency shall provide a progress report regarding the status of the case . The time frame for this report shall be guided by the Crown’s assigned review dates for the referral.

C. Post Finding of Guilt Referral Process (Referral by Youth Justice Courts)

1. If a referral to the Restorative Justice Program is considered appropriate, the Court may adjourn to allow an opportunity for the Agency to facilitate a Restorative Justice Process. The Court may provide direction to the Restorative Justice agency with respect to the purpose which the court seeks to achieve in making the referral. Options can include one of the following:
 - (a) convening of a Restorative Justice Process to develop an agreement which the young person may complete under the supervision of the agency. The result of the restorative justice process and the terms of the agreement reached shall be reported to the court by the agency prior to the date of the sentencing hearing; or
 - (b) convening of a Case Conference to provide input as specified by the referral from the court. The outcome of the Case Conference will be a report to the court to assist in a possible decision of the court; or
 - (c) convening of a Sentencing Circle, which may be attended and/or chaired by a judge, and which will also include appropriate officers of the court.
2. Preliminary work to develop the Restorative Justice Process will include contact with the appropriate Community Corrections Office which may be involved with the young person.
3. The Agency will ensure that the Youth Justice Court and the appropriate Community Corrections Office receive notice of the scheduled Restorative Justice session in a timely manner and within two (2) weeks of any scheduled review date as set by the Youth Justice Court.
4. In cases where the Agency, based on new information regarding the minimum requirements or discretionary factors, deems a referral inconsistent with post finding of guilt eligibility criteria as noted in Section Two, or problematic for the Restorative Justice Program, it may advise the Court through a “Notice of Reconsideration” and seek direction whether to continue or terminate the Restorative Justice casework. A copy of this notice of reconsideration will be forwarded to Crown Attorney, the appropriate Community Corrections Office and the young person’s legal counsel.

D. Post Sentence Referral Process (referral by Correctional Services or Victim's Services)

1. If, after reviewing the Eligibility Criteria as noted in Section Two, the Probation Officer/YouthWorker/Victims' Services Worker considers a referral to the Restorative Justice Program appropriate, they shall:
 - (a) complete the Restorative Justice Checklist; and
 - (b) send the Restorative Justice Checklist to the Agency.
2. The Probation Officer/YouthWorker/Victims' Services Worker shall make all referrals to the Restorative Justice Program in a timely manner.
3. In cases where the Agency, based on new information regarding the minimum requirements or discretionary factors, deems a referral inconsistent with the postsentence eligibility criteria as noted in Section Two, or problematic for the Restorative Justice Program, it may issue a "Notice of Reconsideration" to the Probation Officer/ Youth Worker/Victims' Services Worker. Unless otherwise resolved between the agency and the referring probation or victim's services officer, the file associated with the referral may be closed by the agency 30 days after the release of the "Notice of Reconsideration".

SECTION FOUR: RESTORATIVE JUSTICE PROCESS OPTIONS

A. Continuum of Restorative Justice Process Options

Pursuant to the April 2003 Program Authorization, the following continuum of options is available in the Restorative Justice Program:

1. Police Formal Cautions;
2. Restoratively-oriented Options, including:
 - (a) Accountability Programs:
 - (i) Accountability sessions;
 - (ii) Group Accountability Sessions;
 - (b) Adult Diversion; and
 - (c) Restorative Justice Processes, including:
 - (i) Victim-Offender Conferences;
 - (ii) Restorative Conferences;
 - (iii) Sentencing Circles.

B. Case Conferences under Section 19 of the *Youth Criminal Justice Act*

Agencies will convene case conferences as the request of Youth Justice Courts

The Restorative Justice Agencies will follow the Provincial Guidelines established by the Department of Justice (Please see Appendix “D”)

C. Procedures for Restorative Justice Process and Restoratively Oriented Options

1. The Agency shall, upon receiving a completed Restorative Justice Checklist from a referring body, notify the young person, the parent/guardian of the young person and the victim in a timely manner, formally advising them of the opportunity to participate in a Restorative Justice Process.
2. Where the young person agrees to participate in the Program, the Agency shall arrange the appropriate Restorative Justice Process, Accountability Session or Group Accountability Session, to be conducted at the earliest possible opportunity, not later than 90 days, and preferably not more than 60 days, following the Agency’s receipt of

the referral. Where the case circumstances warrant a different time line than noted above, it will be the Agency's responsibility to notify the referring body and develop a mutually agreed time line for the specific case.

3. The location of the Restorative Justice Process, Accountability Session/Group Accountability session shall normally be in the "community of harm" where the offence took place, and where relevant and possible, attempt to accommodate primarily the needs of the victim. Where the young person resides at a considerable distance from the area where the offence took place, the Agency may choose to hold the Restorative Justice Process in the community where the young person resides. In making this decision the Agency shall seek the approval of the victim, where appropriate.
4. While the total number of individuals participating in a Restorative Justice Process may vary, the Agency shall not conduct a Restorative Justice Process with fewer than four (4) individuals present as follows: a facilitator; the young person; the parent/guardian or a responsible support person for the young person; and the victim or a representative from the community of harm. The strong preference is for the Restorative Justice Process to be facilitated by two (2) facilitators, and to include the participation of the investigating officer, if the referral is made pre-charge. It is also a preference for the community representative to be a person other than a representative of the Agency.
5. The facilitator shall emphasize to those in attendance at a restorative justice process that the privacy of information shared must be respected but that there is no guarantee that it can be kept within the circle of those in attendance and, in some cases, may be shared with people who are affected by it but not in attendance.
6. Notwithstanding the above requirements, there is also a duty to report any information indicating that the young person is in need of protection. The requirements respecting the duty to report are laid out in the *Children and Family Services Act (1990)* s.23(1) and 24(2) (Please see Appendix C).
7. Where the Restorative Justice Process is unable to reach a consensus, or where otherwise deemed necessary, the agency may:
 - (a) hold an additional Restorative Justice Process with or without the same participants;
 - (b) follow a reasonable compromise solution agreed upon by the participants of the original Restorative Justice Process; or
 - (c) refer the case back to the referring body.

8. Where, during a Restorative Justice Process, it is determined that a Restorative Justice agreement is appropriate for the young person, and acceptable terms of such an agreement are agreed upon by the participants in the Restorative Justice Process, the young person shall be offered the opportunity to enter into a Restorative Justice Agreement.
9. Where no agreement is reached during the Accountability Session/Group Accountability Session, the agency may:
 - (a) hold an additional restoratively oriented option or a restorative process with or without the same participants;
 - (b) follow a reasonable compromise solution agreed upon by the participants of the original Accountability Session/Group Accountability Session; or
 - (c) refer the case back to the referring body.
10. Where, during an Accountability Session/Group Accountability Session, it is determined that a Restorative Justice agreement is appropriate for the young person, and acceptable terms of such an agreement are agreed upon by the participants in the session, the young person shall be offered the opportunity to enter into a Restorative Justice Agreement.

SECTION FIVE: RESTORATIVE JUSTICE AGREEMENTS

A. Restorative Justice Agreements for Pre Charge, Post Charge and Post Sentence Referrals

1. Following the acceptance of appropriate terms of a Restorative Justice agreement by the participants of the Restorative Justice Process or Accountability Session, a formal Restorative Justice agreement shall be prepared and signed, at a minimum, by the young person, the parent/guardian of the young person and the facilitator; and, when present, by the victim and/or where appropriate by the community representative.
2. Where the young person participates in a group accountability session, the agreement is the outcome of the group session, and is signed by the young person and the session facilitator.
3. The agreement shall specify the terms to be completed by the young person, including a date for completion.
4. The agreement, when signed, shall be distributed to the young person, the parent/guardian of the young person, the referring body, the supervising volunteer, and the victim.
5. Where, during the course of the agreement, reasonable circumstances exist which require that the agreement either be extended or modified, the Agency shall consult with the original participants of the Restorative Justice Process or Accountability Session to determine the specific requirements, and may approve the necessary extension or modification.
 - (a) Where an extension is granted, the Agency shall formally amend their file copy of the agreement to reflect the new completion date and shall make a notation on the young person's file indicating the reason(s) for the extension.
 - (b) When an agreement term is modified, formal written notice to that effect shall be completed by the Agency and distributed to all those in attendance at the original Restorative Justice Process or Accountability Session/Group Accountability Session, and the Agency shall make a notation on the young person's file indicating the reason(s) for the modification.
6. Under no circumstances shall a young person be required to perform or participate any aspect or condition of the agreement beyond the completion date as specified on the agreement or as formally amended as per procedure 5(a) or (b) above.

B. Restorative Justice Agreements for Post Finding of Guilt Referrals from Youth Justice Court

1. Where the Youth Justice Court has requested that a Restorative Justice Process be convened to provide input into sentencing as described in Section Three sub-section C.1(pp7-11) , the Restorative Justice agency will prepare a report to the Youth Justice Court describing the outcome of the Restorative Justice Process and the input offered by the participants, with copies distributed to the Crown Attorney, the appropriate Community Corrections Office, the young person and his/her parent and the young person’s legal counsel.
2. Where the Court has requested that the Restorative Justice Process proceed to the formation of an agreement as described in Section Three sub-section C.1(pp7-11), the Restorative Justice Agency will:
 - (a) ensure that following the acceptance of appropriate terms of a Restorative Justice Agreement by the participants of the Restorative Justice Process, a formal Restorative Justice Agreement shall be prepared. The agreement will be signed, at a minimum, by the young person, the parent/guardian of the young person and the facilitator; and, when present, by the victim and/or where appropriate by the community representative; and
 - (b) the Restorative Justice Agency will prepare a report to the Court to report on the outcome of the Restorative Justice Process, which will also report on the length of time the agency will be monitoring the young person’s completion of the agreement terms, with copies distributed to the Crown attorney, the appropriate Community Corrections Office, the young person and his/her parent, and the young person’s legal counsel.
3. The Court may proceed with sentencing, or may adjourn to allow the young person to complete the terms of any agreement in the time specified in the report to the court.
4. Where the Court makes a sentence under the *Youth Criminal Justice Act (Canada)* and the *Youth Justice Act (Nova Scotia)*, it may:
 - (a) incorporate all or part of the terms of the Restorative Justice Agreement;
 - (b) name the Agency to monitor that condition of the Sentence Order, in order to maintain continuity for the young person and the victim.
5. If an Agency has been nominated to monitor any condition of a Sentence Order, the Community Corrections Office will inform the Agency and will refer those conditions of the Sentence Order as indicated by the Youth Justice Court Judge to the agency for supervision, as per the Sentence Order Referral Protocol (provided in Appendix”E”).

6. Where the Agency is supervising the conditions of the Sentence Order which were referred for supervision, and it appears that there has been a change of circumstances which warrants a change in the conditions of the Sentence Order, the Agency shall consult with the appropriate Community Corrections Office, which may apply for any such change. It is the responsibility of the Community Corrections Office to apply for any change to the Sentence Order, and to advise the Agency of the outcome of this process. The Agency will liaise with the Community Corrections Office, and will ensure that the parties to the original Restorative Justice Agreement are advised in writing of the outcome of the Youth Justice Court Judge's review of the matter
7. Where a change to the conditions in the Sentence Order is granted, the Agency shall formally amend their file copy of the agreement to reflect the new completion date or other change in the conditions and shall make a notation on the young person's file indicating the reason(s) for the extension or modification.
8. Under no circumstances shall the Agency facilitate the young person performing or participating in any condition of the Sentence Order being supervised by the Agency beyond the completion date as specified on the Sentence Order or as formally amended as per procedure 6(a) or (b) above.

C. Range of Possible Outcomes

The range of possible outcomes which may be employed in a Restorative Justice agreement include the following:

1. *Restitution/Financial Compensation* - the young person may make payment to the victim by way of either monetary or material compensation, for the purposes of reimbursement of the actual costs incurred by the victim. In all cases, the degree of compensation specified in the agreement shall be based on the young person's ability to pay.
2. *Community Service Work* - the young person may complete a specific number of volunteer hours at an approved community placement as specified in the Restorative Justice agreement. The number of community service hours shall not exceed 240 hours in a 12 month period, and shall be in accordance with the Community Service Order Guidelines, which form part of the Agency's service agreement. Where community service hours are combined with personal service hours to the victim, per C.3 below, the total number of hours shall not exceed 240 hours in a 12 month period.
3. *Personal Service to the Victim* - the young person, with the consent of the victim, may provide compensation to the victim by way of specific personal services as indicated in the agreement. A written or verbal apology may also be required. The number of personal

service hours to the victim shall not exceed 240 hours in a 12 month period. Where personal service hours to the victim are combined with community service hours per C.2 above, the total number of hours shall not exceed 240 hours in a 12 month period.

4. *Community Reconciliation* - the young person may make amends, either verbally or in writing, to certain persons who have been affected by the actions of the young person, or to express appreciation to other persons in the community who may have supported the young person's participation in the Restorative Justice Process.

The young person may also be required to make a donation to a specific community-based non-profit organization. The amount of such a donation shall be reasonable and shall take into consideration the young person's ability to pay.

5. *Education Programs* - the young person may participate in a specific educational program which relates to the offence and/or circumstances leading to the young person's involvement in the offence. Where such an educational program is a term of the agreement, the young person shall be referred directly by the Agency, any costs related to this program shall not be the responsibility of the Agency
6. *Assessment* - the young person may attend a specific counseling program for an initial assessment relating to the behaviour of the young person which may have led to his/her involvement in the offence. The young person shall be referred directly by the Agency, and any costs related to this program shall not be the responsibility of the Agency.
7. *Any other outcome agreed upon by the participants of the Restorative Justice Process.*
8. *No Further Action* - where it is determined at the Restorative Justice Process that he young person has already satisfied the objectives of the Program, no further intervention shall be necessary.
9. Additional possible outcomes when the Restorative Justice Process is a Sentencing Circle may include all of the sentencing options under the *Youth Criminal Justice Act (Canada)* and the *Youth Justice Act (Nova Scotia)*.

SECTION SIX: SUPERVISION OF AGREEMENTS

A. Supervision of the Restorative Justice Agreement

1. The Agency shall ensure that all agreements are monitored on an ongoing basis by contacting the young person, the victim and collateral contacts as required in order to support successful completion of the terms contained in the agreement.
2. If, at any time during the term of the agreement, there is a violation of any term by the young person, or where dissatisfaction is expressed by any of the parties involved, the Agency shall ensure that the matter is promptly and thoroughly reviewed and that, where necessary, appropriate action is taken, up to and including termination of the agreement.

B. Completion of the Restorative Justice Agreement

1. Upon satisfactory completion of the agreement, the Agency shall ensure formal notice to that effect is distributed to the referring body, the young person, the parent/guardian of the young person, the victim and/or community representative, and the young person's legal counsel, if requested.
2. Where the referral of a condition in a Sentence Order is made by the Community Corrections Officer on behalf of Youth Justice Court, formal notice will be provided to the Youth Justice Court and the appropriate Community Corrections Office.
3. Where the young person fails to satisfactorily comply with the terms of the agreement, the Agency shall ensure that formal notice to that effect is distributed to the Community Corrections office, the young person, the parent/guardian of the young person, and the victim and/or community representative.

SECTION SEVEN: ADMINISTRATIVE REQUIREMENTS

A. Non Disclosure Requirements

1. Pursuant to s.119(2) (a) of the *Youth Criminal Justice Act*, the Agency will not disclose any information except during the access period unless such disclosure is authorized under the *Youth Criminal Justice Act*. Section 119(2) (a) defines this period of access as two years from the date of the young person's consent to be subject to the sanction.
2. With respect to post conviction and post sentence referrals, the disclosure period is guided by the young person's sentence, pursuant to section 119 (2) of the *Youth Criminal Justice Act*.

B Retention and Transfer of Records to the Provincial Records Centre

1. All Restorative Justice records held by the Agency shall be held locally by the Agency for two years from the date of the closure of young person's case file. The Agency shall provide secure separate storage of files which have entered the non disclosure period, pending transfer at the end of the retention period.
2. The Retention period for post conviction and post sentence referrals will be guided by the terms of the young person's sentence.
3. At the end of the period of local retention, the Agency shall contact the Department of Justice to arrange for transfer of the files to the Provincial Records Centre for storage and destruction following Provincial protocols.

C. Statistical Information

1. The Agency shall ensure that all necessary statistical information as required by the Department of Justice is provided in a complete and timely manner in the specific format required, which includes timely and accurate entry of all required data into the Restorative Justice Information System.

The Agency shall ensure that monthly statistical information of a summary nature as required by the Department of Justice is provided in a complete and timely manner in the specific format required.

SECTION EIGHT: AGENCY STANDARDS

A. Practice Standards

The Agency shall adhere to Provincial Practice Standards for case management and service delivery, and shall make any changes to case management practices as required when any amendments are made to the Provincial Practice Standards.

B. Volunteer Screening, Training and Supervision

1. Prior to a volunteer being accepted by the Agency the following qualifications shall be met:
 - (a) The volunteer meets the minimum age requirement of 19 years;
 - (b) The volunteer expresses an interest in restorative processes;
 - (c) Successful completion of the screening procedures per B.2 below;
 - (d) Successful completion of the training process as set out in the Provincial Standard.
2. Prior to a volunteer being accepted by the Agency the following screening procedures shall be completed:
 - (a) Child Abuse Registry Check
 - (b) Criminal Record Check
 - (c) Minimum of two character references
 - (d) Initial screening interview with agency staff
3. Training of volunteers is the responsibility of the Agency. The Agency shall design a volunteer training program which follows the Provincial Curriculum Standard, as represented in the Practice Standard Learning Companion Series which shall include the following topics:
 - (a) Orientation to the justice system
 - (b) Restorative Justice principles and models
 - (c) Communication skills
 - (d) Conflict resolution skills
 - (e) Facilitation of Restorative Justice processes
 - (f) Working with victims of crime
 - (g) Understanding adolescence

- (h) Supervision of young person
 - (i) Agency case management processes
 - (j) Diversity
4. The supervision of volunteers is the responsibility of the Agency. The Agency shall establish a volunteer monitoring process which shall include:
- (a) clear expectations of the volunteer as outlined in a “volunteer job description” and “volunteer code of ethics”;
 - (b) ongoing training and support from Agency staff;
 - (c) accountability via reports, and regular updates on cases being supervised;
 - (d) periodic refresher training;
 - (e) periodic re-screening, to take place at a minimum every 5 years; and
 - (f) screening and review procedures for Community Resource Placements which accept young persons for Community Service Work placements.

APPENDICES

- Appendix “A”:** Restorative Justice Checklist Sample: Page 25
- Appendix “B”:** Table of Included and Excluded Offences Page 26
- Appendix “C”:** Excerpt, *Children and Family Services Act(Nova Scotia)*, s 23, Page 27
- Appendix “D”** Provincial guidelines for Case Conferences Under Section 19, *Youth Criminal Justice Act(Canada)*
- Appendix “E”** Sentence Order Referral Protocol (IN PROGRESS)

Note: Appendices are not included in this website version of the document. To obtain appendices, please contact the Program Manager.