

PEER RESOLUTION CONFERENCES FOR YOUTH

VOLUNTEER HANDBOOK



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INTRODUCTION

Welcome! This *Volunteer Handbook* is designed to help you understand what Peer Resolution Conferences for Youth are, and the role that you will play. Once you have worked through this handbook and practised your skills during training, you will be ready to participate in real Peer Resolution Conferences for Youth.

You are about to experience first-hand how to make a positive difference at your school, in the lives of your peers, and learn about yourself in the process. You will continue to learn and get better at the process of Peer Resolution Conferences the more you work at it, and your education will continue with feedback after the conferences.

Through this experience, you will have proved to yourself and to your friends, family and others that you are capable of making a significant contribution to your community, not just in the future, but now!

This *Volunteer Handbook* includes:

- exercises to help you understand the conference training information
- a list of terms to know
- forms you will need for conferencing
- scripts of sample conferences

Be sure to add all of the handouts from your training to this *Volunteer Handbook*. They will provide a useful reference when you are taking part in Peer Resolution Conferences for Youth.

KNOW YOUR PROCEDURES

In this section you will review what you have learned in training. Refer to your training handouts while you are reviewing this information.

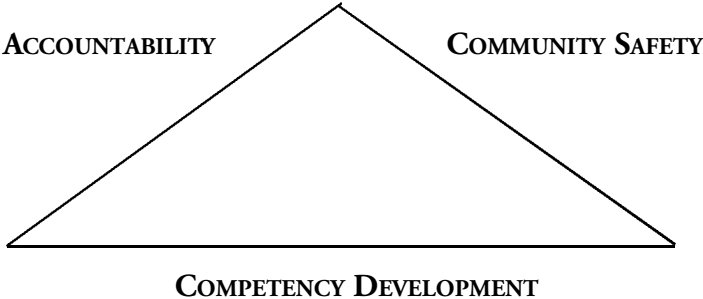
Peer Resolution Conference Jurisdiction

When your Peer Resolution Conference program was created, it was decided which types of cases could be heard. This is called the *jurisdiction* of the conferences.

Which types of cases do your Peer Resolution Conferences have the jurisdiction to hear?

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Restorative Justice: The Balanced Approach



► Roles in the Conference

Check off each role that was actually used in your Peer Resolution Conference:

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | The youth facilitator , ensures that all participants have a chance to fully and fairly participate. The facilitator does not decide the outcome. S/he encourages the full participation of everyone. |
| <input type="checkbox"/> | <input type="checkbox"/> | The youth co-facilitator , if necessary, support the work of the youth facilitator. |
| <input type="checkbox"/> | <input type="checkbox"/> | The recorder is a youth who keeps the records of the case. Often the facilitator or co-facilitator performs this task. |
| <input type="checkbox"/> | <input type="checkbox"/> | The respondent is the youth who committed the inappropriate behaviour. |
| <input type="checkbox"/> | <input type="checkbox"/> | The respondent's supporter (parent/family member/elder/advocate) talks about the respondent and makes suggestions about what the respondent needs, describes the impact of the crime or violation on the family, and makes suggestions of ways the respondent could repair the harm. |
| <input type="checkbox"/> | <input type="checkbox"/> | The victim/harmed party is the person or people who were affected/ harmed by the inappropriate behaviour. |
| <input type="checkbox"/> | <input type="checkbox"/> | The victim/harmed party's supporter (parent/family member/elder/ advocate) supports the victim during the conference and ensures that the impact of the behaviour on the victim is presented. |
| <input type="checkbox"/> | <input type="checkbox"/> | The mentor* is a youth who, after the conference, helps the respondent to make sure s/he completes the suggested outcome(s). |
| <input type="checkbox"/> | <input type="checkbox"/> | The adult facilitator supervises the case before and after the conference and gives information to help the conference members if necessary, including feedback following the conference. |

Potential additional participants in a conference:

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | A witness may testify during the conference about what they saw or heard relating to the inappropriate behaviour. |
| <input type="checkbox"/> | <input type="checkbox"/> | Other participants may include social workers, probation officers, the school counselor and/or home school co-ordinator, elder, translators, youth advocates, or outreach workers. |

*Mentor

As a mentor, you must do what you agree to do and in a professional way. If you agree to meet with the respondent or call him/her at a particular time, you must be there or must call or else you must arrange in advance to make a change. If you simply forget, you must contact the respondent immediately, apologise, and reschedule.

Also, behaving in an unprofessional way during the time that you are the respondent's mentor, for example asking him/her out on a date, would not be professional.

**Advocate

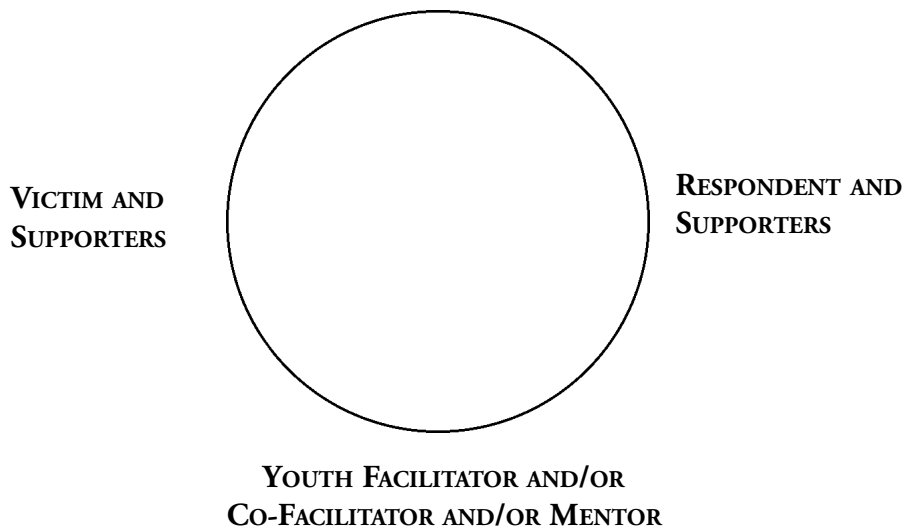
If your Peer Resolution Conference has an advocate, this person has certain responsibilities. An advocate must be thorough and professional in researching the impact on the person s/he is representing, in communicating that to the conference participants, and in supporting the person s/he is representing.

► Steps in the Conference

Recall the information you received in training and list, in order, the steps in your Peer Resolution Conference.

► Conference Seating Plan

Participants should be seated close together in a circle or oval shape, with no tables or other obstructions in the centre. The adult facilitator (if necessary) should be an observer seated outside the circle (or in another part of the room).



► Qualities of Successful Mentors

- You have a sincere desire to be involved
- You respect the person
- You are able to actively listen and you have empathy
- You see solutions and opportunities
- You are flexible and open

► Tips for success

Do

Appreciate any signs of success
Listen carefully to what the person says
Ask good questions
Share your thoughts and feelings
Remember to be on time
Try your best to be a good role model
Learn any special rules that are part of your program
Be interested
Show you respect the person's values
Strive for mutual respect
Be honest

Don't

Think you are going to change the world overnight
Jump to conclusions
Be judgmental
Use poor language
Get talked into things you know are against the program rules
Try to be a parent
Try to force your values and beliefs on the person
Accept rudeness or foul language
Be insincere

► What a Mentor Is

A guide
A friend
A listener
A coach
A responsive peer or adult

What a Mentor Isn't

A saviour
A parent
A therapist
A parole officer
A "cool" peer

 **Conflict**

You cannot participate in a conference when you have a *conflict* that would not allow you to suggest a fair outcome for the respondent or the victim.

For example, if the respondent was in a fight *with you* in the past, and you were still mad about it, you could not suggest a fair outcome and you should not participate in such a conference.

 **Confidentiality**

You must keep all information that you learn about a specific case *confidential*, including the respondent's name and all the facts of the case.

Example:

You are with a group of friends and someone starts to talk about a student in your school who was a respondent in the Peer Resolution Conference you participated in the week before.

You are tempted to tell them some of the reasons behind the troubles the respondent has. Should you say anything?

NO. You must not reveal anything you learned about the respondent, even if you have a good motive for doing so. To say *anything* would be a violation of confidentiality.

Your Peer Resolution Conference Pledge of Confidentiality

Write out and sign your pledge of confidentiality for Peer Resolution Conference members.

Signed:

Date:

▶ Restorative Justice Outcome Options

Peer Resolution Conferences are based on the practices of restorative justice.

1. First, consider how to hold the respondent(s) accountable for his/her/their behaviour. This requires thinking about how the respondent has harmed the victim(s), including the direct victim(s), the family of the respondent, and then the community as a whole. How can the respondent repair this harm to all the victims?
2. Next, think about what the respondent needs to become a more productive member of society. Maybe s/he doesn't have many friends or is easily affected by peer pressure. What can you do to help him/her become more connected to other young people or more self-sufficient? This is called developing his/her competency

ACCOUNTABILITY	COMMUNITY SAFETY	COMPETENCY DEVELOPMENT
Restitution; payment of money	Counselling	Educational classes
Verbal/written apology	Curfew	Mediation
Essay	Peer Discussion Groups	Essay/Letter of Apology
Mandatory school attendance	Become a volunteer; non-profit group, seniors' home, recreation centre, etc.	Community programs; Scouts, seniors' home, child development centre, recreation, etc.
School service	Ride-along with the police	Cultural education
Mowing a lawn, washing a car, etc.		School service
		Cultural education



Options for Outcomes

Check off each of the suggested outcome options that your Peer Resolution Conferences will use.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Community Service
<input type="checkbox"/>	<input type="checkbox"/>	Educational Classes
<input type="checkbox"/>	<input type="checkbox"/>	Mediation
<input type="checkbox"/>	<input type="checkbox"/>	Restitution
<input type="checkbox"/>	<input type="checkbox"/>	Apology
<input type="checkbox"/>	<input type="checkbox"/>	Essays
<input type="checkbox"/>	<input type="checkbox"/>	Counselling
<input type="checkbox"/>	<input type="checkbox"/>	Curfew
<input type="checkbox"/>	<input type="checkbox"/>	Drug Testing
<input type="checkbox"/>	<input type="checkbox"/>	School Attendance
<input type="checkbox"/>	<input type="checkbox"/>	Peer Discussion Groups
<input type="checkbox"/>	<input type="checkbox"/>	Other suggested outcomes

The Deliberation Process

- 1) Review the facts and circumstances of the case.
- 2) Decide who was affected by the respondent's actions and how the respondent harmed them.
- 3) Identify the needs of everyone who was affected by the harm – the respondent, respondent's family, victims, and the school or community.
- 4) Decide what needs to be done to repair the harm.
- 5) Determine an appropriate outcome that will help meet the needs of the affected parties and reach agreement.
- 6) Provide a written justification that explains the reasons for the conference outcome being imposed as part of a Conference Agreement - using **Form H** in the *Volunteer Handbook*.

Pre-Conference Checklist

- Inform appropriate authorities about the conference.
- Speak with the respondent (follow points on *Contacting the Respondent*)
- Speak with the victim (follow the points on *Contacting the Victim/Harmed Party*)
- Determine who else might need to participate in the conference
- Contact all other participants, including parents and supporters (follow the points on *Contacting Parents and Supporters*)
- Set the meeting date, time, place based on availability of respondent and victim and supporters, and tell all participants
- Plan for refreshments and tissues

Conduct conference

▶ Contacting the Respondent

1. Ask the respondent to participate.

“The incident that happened the other day caused some harm. We are having a conference that could repair the harm and resolve the problem. It would be a good thing to do for you and it would be a good thing for _____ (victim). You can bring a supporter(s) with you. Would you be willing to come?”

2. Ensure the respondent admits that s/he did something wrong and is willing to say so WITH NO EXCUSES.

The initial statement in a conference is a clear admission that the person did the act and is taking responsibility for it. Listen to the respondent tell his/her story. Ensure s/he can tell the story of the incident without minimising it and without any excuses or blaming others. If there are complicated circumstances (and there often are) the respondent must wait until the conference to bring them up.

“If you had to do it over again, would you do it differently? Why?”

“Can you tell others in the conference what you did wrong?”

3. Prepare the respondent for the questions s/he will hear during the conference.

“I will ask you to tell the story of what happened and who was affected by the incident. Do you think you can answer those questions?”

4. Ask who should be invited to participate in the conference.

“Who cares the most about you? Who would like to support you in this conference?”

It is very important that people who are important to the respondent be there to support him/her even if the respondent does not want them there. Do not take “No” for an answer here.

5. Decide on a date, time and place for the Conference when the respondent is available.

Checklist:

- Does the respondent admit to the wrongdoing?
- Explain what a conference is
- Explain the benefits the conference can provide to the respondent and others
- Ask for participation
- Ask what happened in the incident
- Help the respondent to eliminate excuses, blaming and minimising
- Note down contact information for who s/he wants to have as a supporter(s)
- Decide on a time, place and date for the Conference.

▶ **Contacting the Victim/Harmed Party**

1. Inform the victim/harmed party about the conference process and explain what questions will be asked.

“We want to offer you the opportunity to take part in a peer resolution conference about this incident in order to repair the harm that it has caused. _____ (name of respondent) has agreed to participate. This will give you a chance to tell what happened, to ask questions of the respondent, to say how the incident made you feel/hurt you. You will be able to ask _____ how to repair the harm as much as possible. You will have the opportunity to help decide what the consequences will be for _____. People usually feel much better afterwards and are able to put the incident behind them.”

2. Ask the victim/harmed party to participate.

“You can bring a supporter(s). Will you come to the conference?”

3. Listen to the respondent tell his/her story.

“Tell me your story of what happened. Are you willing to tell this same story to the people in the conference?”

4. Note down contact information for who s/he wants to have as a supporter(s)

Don't take “nobody” for an answer. It is essential that the victim/harmed party has someone there to be supportive and/or to speak on his/her behalf.

“Who would you like to come with you?”

5. Decide on a date, time and place for the Conference when the victim/harmed party is available.

Checklist:

- Explain who you are and why you are contacting him/her
- Explain what a conference is, what questions will be asked and what good can come from it
- Ask for participation
- Listen to their story. Listen, listen, and listen!
- Note down contact information for who s/he wants to have as a supporter(s)
- Decide on a time, place and date for the Conference.

► **Contacting Parents and Supporters**

This script provides information to make it easier to invite parents and supporters to a conference. Feel free to add your own ideas and personality into the call, but do include the basic information below.

“Hello, may I speak to _____

Hello, this is _____ from _____ (name of school) Peer Resolution Conference program.

I am calling because _____ (your son/daughter/friend – respondent or victim) has been referred to our Peer Resolution Conference for Youth because of an incident... _____ (state the reason and, only if necessary, provide details).

_____ (name of respondent or victim) asked if you could be there as a supporter. We want you to sit near him/her and explain what you thought or felt about the incident. Then we will all try to repair the harm done by the behaviour and come to some agreement.

The Conference will be held on _____ (date) at _____ (time) in/at _____ (place – provide directions if necessary).

We would be pleased if you could attend. Can you attend?

If you have any further questions please contact _____ (advisor name and number) or the school principal at _____ (the school phone number).”

► **List of Terms to Know**

accountability—a goal of restorative justice that help a respondent understand the harm that his/her behaviour has caused for all victims and give the respondent opportunity to repair that harm

active listening—a skill in which listeners demonstrate that they understand what the speaker is saying

advocate—person who represents or argues for another person

community advocate—a person who presents the impact of the respondent's behaviour on behalf of victims in the community

community safety—a goal of restorative justice that involves considering the community in the outcomes suggested for the respondent(s)

community service—an outcome option that requires the respondent to help the community in some way

competency development—a goal of restorative justice that strives to increase the respondent's skills as a productive participant in the community/society

confidentiality—the requirement for participants not to reveal information

mentor—the person who, after the conference, helps to make sure the respondent completes the suggested outcome(s)

recorder—the person who writes up the conference Agreement (a role often filled by the Facilitator or Co-Facilitator)

respondent—a youth who has behaved inappropriately by breaking a rule/law and has agreed to take part in a Peer Resolution Conference

restitution—payment of money to a victim for his/her expenses caused by the respondent's behaviour

restorative justice—a system of justice that (1) holds respondents accountable by increasing their understanding of the harm of their actions on all victims and giving them an opportunity to repair the harm; (2) includes the community in the response to the respondent's violation; and (3) aims to develop the competency of the respondent so that s/he can be a productive member of the community society

retributive justice—a justice approach that mainly focuses on punishment

victim—a person who suffers harm as a result of the acts of another person

victim advocate—a person who supports or represents the victim(s) during the conference process

respondent advocate—a person who supports or represents the respondent during the conference process



PEER JUSTICE CONFERENCE FORMS

Application to Volunteer

1. Personal information

Name _____ Age _____

School _____ Grade _____

Address _____

Phone Number _____

2. Recommendations

You must be recommended by two teachers and one person in your community. The forms are attached. Remember that your application is not complete without them.

3. Parent/Guardian Permission

Your parent or Guardian must give their permission for you to be involved in the Peer Resolution Conferences program. The form is attached.

4. Questions

On a separate piece of paper, answer the following four questions. You can write clearly or type your answers.

- a. Why would you like to volunteer as a participant in the Peer Resolution Conference program?
- b. What skills and experience can you offer to the Peer Resolution Conference program?
- c. What problems exist in your school that you think Peer Resolution Conferences could help to improve?
- d. How could these problems be solved by Peer Resolution Conferences?

Recommendation for Peer Resolution Conferences Teacher Recommendation

Student recommended _____

Teacher who recommends _____

1. Please rank this student from 0 (lowest) to 5 (highest) in the following areas:

- | | |
|--|----------------------|
| ___ Honesty | ___ Hard working |
| ___ Ability to work with others | ___ Caring |
| ___ Ability to work on his/her own | ___ Self esteem |
| ___ Shows respect for others | ___ Academic ability |
| ___ Can stand up for others | ___ Patience |
| ___ Can stand up to others | ___ Co-operation |
| ___ Ability to go above and beyond
what is asked for in the classroom | |

2. Please list a skill/competence that you feel this student could offer to the Peer Resolution Conference program.

3. Please circle any of the following personality traits you have observed in this student (if any):

- | | |
|------------------|-----------------|
| Cliquish | Moody |
| Gossipy | Bullying |
| Malicious | Opinionated |
| Lethargic | Ornery |
| Very strong/loud | Very weak/quiet |

Peer Resolution Conferences Parent/Guardian Permission Form

I have read the information provided by the Peer Resolution Conference program organisers and understand that my daughter/son will, by participating, know confidential information.

I also understand that my daughter/son has signed a pledge to not discuss this confidential information with anyone.

Further, I understand that my daughter/son may withdraw from the Peer Resolution Conference program at any time and, in such a case, it is expected that this confidential information will still not be shared with anyone.

My signature below indicates that I give permission for my daughter/son

_____ (full name) to be involved in the Peer Resolution Conference program at _____ (name of school).

Date _____

Date _____

Parent/Guardian (print name)

Program Co-ordinator (print name)

Signature

Signature

Referral Form

Please write clearly on this page or attach a typed page and give to the Conference Co-ordinator.

Date _____

Person referred _____

Phone _____

Person referring _____

Phone _____

1. Please provide a full account of what happened leading up to this referral.

2. Indicate reasons for why you are referring and why you feel this person can benefit from the Peer Resolution Conference program.

Peer Resolution Conferences for Youth Information for the Respondent

The school administration has decided that you can participate in a Peer Resolution Conference.

You have been invited to participate because your actions or behaviour have harmed another person. One of your family members has also been asked to participate. Those people harmed by your actions or behaviour will take part in the conference, and one of their family members may also be present.

At the conference, you will be called the *Respondent*.

What you can expect from the conference process:

1. The information is confidential = what happens will be kept secret by everyone and not spread around the school.
2. A chance to have the problem discussed with respect.
3. A chance to have your peers (other students) listen to the problem and understand it fairly.
4. A chance to listen to how everyone involved has been affected.
5. A chance to suggest what you think you can do to repair the harm and restore balance in the lives of everyone affected.
6. A chance to come to an agreement with everyone involved about how to move forward in a positive way.

What will happen during your Peer Resolution Conference:

1. Everyone sits in a circle and everyone has a chance to speak.
2. Two students lead (facilitate) the discussions. There may be other students there as well. There is an adult to assist if needed.
3. Everything that is said during the conference is confidential (secret). All participants will be asked to agree to respect the confidentiality of the information and not to discuss it outside.

4. The purpose of the conference is to hear what everyone has to say about what happened. A student facilitator will start the conference, and will ask everyone to speak in turn. When it is your turn, the facilitator will ask you to tell:
 - what you did and how it happened
 - how you felt at the time
 - how you feel about your actions or behaviour now
 - if you have anything you want to say to the other participants

For example, the facilitator will say something like:

“Tell us what happened and what was said...”

“How do you feel about what happened?”

5. There are a few simple rules. Everyone who comes to the conference must be willing to:
 - solve the problem and work on the issues
 - tell the truth
 - listen and not interrupt when others are speaking
 - show respect (including no name-calling and no yelling)

The participants will decide on one or more consequence appropriate for your actions or behaviour. You can suggest a consequence too. Think about the reasons why you think the consequence is the right one for you. Be prepared to listen to what the others think about an appropriate consequence. Everyone in the conference will need to agree on the consequence(s).

You will be asked if you agree to the consequence(s).

The participants may ask another student to volunteer to assist you to make sure you complete these consequence(s). This person is called a “mentor.” You will be asked if you agree to have a mentor.

Peer Resolution Conferences for Youth Information for the Harmed Party

The school administration has invited you to participate in a Peer Resolution Conference.

You have been asked because you were harmed by the actions or behaviour of another student. One of your family members has also been asked to participate. The youth whose actions or behaviour harmed you will take part in the conference too, and one of his/her family members may also be present.

At the conference, you will be called the *Harmed Party*.

What will happen during your Peer Resolution Conference:

1. Everyone sits in a circle and everyone has a chance to speak.
2. Two students lead (facilitate) the discussions. There may be other students there as well. There is an adult to assist if needed.
3. Everything that is said during the conference confidential (secret). All participants will be asked to agree to respect the confidentiality of the information and not to discuss it outside.
4. The purpose of the conference is to hear what everyone has to say about what happened. A student facilitator will start the conference, and will ask everyone to speak in turn. When it is your turn, the facilitator will ask you to tell:
 - (a) what happened
 - (b) how it affected you
 For example, the facilitator will say something like:
 “Tell us what happened and what was said...”
 “How do you feel about what happened?”
5. There are a few simple rules. Everyone who comes to the conference must be willing to:
 - solve the problem and work on the issues
 - tell the truth
 - listen and not interrupt when others are speaking
 - show respect (including no name-calling and no yelling)
6. The participants will decide on one or more appropriate consequence(s). You can suggest a consequence too. Think about the reasons why you think the consequence is the right one. Be prepared to listen to what the others think about an appropriate consequence. Everyone in the conference will need to agree on the consequence(s).

Peer Resolution Conference Agreement

Name _____

Incident _____

Date of Conference _____

Conference Site _____

Facilitator _____

Outcomes:

1. *Accountability*: Restore the victim if there is a direct victim

Reasons:

Supervised by: (Mentor)

Outcome deadline:

2. *Community Safety*: Make amends to the community

Reasons:

Supervised by: (Mentor)

Outcome deadline:

3. *Competency Development*: Other commitments for the youth

Reasons:

Supervised by: (Mentor)

Outcome deadline:

Signatures: (all participants)

_____	_____
_____	_____
_____	_____

▶ **Supervision Record for Mentors**

Respondent _____ **Case #** _____

Date	Time	Action/Results on each Outcome

Mentor: _____ **Signature:** _____

This record must be kept confidential and placed in the respondent's case file.



SCRIPTED PEER RESOLUTION CONFERENCES

- **Kyle's Phone Call (High School)**
- **Jason and the Fire Alarm (Elementary School)**

KYLE'S PHONE CALL (High School)

Background

Kyle Kingsman is a 15-year-old high school student.

Kyle didn't make it onto the school hockey team that was playing in the regional playoffs. So he phoned the bus company that was responsible for taking the team to the town on the following Saturday and, pretending to be the team's coach, Kyle cancelled the bus. The team showed up at 5:00 a.m. and waited for the bus, which never arrived. The hockey team missed the playoffs.

Kyle lives with his mother. He has never been in trouble with the law.

The school Vice-Principal decided that this matter should go to a Peer Resolution Conference.

Before the conference, the youth Facilitator, assisted by an student Mentor, had a pre-conference interview with Kyle, the victims, and the Vice-Principal. The facilitator told them where and when the conference would take place. Kyle could invite his mother and anyone else attend that he thought might be supportive (grandparents, siblings, friends.)

Roles

1. **Respondent: Kyle Kingsman**
2. **Parent/supporter of Respondent: Mrs. Kingsman**
3. **Harmed Party/Victim: Cary Nelson, the school hockey coach**
4. **Harmed Party/Victim: Henry Ferry, the bus driver**
5. **Harmed Party/Victim: John Jeffers, school hockey player and team leader**
6. **Harmed Party/Victim: Amy Jeffers, hockey mom**
7. **Harmed Party/Victim: Eileen Hendricks, school principal**
8. **Facilitator: trained youth volunteer**
9. **Co-Facilitator (is also Recorder): trained youth volunteer**
10. **Mentor: trained student volunteer**

THE PROCEEDINGS

The Facilitator sets up the chairs up in a circle and asks everyone to be seated around the circle. The victims should sit on one side of the facilitator and Kyle should sit across from them.

[Opening prayer from an Elder if appropriate]

Co-Facilitator: Welcome. The Peer Resolution Conference is now in session. Please, would everyone stand and take the oath of confidentiality? Say, “I do” if you agree: Do you swear or affirm that you will not reveal to anyone what is discussed at this youth Peer Resolution Conference?

Everyone: I do.

Co-facilitator: Please be seated.

Facilitator: As you know, my name is _____ and I am the Facilitator for this conference. Also here today is Cary Nelson, the school hockey coach, Eileen Hendricks, the school principal, Henry Ferry, the bus driver of Movem Bus Lines, John Jeffers, a student at this school and team leader of the hockey team and Amy Jeffers, his mother. We also have the respondent, Kyle Kingsman, and his mother, Mrs. Kingsman.

I will be assisted today in this conference by Co-facilitator and Recorder _____ as well as _____ who has volunteered to act as a Mentor for Kyle. Thank you all for attending this conference.

Before we begin, I would like to briefly review the structure and rules of the hearing. Each person will have the opportunity to speak without interruption, while the others listen with respect. The conference will be divided into three parts. In the first part, we will look at the impact of the behaviour. In the second part, we will look at possible resolutions, and in the third part, we will decide on one or more outcome(s) for the Respondent, Kyle. We will ask all participants to agree on the outcome(s). In each of these three parts, we will hear from everyone in the circle.

This conference will focus on the actions of Kyle last week and which affected the school hockey team. We are not here to decide whether Kyle is a good person or a bad person. We will focus instead on what Kyle did and how his behaviour has affected others. Today we all have an opportunity to be a part of repairing the harm that has been done. As long as Kyle participates and carries out the conference agreement, this matter will be finalised by this conference. Do you understand that, Kyle?

Kyle: Yes.

Facilitator: The first part of this discussion will be about the impact of Kyle's behaviour. Kyle, tell us what happened and what you were thinking about at the time of the incident.
[Pause]

Kyle: (Softly—sounding shy and embarrassed) When I found out I hadn't made the hockey team I didn't believe it. I don't know exactly when I got the idea but I thought I'd phone up Mr. Ferry at the bus station and tell him not to come and pick up the team. The team had to get a 5:00 a.m. bus to make it to the playoffs. I'm pretty good at doing voices and accents, so I pretended to be Mr. Nelson, our hockey coach.

Facilitator: Since you did that, what have you thought about it?

Kyle: I have been thinking that I wish I could go back to that day and do things differently. I have been wondering what's going to happen to me.

Facilitator: Kyle, do you have an understanding of why you did this?
[Pause]

Kyle: (embarrassed) I was mad at being left out of the team. I'm a pretty good defence-man. I would have been a good player on that team. So I just got mad and went to the phone. I wish I hadn't, but I did.

Facilitator: What do you think has been the impact of your actions? Who has been affected by your actions?

Kyle: (Again, softly and embarrassed) Well, the hockey team and the coach... And the school. Also, Mr. Ferry at the bus station. And my mother, I guess.

Facilitator: In what way have these people been affected?

Kyle: Well...I know the team didn't get to the regional playoffs. The school had a pretty good chance this year. They were really mad at me because they didn't get to play. And Mr. Ferry, the bus driver. And the parents who support the team, and the whole school, I guess.

Facilitator: Now let's find out from the victims the way they have been affected. Let's begin with the team coach, Mr. Nelson.

Cary Nelson: Well, my first concern was for the team. When we were waiting for the bus and it didn't show up, I became very concerned. What was I going to do with the team? By the time I phoned around to see if we could get parents to make the long drive, it was too late. So it meant a lot of concern and extra work. The incident was heartbreaking. I can't put it any other way. To think that we missed our chance at making it to the semi-finals because of some stupid prank! I felt so angry. I knew what it meant to all the players. They'd been practising so hard. I think I speak for all the teachers in the school when I say I felt let down to find out that one of our students had done this.

Facilitator: Thank you. Now let's see what the school principal, Eileen Hendricks, has to say.

Eileen Hendricks: As the school principal I found the whole incident very distressing. I got a phone call early on Saturday morning. I didn't have time to think about it at the time – we were so busy phoning parents to see if there was any way we could get the team down to the playoffs. Later, when I heard that Kyle had admitted it was him, I felt that the school had been let down. So much effort goes into team sports – from teachers and parents. And it is so disappointing for the students. It wasn't fair.

Facilitator: Thank you. What was the impact of the incident on you, Mr. Ferry?

Mr. Ferry: I was annoyed, of course, when I found out I'd been the victim of the hoax. And I lost the money I would have made, taking the hockey team to the school playoffs. Then there was all the confusion when I found out the team *had* been waiting for the bus. It was very inconvenient for the Movem Bus Company, and embarrassing as well. *We* felt we'd let the team down. In a way we felt we'd let the whole town down. I said to my wife: "How could I have been fooled by some kid on the phone?"

Facilitator: Thank you, Mr. Ferry. Now let's hear from one of the students, the leader of the hockey team, John Jeffers.

John Jeffers: Well I felt cheated. I still do. Our team had such a good chance this year and we were playing really well. We waited for the bus and it never came. By the time we realised what had happened, it was too late to get there. Now we'll never know if we were good enough or not. That's terrible for all of us on the team. I believe we would have won.

Facilitator: Do you have anything to add to this, Ms. Jeffers?
[Pause]

Amy Jeffers: As John's mom, I've been involved in school hockey for years. It takes a lot – raising funds to their trips, getting up early to take them to practice. Then when there was this really big event; we made sure the bus was all arranged. I could have screamed. When Eileen called me with the news, I didn't know what to think. Who would have done this to the team? The incident has left the other parents and me very upset. We felt our hard work had been betrayed.

Facilitator: Mrs. Kingsman, I expect this incident has been difficult for you too. Will you please tell us how it has affected you?

Mrs. Kingsman: I felt sad and mad when I heard what had happened. My son is too old to be doing things like this. I thought I had brought him up to be a good boy. When I learned that Kyle had been telling his friends it was him who'd rung the Bus Company, I started to think about what I had done wrong. It hasn't been easy being a single parent. I want my son to finish high school and get a good job. I was embarrassed that my friends

and neighbours know that Kyle ruined the school's chances of playing the hockey game. I had to tell his grandparents before they found out from somebody else. That was the worst part.

Facilitator: Thank you. Now we have heard from all of the people involved. This concludes the first part of our conference.

The next part of our conference is about the resolution of the wrongdoing. I am going to ask the co-facilitator to lead this part of this conference. I thank everyone for his or her participation in the process so far. [take a 5-minute break here if necessary]

Co-Facilitator: Kyle, now that you have heard from all of these people, do you have anything to say to them? Let's begin with the hockey coach, Mr. Nelson.

Kyle: (Head down.) Sorry. It was a stupid thing to do, to stop the team from playing.

Co-Facilitator: Kyle, look at Ms. Hendricks and tell her what you are thinking.

Kyle: (Looks up) I didn't think about how many people at the school I was causing trouble for. I will never do anything like this again.

Co-Facilitator: Now, Kyle, how about Mr. Ferry, the bus driver.

Kyle: (Looking at Mr. Ferry) I am really sorry. I certainly didn't think about what it would mean for you and your company. I'm sorry I made that phone call.

Co-Facilitator: Do you have anything to say to the team leader, John Jeffers?

Kyle: (looking at John Jeffers) I am sorry that I made it so you didn't get a chance to play that game. I know our team would have had a good chance. I'm so sorry.

Co-Facilitator: Do you have anything to say to John's mother, Amy?

Kyle: Mrs. Jeffers, I am sorry that you and the other parents had put so much work into this, and that the team didn't get to play. I apologise.

Co-Facilitator: Kyle, there's one more person in this circle to whom you owe an apology, your mother.

Kyle: (This time his voice is shaky) Mom, I'm so sorry.

Co-Facilitator: We have come a long way here in a short time. I would now like us to discuss what to do to make things better and repair the harm. We need to look at what can be done to restore the balance. Mrs. Kingsman, do you have any thoughts about what we can do to repair the harm and restore balance?

Mrs. Kingsman: Kyle is a pretty good kid. He helps me around the house. He does pretty well in school. I don't have to tell him more than once to do something and he does it.

Co-Facilitator: Has Kyle ever been in trouble before?

Mrs. Kingsman: No. This is the first time.

Co-Facilitator: Mrs. Kingsman, what do you think would help Kyle?

Mrs. Kingsman: Well, I think Kyle needs to do something to repair the worry and upset he's caused everyone in this room. I want him to be really sorry and not to do this again.

Co-Facilitator: Is there anything else you'd like to tell us?

Mrs. Kingsman: I guess that I just want you to know that Kyle is a good kid. He's never done anything like this before.

Co-Facilitator: Let's find out from the rest of you what you would like to see happen as a result of this conference. I'll start with the hockey coach, Cary Nelson.

Mr. Nelson: I'm impressed by what Mrs. Kingsman said. I think that Kyle should have a chance to prove that this will never happen again. I would like to see Kyle write a letter of apology to everyone on the team, and to the parents involved. I would also like to see Kyle get some help with his anger.

Co-Facilitator: Mr. Ferry, what do you think Kyle could do to repair the harm he did to the bus company?

Mr. Ferry: When I came here tonight, I was really thinking that I would ask for a lot from Kyle, maybe fifty hours of work at the school, cleaning up the schoolyard or something like that. However, now that we have met face to face and I see how difficult it was for him to come here tonight and how sorry he is for his actions I really don't want anything more—except maybe a letter of apology that I can make available to my staff at the bus station.

Co-Facilitator: Let's hear now from the school principal, Eileen Hendricks.

Eileen Hendricks: Well I am in favour of letters of apology all round. To me it's very important that Kyle do some counselling for his anger. I'd like to see Kyle meet with the Outreach Worker and have Kyle attend an anger management course.

Co-Facilitator: What do you think, John Jeffers?

John Jeffers: I like what the coach said. But I also think that Kyle should do something concrete to help hockey in the school. Kyle is a pretty fair hockey player – he just missed out for the playoff team. We always need older students who can help out with the juniors,

doing practice drills with them. I'd like to see Kyle volunteer his time with the grade 8 beginners, if that's OK with the coach.

Mr. Nelson: Fine by me. It's a good idea, John. We could use the help.

Co-Facilitator: Mrs. Jeffers, do you have any ideas about what you like to see Kyle do to repair the harm and restore balance in the community?

Mrs. Jeffers: I agree with Mr. Ferry and Mr. Nelson. A letter of apology to the parents would be a good idea, as well as the letter of apology to the students and the Movem Bus Company. I agree that I would also like to see Kyle get some help with his anger.

Co-Facilitator: Kyle, do you have any ideas?

Kyle: Those ideas sound OK to me.

Co-Facilitator: Thank you, everyone. Let's now move to the final part of the conference, which focuses on the outcome. _____ the Facilitator will lead this part and I will record what we agree. [can take a 5-minute break if necessary]

Facilitator: Are we all agreed that Kyle will write letters of apology to the team and coach, to the school, to the parents, and to the bus company?

Everyone: Yes

Facilitator: Kyle, do you agree to do this?

Kyle: Yes.

Facilitator: We've had some other suggestions here. One was that you meet with the Outreach Worker to arrange for an anger management course.

Facilitator: Are we all agreed that this should happen?

Everyone: Yes.

Facilitator: Would you be willing to do that, Kyle?

Kyle: Yes, I would.

Facilitator: We also had a suggestion of helping to coach the minors. Mr. Nelson, how would that work? How many hours a week would be suitable?

Mr. Nelson: How about three hours on Saturday morning until the end of the season? That's three months away.

Facilitator: Are we all agreed that this should happen?

Everyone: Yes.

Facilitator: Kyle, would you agree to coach the minors at the rink on Saturday mornings for the next three months?

Kyle: OK.

Facilitator: We have one last matter to consider. We have a peer volunteer who is willing to act as Kyle's mentor. Is the group willing to have _____ act as Mentor?

Everyone: Yes.

Facilitator: Is there anything else anyone wants to say before I close the conference?

_____ (the co-facilitator) will write up the Agreement.

Thank you all for your participation. This Peer Resolution Conference would not have been possible without you.

[Closing prayer from an Elder if appropriate]

The Recorder then writes up the agreement, which everyone present must sign, and refreshments are shared.

JASON AND THE FIRE ALARM (Elementary School)

This conference is based on a real case, but the names and some of the facts have been changed to protect the youth's identity.

Background

Jason Grewal, a 12-year-old who lived with his mother, a single parent, in the interior of British Columbia, was known to police, but he did not have a criminal record. When Jason was questioned by the police, he immediately confessed and he appeared to be scared and remorseful. The police officer gave Jason an opportunity to participate in a Peer Resolution Conference for Youth rather than sending the information on to Crown Counsel. If the incident had gone to court, Jason likely would have been charged with mischief.

Before the conference, the Facilitator spoke with Jason, his mother, the Principal, the Vice-Principal, and the investigating police officer. The Facilitator explained the conference process and confirmed the date, time and place. Jason could invite anyone else to support him, such as other members of his family, friends, teachers or coaches.

The Principal of the school was at the conference to represent the concerns of the victims, which, in this case, were the students, the staff and the members of the fire department. The Principal was told that she and any other victims who attended should think about how Jason could repair the harm done by his actions.

Roles

1. **Respondent: Jason Grewal**
2. **Parent/supporter of Respondent: Mrs. Grewal, Jason's Mother**
3. **Harmed Party/Victim: Ms. _____, Principal**
4. **Harmed Party/Victim: Mr. _____, Vice-Principal**
5. **Police Officer: Constable Jacobs**
6. **Facilitator and Mentor: trained youth volunteer**
7. **Co-Facilitator (is also Recorder): trained youth volunteer**

The Proceedings

The Facilitator sets up the chairs up in a circle and asks everyone to be seated around the circle. The victims and the officer should sit on one side of the Facilitator and Jason should sit across from them.

[Opening prayer from an elder if appropriate]

Co-Facilitator: Welcome. The Peer Resolution Conference is now in session. Would everyone please stand and take the oath of confidentiality? Say, “I do” if you agree: Do you swear or affirm that you will not reveal to anyone what is discussed at this youth Peer Resolution Conference?

Everyone: I do.

Co-facilitator: Please be seated.

Facilitator: Welcome. As you know, my name is _____ and I am the Facilitator for this conference.

Also here today are Constable Jacobs, who investigated the offence that brought us here today; Ms. _____, the Principal of _____ Elementary School, a harmed party/victim of the offence; Mr. _____, the Vice-Principal of the same school, another harmed party/victim of the offence. We also have Jason Grewal, the respondent, and Mrs. Grewal, his mother.

I will be assisted today in this conference by Co-facilitator and Recorder _____.

Thank you all for attending this conference. This conference will focus on an incident that happened on _____ at _____ Elementary School involving a false fire alarm. Jason has admitted his part in the incident.

We are not here to decide whether Jason is a good person or a bad person. We will focus instead on what Jason did and how his behaviour has affected others. Today we all have an opportunity to be a part of repairing the harm that has been done.

I will briefly review the structure and rules of the hearing. Each person will have the opportunity to speak without interruption, while the others listen with respect. The conference will be divided into three parts. In the first part, we will look at the impact of the behaviour. In the second part, we will look at possible resolutions, and in the third part, we will decide on one or more outcome(s) for the Respondent, Jason. We will ask all participants to agree on the outcome(s). In each of these three parts, we will hear from everyone in the circle.

As long as Jason participates and carries out the conference agreement, this matter will be finalised by this conference. Do you understand that, Jason?

Jason: Yes.

Facilitator: The first part of this discussion will be about the impact of Jason's behaviour. Jason, tell us what happened, and what you were thinking about at the time of the incident. [Pause]

Jason: (Softly—sounding shy and embarrassed) I was over visiting my friends at _____ School during the lunch hour. I don't go to that school. I go to _____ School. It was a nice sunny day. When the bell went for everyone to go back to class, my friends dared me to pull the fire alarm. At first I wasn't going to, but then I thought, "I'll bet all these kids would appreciate if I did pull the alarm. They could get a little fresh air."

Facilitator: What have you been thinking about since that incident?

Jason: I have been thinking that I wish I could go back to that day and do things differently. I have been wondering what's going to happen to me.

Facilitator: Who has been affected by your actions? [Pause]

Jason: (Again, softly and embarrassed) Well, kids at the school, my mother, the police officer...

Facilitator: In what way have these people been affected?

Jason: Well, I know all the classes were all messed-up. The kids were pretty excited. The teachers had just started their lessons. I caused them some stress. The Principal and Vice-Principal didn't know it was a false alarm, so I'm sure they were stressed-out. My mother has been very worried and embarrassed.

Facilitator: Now let's find out from those who were harmed about the way they have been affected. Let's begin with you, Ms. _____(Principal).

Principal: Well, my first concern was for the safety of the 550 students in the school and the 56 staff members. I immediately had to make sure they were all moving out of the school in an orderly fashion. When the fire alarm rang, I was in the middle of an important meeting with a student and his parents. We couldn't finish afterwards, so it meant a lot of concern and an extra meeting another day.

I am also here to represent the teachers who found the incident very disruptive. Classes had just settled in after lunch. Some teachers were giving tests. The kids in phys-ed class were supposed to participate in a mini sports tournament, but that had to be cancelled. The stu-

dents in home economics couldn't do the cooking project they had anticipated. The janitor had to find which alarm went off and determine whether it was really set off by a fire or not. Students and staff had to stay outside until we determined it was safe to come back in.

Probably the worst inconvenience was for the special-needs kids. Many of them have problems with movement. They like to be independent, but when we have a potential emergency we simply need to take control and do what we need to do to get these students to safety. Many of them were very shaken about having to be carried or wheeled out of the school by teachers and assistants. At least 20 minutes of more than 600 people's time was wasted, and many people were upset.

Facilitator: Thank you. Now let's see what the Vice-Principal has to add.

Vice-Principal: Well, my job is to first find out, along with the janitor, if the alarm is real. If it isn't, I have to quickly contact the fire department to tell them not to come to the school. If the fire department had come then they would not have been available for anyone else who might really have needed them. On the day of the incident, there was a fire at Fletcher's Mill fifteen minutes after the alarm was pulled at our school. If I hadn't reached the fire department soon enough, then this incident could have caused a lot more trouble than it did.

Facilitator: Constable Jacobs, how has this incident affected you?

Constable Jacobs: Well, our detachment has been understaffed for the past two months. Officers have been very stressed over all the work we have that never seems to get finished. Currently, I am investigating a hit and run, an arson, a serious threat, and a number of break-and-enters. I know when I get back to the office I will have more files on my desk and I also have to prepare for two court appearances this week. This incident gave me more work to do when I already have more than enough.

Facilitator: Mrs. Grewal, I expect this incident has been difficult for you. Will you please tell us how it has affected you? [Pause]

Mrs. Grewal: I felt personally so disappointed and embarrassed when I heard what had happened. I felt I had not done a good job of raising my son. It hasn't been easy being a single parent. I was embarrassed when my friends and neighbours heard that Jason had pulled the alarm. I guess rumours were going around the school. When I heard there had been an alarm, I wondered which stupid person had done that. Then I learned from the constable that it was Jason.

Facilitator: Thank you. Now we have heard from all of the people involved. This concludes the first part of our conference.

The next part of our conference is about the resolution of the wrongdoing. I am going to ask the Co-facilitator to lead this part of this conference. I thank everyone for his or her participation in the process so far. [take a 5-minute break here if necessary]

Co-Facilitator: Jason, now that you have heard from all of these people, do you have anything to say to them? Let's begin with Ms. _____ (Principal). Do you have anything to say to her? [Pause]

Jason: (Head down.) Sorry.

Co-Facilitator: Jason, look at Ms. _____ and tell her what you are thinking.

Jason: [Pause] Ms. _____, I didn't think about how many people I was causing trouble for. I feel very bad about those special-needs kids. I didn't even think of them when I pulled that alarm.

Co-Facilitator: Now, Jason, how about the vice principal, Mr. _____. Do you have anything to say to him?

Jason: (Looking at Mr. _____) I am really sorry. I certainly didn't think about the fire department and I didn't know about the fire at the Mill. I am lucky you were able to let the fire department know that it was a false alarm.

Co-Facilitator: Do you have anything to say to Constable Jacobs?

Jason: (looking at the Constable) I am sorry for all the work I caused you. I also know that I am lucky you gave me a chance to go through this conference.

Co-Facilitator: Jason, there's one more person in this circle to whom you owe an apology, your mother.

Jason: [Pause] (This time his voice is shaky) Mom, I'm so sorry. I will never do anything like this again.

Co-Facilitator: We have come a long way here in a short time, but the conference isn't quite over. I will now ask each of you to say what you would like to see happen as a result of this conference. I'll begin with the Ms. _____ (Principal). Do you think anything else should happen?

Principal: When I came here tonight, I was really thinking that I would ask for a lot from Jason, maybe fifty hours of work at the school, cleaning up the schoolyard or something like that. However, now that we have met face to face and I see how difficult it was for him to come here tonight and how sorry he is for his actions, I really don't want anything more—except maybe a letter of apology that I can make available to my staff and students. It wouldn't have to include your name, since most people don't know who pulled the alarm.

Co-Facilitator: Mr. _____ (Vice-Principal) do you have any thoughts about anything else you would like to see happen as a result of this conference?

Vice-Principal: Well, when I came here, I wanted revenge. I was angry but now I am not. I agree with the letter. It might help others to understand that no harm was meant and that Jason really is sorry. I also think that Jason should do some community service hours at the fire station.

Co-Facilitator: Constable _____, is there anything else you would like to see come from this conference?

Constable Jacobs: I like the idea of a letter of apology and maybe 20 hours of community service at the fire station. I think it would be good to have a letter written to the RCMP members in my detachment, too. This could help them understand what can come from a conference like this since it's new to our community and many members haven't participated in one. It could also help morale in the detachment. It's good to see that some offenders are remorseful and it's worth taking a chance on some people - especially first time offenders with a good attitude like Jason has shown here today.

Co-Facilitator: Mrs. Grewal do you have any suggestions about what should be done?

Mrs. Grewal: I think that Jason should be grounded for two weeks.

Co-Facilitator: Jason, do you have any ideas?

Jason: No, those ideas are OK with me I guess.

Co-Facilitator: Thank you, everyone. Let's now move to the final part of the conference, which focuses on the outcome. _____ the Facilitator will lead this part and I will record what we agree. [can take a 5-minute break if necessary]

Facilitator: All right, what we have suggested as an outcome that Jason write two letters of apology, one to the students and staff at the school, and one to the members of the RCMP detachment. Is everyone agreed?

Everyone: Yes

Facilitator: Jason, do you agree to write a letter of apology to staff and students at the school and to the RCMP detachment?

Jason: (with no hesitation) Yes, I could do that.

Facilitator: It has also been suggested that Jason do 20 hours of community service at the fire station.

Facilitator: Are we all agreed that this should happen?

Everyone: Yes.

Facilitator: Jason, do you agree to do this?

Jason: (sounding almost relieved) Yes, I can do that.

Facilitator: And one other suggestion was that Jason should be grounded for two weeks. Are we all agreed that this should happen?

Everyone: Yes.

Facilitator: Jason, do you agree with this?

Jason: (looking sheepishly at his mother) Yes, that's fair.

Facilitator: Does anyone else have any other suggestions? Well, let's look at some time-lines. How long do you think it will take you to write the letters, Jason?

Jason: I can write them tonight.

Facilitator: Just to be sure, let's give you three days. Mrs. Grewal, can I count on you as a supporter of Jason here today to see that those letters are written?

Mrs Grewal: Yes. Will you give us addresses for mailing the letters?

Facilitator: Yes, we will include that in the agreement we all sign here in a few minutes. We will all get a copy of the agreement. _____ (the Co-facilitator and Recorder) will also include a few comments about what should be included in each letter, but, of course, the actual wording of the letter will be Jason's.

Facilitator: Jason, as discussed earlier, I will also act as your Mentor in this case, so I ask that you also send me copies of the letters you write, so I can close this file when you have fulfilled your obligations. Jason, you will need to contact the fire station for the community service hours, and I will need a letter from them stating that you have completed those hours.

Jason: OK.

Facilitator: Is there anything else anyone wants to say before we close the conference?

_____ (the Co-Facilitator) will write up the Agreement.

Thank you all for your participation. This Peer Resolution Conference would not have been possible without you.

[Closing prayer from an elder if appropriate]

The Recorder then writes up the agreement, which everyone present must sign, and refreshments are shared.



UNSCRIPTED CONFERENCE OUTCOME SCENARIOS

- **Jessica Joyner (High School)**
- **Justin Knox (Elementary School)**

JESSICA JOYNER (HIGH SCHOOL)

Directions:

In small groups, decide what conference outcome you will give each of the respondents. Be prepared to explain your answers. Use these documents to assist you:

- Restorative Justice Outcome Options
- The Deliberation Process

Then, fill out

- Form H: Peer Resolution Conference Agreement and
- Form I: Supervision Record for Mentors

Facts:

- Jessica Joyner is a 14-year-old who was picked up by the police for skipping out of school and taken back to school. She was stopped on the street at an espresso stand during school hours on a school day. Her reason for not being in school was that “the teachers don’t care and she wanted to have mocha”.
- During the first four months of school, Jessica has missed five full school days plus the last two periods of five other days.
- Policy requires that the school take specific actions, including notifying the parents, arranging a meeting with parents and the student, and adjusting the school program. The school did not take the required actions in Jessica’s case.
- Jessica lives with her parents and has a twin brother. Her parents both work and are gone 10-12 hours per day, so she and her brother are often alone at home during the time they are not in school. Her parents both assumed that Jessica went to school every day. Jessica does not get good grades, partly because she has missed so much school.

Roles:

1. Facilitator
2. Co-Facilitator (optional)
3. Mentor
4. Supporter/friend of Jessica

5. Jessica Joyner, Respondent

Jessica is a 14-year-old grade nine student at Maple Grove High School.

Jessica has had a difficult transition to high school. She went to a small, middle school and now is in a large urban high school. She and her twin brother, Julian, are close. He is in the school jazz band, which meets after school every day, and is not around as much as before.

Jessica feels that her teachers don't know her and don't care whether or not she is in school.

Jessica has skipped school at least five entire days at other times this year as well as the last two periods at least five other times.

Her grades are mainly C's and D's. She likes to play the guitar and wants to be a musician when she grows up.

6. Beverly Joyner, victim (Jessica's Mother)

Beverly Joyner works for a retail store. It takes her one-hour each way to drive to her work. She leaves the house at 8 a.m. and gets home at 7 p.m. Her husband has a similar schedule.

Beverly Joyner had no idea that Jessica was not in school. She thought that Jessica took the bus to school and did her work. Jessica has always had a difficult time with school subjects she was not interested in, and it has always been hard to get Jessica to focus on her studies. She has grounded Jessica for one month.

Beverly Joyner is irritated with the school administration for not contacting her sooner.

7. Mr. Ashe, victim (Vice-Principal at Jessica's High School)

Jessica's school records show that she has unexcused absences five times this school year. Additionally, she missed the last two periods of the day on five other days.

The school had a problem filling the position of the Attendance Officer, this is why the notification and follow-up with parents was a problem, but this has been solved now.

Jessica's grades are C's and D's and her second-term progress report shows that she is failing Social Studies. She also has D's in effort for most subjects; in other words, Jessica is not trying.

Because of Jessica's grades, she is not allowed to participate in music club, although she has musical ability.

Truancy is a problem at the school in general.

JUSTIN KNOX (ELEMENTARY SCHOOL)

Directions:

In small groups, decide what conference outcome you will give each of the respondents. Be prepared to explain your answers. Use these documents to assist you:

- Restorative Justice Outcome Options
- The Deliberation Process

Then, fill out

- Form H: Peer Resolution Conference Agreement and
- Form I: Supervision Record for Mentors

Facts:

Justin Knox is an 11-year-old who was caught by the teacher stealing \$3 from Taylor's book bag. Justin admitted to breaking the school rule against theft. This is the first time that the teacher has ever caught Justin stealing anything, however, she has had suspicions about him before that she could not prove.

Roles:

1. Facilitator
2. Mentor
3. Supporter/friend of Justin
4. Justin, Respondent

Justin is a grade 7 student at Eagleridge Elementary School. He is on the lunch program. Because he is very gifted academically, Justin is in the Highly Capable program. Many of his classmates come from wealthy families; he feels that things are unfair.

On the day that Justin took the \$3 from Taylor, there was a special fundraiser at the school. Ice cream sundaes were being sold for \$3 to raise money for the band trip.

Taylor is a student that Justice has known since last year. Justin thinks Taylor acts superior to him because he comes from a rich family. Justin noticed Taylor buying treats for all his good friends; the rich kids. He thought that he was also entitled to be treated to an ice cream sundae and didn't think Taylor would notice that \$3 was missing.

Justin has lived with a foster family for a year, after his parents were arrested for selling drugs. Justin is totally against drugs and has not adjusted well to his foster family. Justin is depressed about his circumstances.

Justin does very well in science classes and hopes to be a computer programmer when he grows up.

5. Taylor, Victim/Harmed Party

Taylor is a grade 7 classmate of Justin's.

Although he isn't on the lunch program, money has been tight at his house since his father lost his job two months ago.

Taylor is a generous person and usually treats his friends when he can. Taylor and Justin are acquaintances, but not good friends.

Taylor felt quite upset that Justin tried to steal from him.

6. Mrs. Johnson, Victim/harmed party and supporter (Foster Parent)

Mrs. Johnson lives with her husband; their own kids are grown. They like to help kids who are having a hard time. Justin has been living with them for the past year.

Justin is quiet and polite and generally things have been going smoothly. He stays in his room a lot. He doesn't seem to have many friends. He's angry with his parents who are still in jail and doesn't want to write them or visit them.

This stealing behaviour upsets Mrs. Johnson. Justin seems to have a real chip on his shoulder about rich people. She's talked to him about working hard and getting ahead, but he seems to think the world is so unfair.

She told him to write an apology to Taylor and promise her that he wouldn't ever steal again. He did that. She's nervous, though, about whether this will stop.

7. Ms. Sanetti, Victim/harmed party and supporter (Justin's teacher)

Ms. Sanetti has taught the Highly Capable program here at Eagleridge Elementary for six years. She had both Taylor and Justin as students in grade six.

Ms. Sanetti works hard with her class to build a sense of community and team effort. The class does a lot of co-operative work.

For this reason, it was very upsetting for her to find Justin stealing from Taylor. She thought that the class had come to view each other respectful members of a team or family. She sees walls going up between the students when something like this happens.



UNSCRIPTED PEER RESOLUTION CONFERENCES

- **Lee and Dale – Pepper Spray (High School)**
- **Lisa Williams – Stealing (Elementary School)**

PEPPER SPRAY (High School)

Instructions to the trainer:

Read out the following fact pattern and assign the 10 roles on the following pages.

FACTS:

- Lee and Dale are two 15-year-olds.
- They pride themselves on being original thinkers who can come up with great ideas. When the whole school was out of the building on a fire drill, they went back in and sprayed a can of pepper spray onto the doorknobs of the administration office.
- One of the Administrative Assistants had a serious reaction to the spray.
- The Principal was forced to close down the school for the afternoon until they were sure that no other pepper spray had been sprayed in the building.
- When the principal found out it was Lee and Dale who had done the spraying, they admitted that it was them.
- The principal asked for a conference, and wanted to participate.

Facilitator

FACTS:

- Lee and Dale are two 15-year-olds.
- They pride themselves on being original thinkers who can come up with great ideas. When the whole school was out of the building on a fire drill, they went back in and sprayed a can of pepper spray onto the doorknobs of the administration office.
- One of the administrative assistants had a serious reaction to the spray.
- The principal, was forced to close down the school for the afternoon until they were sure that no other pepper spray had been sprayed in the building.
- When the principal found out it was Lee and Dale who had done the spraying, they admitted that it was them.
- The principal asked for a Peer Resolution Conference, and wants to participate.

You were asked by the school Principal to facilitate the conference. As such, you contacted the following people to participate in the conference:

Lee, Respondent #1

Lee's father/mother, Mr/s. Takahashi, supporter

Jean, Lee's supporter

Dale, Respondent #2

Dale's father/mother, Mr/s. Green, supporter

Dale's swim coach, Mr. Leavers, supporter

Principal, Mr/s. Kondrosky, victim

Administrative Assistant, Ms. Schorn, victim

Head Janitor, Mr/s. Colton, victim



Lee, Respondent

You are very ashamed of what you did because the Administrative Assistant was hurt.
You immediately apologise and agree to any reasonable consequences.



Dale, Respondent

You are scared about having all these people come together to talk about what you did.
In the conference, you are humble, and you feel embarrassed, especially when hear what happened to the Administrative Assistant. (You thought that the Principal would be the one to get the spray on his/her hands.)



Mr/s. Takahashi, Lee's Father/Mother

You are really embarrassed about what Dale did.
You feel very defensive about what happened.
Early in the conference, when the Principal is asked to speak, you interrupt. You are angry because Lee said the principal called Dale and Lee names when they got caught and you don't think that's any way for a principal to act.
Later, you apologise to everyone for what Lee did.
You agree to any reasonable consequence for Lee's actions.





Mr/s. Green, Dale's Father/Mother

You want everyone to know that you disapprove of what Dale did.

You think that having a Peer Resolution Conference puts too much power in the hands of "children." The staff should take care of problems. That's what they get paid for.

You came to point out that Dale and Lee are good kids. They don't generally act this way.

You agree to any reasonable consequence for Dale's actions.



Mr/s. Kondrosky, School Principal

You strongly disapprove of what Lee and Dale did.

You want to see consequences that get the message across to them and others in the school.

You deny calling Lee and Dale names.

As you watch the conference take place, you realise that the respondents have been powerfully impacted.



Ms. Schorn, Administrative Assistant

You had an asthma attack as a result of the pepper spray. You were sick and away from school for three days.

You can't believe that students would do anything so hurtful.

You are not sure that they realised the harm they could cause.

You want an apology and an assurance that nothing like this will happen again.





Mr. Leavers, Dale's Swim Coach

You wanted to be at the conference to support Dale.

Dale is a good swimmer, always makes an effort, and is a positive member of the team.

You are very surprised by what Dale did.



Lee's Friend Jean

You feel awkward about being at the conference. But you think a conference is a good way to deal with what happened.

You think what Lee did was stupid.

You want to let Lee know that you are still friends. You know that Lee will learn from this.



Mr/s. Colton, Head Janitor

You had to clean up after the spraying. It was a real mess. The clean up caused a major hassle for you and the rest of the staff.

You suffered from the smell of the pepper spray.

You are not overly upset, just overworked.

As the conference proceeds, you feel sorry for Lee and Dale, and support them.



STEALING (Elementary School)

Instructions to the trainer:

Read out the following fact pattern and assign the six roles on the following pages.

FACTS:

- Lisa Williams is a ten-year-old.
- She stole a box of chocolate bars from the school cafeteria.
- Lisa was caught and gave the box of chocolate bars back.
- The cafeteria operator asked the principal to deal with the matter.
- The Principal thought a conference would be a good option for dealing with the offence.



Facilitator

FACTS:

- Lisa Williams is a ten-year-old.
- She stole a box of chocolate bars from the school cafeteria.
- Lisa was caught and gave the box of chocolate bars back.
- The cafeteria operator asked the principal to deal with the matter.
- The Principal thought a conference would be a good option for dealing with the offence.

You were asked by the school Principal to facilitate the conference. As such, you contacted the following people to participate in the conference:

Respondent: Lisa Williams, who says she will come to the conference. She seems very afraid and doesn't know what is going to happen to her.

Respondent's parents: Mrs. Williams is shocked by Lisa's behaviour and readily agreed to come to the conference. Mr. Williams says his daughter "just did it on a dare" and thinks everyone is making "too big a deal about it."

Cafeteria operator: The cafeteria operator, Mr. Tran, is very upset about the theft, because there have been several recently. He doesn't think Lisa was involved with the other incidents, but is concerned about the way students behave these days.

Vice-Principal: Is worried about the recent thefts in the cafeteria. S/he does not think Lisa is involved in the other incidents, but is surprised and shocked that she did it. S/he is anxious to put an end to theft in the school.

Lisa's friend: Chris is a long-time friend of Lisa's. Lisa picked him as a supporter. He is shocked about what Lisa did.



Lisa Williams, Respondent

You have no objection about coming to the conference. In fact, you feel ashamed and afraid. You apologise immediately at the outset of the conference.

At the time you thought it was just a joke, but now you see how serious it was.

When Mr. Tran, the cafeteria mangers, asks you why you stole the box of chocolate bars, you explain that you did it for a dare, but that you knew it was wrong.

You never thought that Mr. Tran would be hurt. You had no idea there had been other thefts recently.

As you listen to Mr. Tran, you feel very ashamed.

You are co-operative and you are willing to accept any reasonable consequences.



Mrs. Williams, Respondent's Mother

You are very shocked about the incident.

You are very co-operative about having to come to conference, and appreciate that the school is providing this opportunity.

You worry about how this will affect Lisa's reputation at the school.

You apologise to Mr. Tran for what Lisa did.

You feel very bad because you realise that Mr. Tran is frightened by the recent thefts.

You will go along with any reasonable consequences. You are proud of Lisa for being able to take responsibility for what she did wrong.



Mr. Williams, Respondent's Father

You are embarrassed to have to come to this conference.

You worry about how this will affect Lisa's reputation in the school.

You know for sure your daughter didn't mean to hurt anyone. You think everyone has over-reacted.

You apologise to Mr. Tran for what Lisa did.

You don't want to see Lisa getting into "more trouble" because there have been other thefts from the cafeteria.

You will go along with any reasonable consequences. You will be glad to have the whole thing over and done with.





Mr. Tran, Cafeteria Operator

You are very upset about the theft. There have been several similar incidents recently.

You don't have proof that Lisa was involved in any of the other thefts.

When things are stolen, you end up having to pay for the stolen items yourself; this adds up.

You are very concerned about the way students behave these days — this happened very rarely in the past, and you want something done about it.



Vice-Principal

You are worried about the incident and want to tell Lisa how wrong theft is.

You worry that students in your school have stolen from the cafeteria several times this year already.

You think the theft reflects badly on the school.

You are relieved that Mr. Tran agreed to a conference.

You really do NOT want this to happen again in the school. You are pleased that Lisa is taking responsibility and is in agreement with any reasonable consequence. You want to make sure that the consequence sends a message to the whole school: no more theft!



Chris, Lisa's supporter

You have been Lisa's friend for a long time.

Lisa asked you to come to the conference.

You are upset about what Lisa did and you sympathise with Mr. Tran.

You offer support to Lisa to deal with the consequences of the conference





**SAMPLE MEDIATION
PROCEDURES AND SCRIPT**

SAMPLE MEDIATION PROCEDURES AND SCRIPT

Restorative Justice Model

Goals

1. Keep students in school
2. Incorporate Restorative Justice based practices
3. Hold youth accountable for their behaviour, and allow them to understand the consequences of their behaviour and give them the ways to make amends
4. Empower youth to accept responsibility
5. Allow victims to be informed about and involved in the justice process
6. Teach skills and values that are needed to live in our society
7. Provide an opportunity for volunteers to learn the skills needed to consider conflicting points of view and reach a reasonable and appropriate consequence

Uses

The Restorative Justice Model will work in conjunction with Steps 3 and 4 of the school's discipline model and may be used in cases of theft, disrespect, violence, bullying, and intimidation. In each case an assessment of the probable success of the model will be completed.

**Note: School's Discipline Model (See Appendix A)

Offences that could be dealt with using the Restorative Justice Model.

- | | |
|-------------------------|-------------------------------|
| 1. Bullying | 7. Truancy |
| 2. Drugs | 8. Smoking |
| 3. Alcohol | 9. Defiance |
| 4. Threats | 10. Assaults/threats to staff |
| 5. Theft | 11. Fighting |
| 6. Aggressive behaviour | 12. School safety violations |

Offences that will not be dealt with using the Restorative Justice Model

1. Sexual assault
2. Criminal acts with a charge
3. School act violations

Referral Process

The current practice for school discipline follows the School Code of Conduct outlined in Appendix A. This Code of Conduct allows behaviour to be modified within a progressive discipline model, which generally works as follows:

Step 1 – Student is allowed to modify minor behaviours on their own.

Step 2 – Parents become involved in behaviour modification

Step 3 – Behaviours are consistent enough or severe enough to warrant a contract meeting with parents. This is the point at which the value of using the Restorative Justice Model will be assessed.

Step 4 – Suspensions occur. The value of using the Restorative Justice Model will be assessed, as a rehabilitation measure.

At Step 3 or 4 of the process the principal will consult with parents, teachers, counsellors, vice-principal, youth liaison workers, and other adults with close contact with the child to determine the value of using the restorative justice model. The Assessment Tool form will be completed at this time.

Favourable probability of success using the Assessment Tool will result in the Restorative Justice Model being initiated.

*Mediation
Assessment Tool/Referral Process*

Date: _____

PART 1 – INCIDENT DETAILS

Contact Information

Student(s)/Supporters:

Incident (Please describe incident):

Comments from adult involved:

PART 2 – TYPE OF OFFENCE

The following offenses qualify for use of the school’s restorative justice model.
Which of the following offenses were part of this incident? (check as many as qualify)

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Bullying | <input type="checkbox"/> Threats |
| <input type="checkbox"/> Theft | <input type="checkbox"/> Aggressive Behaviour |
| <input type="checkbox"/> Defiance | <input type="checkbox"/> Assaults |
| <input type="checkbox"/> Fighting | <input type="checkbox"/> School Safety Violations |
| <input type="checkbox"/> Drugs | <input type="checkbox"/> Alcohol |
| <input type="checkbox"/> Truancy | <input type="checkbox"/> Smoking |
| <input type="checkbox"/> Other: _____ | |

Note: The following Offences will not be dealt with using the school’s Restorative Justice Model.
Sexual assault, Criminal acts with a charge, School Act violations

PART 3 - ADMISSION OF GUILT

Did the respondent admit to the offence? Yes No

PART 4 – WILLINGNESS TO PARTICIPATE IN PEER RESOLUTION CONFERENCE

Student(s)/Supporters

- | | |
|-------|--|
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

***Mediation
Agreement Form***

PRC Date: _____ Mentor: _____

Student(s)/Supporters

Student(s)/Supporters

_____	_____
_____	_____
_____	_____

Previous Consequences - for this type of offence.

Apology (Names and check appropriate)

Verbal

Written

Completion Date

	Verbal	Written	Completion Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Restitution – Include restitution and deadline date

Other Consequences – Include consequences and deadline date

Signatures

Student(s)/Supporters

Student(s)/Supporters

_____	_____
_____	_____
_____	_____

Mediation Facilitator's Script

ROOM ARRANGEMENT

- Before participants arrive, arrange the seating according to the seating plan.
- Place name tags on the seats.
- Have tissues, script, agreement forms, etc. ready
- Ensure that juice, cookies, napkins, and glasses are in place.

GREETINGS

- Greet each person upon arrival.
- Invite the victim/supporters and the respondent/supporters to wait in separate areas if possible
- Using the seating plan, seat the respondent and supporters first, then remaining participants

INTRODUCTIONS

- Introduce yourself.

Example:

“Hello. I’d like to begin by introducing everyone. My name is _____ and I will be facilitating today’s conference.”

- Introduce each participant and indicate his or her relationship to the victim, respondent or incident.

THE RULES

- Welcome everyone
- Layout the incident in general:
 - a. We will be concentrating on what happened on (date) between _____ and _____,
 - b. The place where it occurred.

Example:

“Your presence here today is appreciated and shows a willingness to resolve this situation. We will be concentrating on what happened... *(Give basic details of incident, date, and place without elaboration.)*

- Explain that our goal is to:
 1. Deal with what the respondent did.
 2. How the incident affected others
 3. Not judge the respondent
 4. Find ways to repair the harm that was done.

Example:

“We will be dealing with what _____ did and how others have been affected. It must be understood that we are not here to judge _____’s character. Instead, we are here to learn how others have been affected by _____’s unacceptable actions and to find ways to help _____ to understand the impact of his/her actions and to repair the harm that has been done.”

RESPONDENT(S)

- Have respondent(s) tell what happened
Have them say it to the victim

Key questions to ask the respondent(s) to solicit a complete story:

1. How did you come to be involved in this incident?
2. What were you thinking about at (specify specific, critical points of the incident)
3. Who do you think has been affected by your actions?
4. In what way have they been affected?

Example:

“ _____ has admitted his (her) role in this matter and we will start by asking him (her) to tell us what happened.”

VICTIM (S)

- Find out from victim how they were affected.

Key questions to ask the victim (s) to solicit response:

1. What did you think immediately after?
2. How has this affected you?
3. How did your family and friends react when they heard what happened?

Example:

“ _____ , what was your first reaction when this happened?”

VICTIM SUPPORTERS

- Get their information about the incident and how they are feeling.

Key Questions:

1. How did you find out about what happened?
2. What did you think when you heard about it?
3. How did you feel when you heard what happened?
4. What has been happening with (victim) since this happened?

RESPONDENT SUPPORTERS

- Get their information about the incident and how they are feeling.

Key questions:

1. “How did you find out about what happened?”
2. What did you think when you first heard about it?
3. What has happened with (respondent) since this happened?

RESPONDENT

- Find out if the respondent has anything to add and how they are feeling now

Key Questions:

1. Is there anything you would like to say to (victim) or to anyone else here?

Example:

“_____ , before we move on, is there anything you would like to say to (victim) or to anyone else here?”

AGREEMENT

- Explain consequences that are already in place. (from Agreement form)
- Find out if victim and supporters need anything else to happen to repair the harm.
- Find out if the respondent and supporters have anything else that they would like to see.

Example:

“Now that we have heard from everyone, I would like to explain the consequences that are in place for _____.” Explain consequence.

Go to victim supporters:

“After hearing all that has been said here, is there anything else that you would like to see happen?”

Go to respondent’s supporters:

“After hearing all that has been said here, is there anything else that you would like to see happen?”

When the agreement has taken shape:

We seem to have an agreement. It is my understanding that the agreement is as follows: (Read out Agreement)

“Is everyone satisfied with this agreement?”

CLOSING THE CONFERENCE

- Read back the agreement to ensure the group’s decision is accurately recorded.
- Go around the circle and give everyone an opportunity to speak if they wish.
- Give each person the chance to say anything else they would like to say.
- When writing up the agreement, you must ensure that it is exactly what the group intended; that it contains monitoring arrangements, deadlines and the specifics of who does what...when...where...and how much.
- Distribute copies of agreement.
- Serve refreshments.

DO NOT rush people out of the conference room – remember that much informal reintegration will be happening now.

Example:

“Participating in this conference and the completion of this agreement will go a long way toward helping _____ to understand the effect of their behaviour on others and repairing the harm that has been done. Is there anything anyone would like to say before we close?”

“Thank you all for coming; I hope it’s been worthwhile for you.

Appendix A

STUDENT CODE OF CONDUCT

Students are representatives of _____ (school name) and are subject to the school's Code of Conduct. It is expected that students understand their rights and live up to their responsibilities as laid out in the school's Rights and Responsibilities. To demonstrate their understanding, student's will:

- value education and lifelong learning (LEARNING)
- show respect for people and property (RESPECT)
- demonstrate safe behaviour in all activities, at all times (SAFETY)
- be responsible and accountable for their own behaviour and actions (RESPONSIBILITY)

Students not carrying out responsibilities will be subject to a process of natural and progressive consequences.

The process will generally progress as follows:

1. Consequence will include an opportunity for the student to change their behaviour on their own.
2. When a pattern of behaviour develops, there will be a short-term consequence and a student generated Plan of Action to modify behaviour, signed by student, parent, teacher and principal.
3. If a pattern persists, the consequence will include suspension of privileges and parents will be involved in the creation of a formal Student Behaviour Contract to modify behaviour.
4. If pattern continues, consequences will include suspensions.

Note: Infractions involving bullying, intimidation, disrespect, violence and theft will not be tolerated and will automatically move to Step 3 of the process.

To Do:

- a. Respondent/Victim Preparation Package
- b. Agreement form