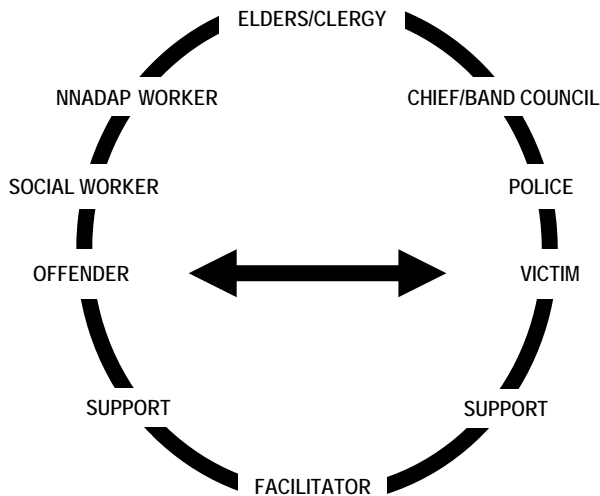


THE PARTICIPANTS OF A RESTORATIVE JUSTICE CIRCLE ARE:

- The victim and his or her supporters (i.e. family members, friends, etc.)
- The offender and his or her supporters (i.e. family members, friends, etc.)
- Key persons involved in helping the offender and victim such as youth workers, social workers, teachers and counselors
- Elders
- Other concerned members of the community

RESTORATIVE JUSTICE CIRCLE



“EXERCISE YOUR RIGHTS”



FOR MORE INFORMATION ON THE RESTORATIVE JUSTICE PROGRAM CONTACT:

Restorative Justice Manager or Administrative Assistant

Thunder Bay, ON
1-800-465-5581
Tel: (807) 622-1413
Fax: (807) 622-3024

Restorative Justice Worker (East)

Matachewan, ON
Tel: (705) 565-2230 Ext. 232
Serving: Brunswick House, Matachewan, Mattagami, Wahgoshig, Chapleau Ojibwe

Restorative Justice Worker (Central)

Thunder Bay, ON
1-800-465-5581
Tel: (807) 623-4208
Serving: Eabametoong, Marten Falls, Neskantaga, Nibinamik, Webequie

Restorative Justice Worker (West)

Mishkeegogamang, ON
Tel: (807) 928-2414
Serving: Mishkeegogamang

Restorative Justice Worker (West)

Sioux Lookout, ON
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Restorative Justice Worker (West)

Red Lake, ON
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Serving: Deer Lake, Keewaywin, Poplar Hill, North Spirit Lake, MacDowell Lake, Fort Severn & Pikangikum

RESTORATIVE JUSTICE PROGRAM

“Maa-Mü-Nah-Chi-Ke-Win”



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WHAT IS RESTORATIVE JUSTICE ?

A Restorative Justice Circle is a unique method of achieving **alternative** justice. In specific criminal offences, a Circle is created to promote the repair of damage caused by the crime as well as healing between the victim and the offender. This is achieved without entering into the conventional court system.

The offender must take responsibility for his/her actions in order to be diverted to the Restorative Justice Program.

The eventual goal of a Circle is to reach what is called a Circle Agreement or a Circle Settlement. Within this Circle Agreement the offender agrees to take a course of action to repair harms caused to the victim.

It is a concerted effort to try and repair the damage that was caused to the victim and his or her family and to make the offender aware of his or her actions and effects. If the offender is successful in meeting the conditions (or the course of action undertaken in the Circle Agreement), the outstanding criminal charge(s) may be withdrawn.

It is very important to note that offenders, both youth and adults alike, are required to make a firm commitment to change their social behaviour patterns within the community and that Restorative Justice is not an easy way out of pending criminal charges. Criminal charges may also be re-initiated if the offender breaches the terms of the Circle Agreement.

WHO CAN REFER TO THE RESTORATIVE JUSTICE PROGRAM?

- Judges, Crown Attorneys, Duty Counsel
- Community Legal Workers
- Police Officers, Probation Officers
- Chief and Council
- Principals & Teachers
- Community Resource Workers
- Parents & Individuals

WHAT ARE SOME EXAMPLES THAT CAN BE REFERRED TO RESTORATIVE JUSTICE?

It is important not to have strict policies on which cases can be referred to a Circle. Each case and all its circumstances should be reviewed to determine eligibility.

Circles are being used for civil matters, child custody cases, neighborhood disturbances (e.g. barking dogs, loud music), workplace disputes and harassment. In schools, Circles are being used for serious discipline problems like bullying, truancy and harassment.

For Criminal matters, Circles are ideally used as a pre-charge diversion at the investigating officer's discretion. This process has been used for both young offenders and adults for the following types of cases:

Pre-Charge:

- Theft Under
- Assault
- Break and Enter
- Breaches
- Mischief Under
- Highway Traffic Act

Post Charge:

Less than \$5000.00

- Theft, s. 334
- Take Motor Vehicle Without Consent, s. 335(1)
- False Pretence, s. 362(1) & s. 362(2)
- False Statement, s. 362(1) & s. 362(2)
- Break & Enter, s. 348(1)
- Assault, s. 266
- Mischief, s. 430(1) & s. 430(4)
- Cause Disturbance, s. 175(1)
- Highway Traffic Act

The Crown Attorney will carefully consider all of the circumstances of the particular charge before deciding whether the offence may be referred for services.

THE FOLLOWING QUESTIONS SHOULD BE ASKED WHEN CONSIDERING A RESTORATIVE JUSTICE CIRCLE

- Has someone been harmed?
- Is there a need to repair the harm?
- Has the offender admitted responsibility?
- Could a RJC cause further harm?
- Does the victim want this process?

Participation by all parties (victim, offender, etc.) must be voluntary. A forum should be considered when the offender has made an admission and agrees to participate.

WHAT TYPE OF DISPOSITIONS, CONDITIONS OR REQUIREMENTS MAY BE INCLUDED IN THE RJ AGREEMENT?

Throughout the years that we have delivered the Restorative Justice Program, the following are some of the conditions of Care Plans, which have resulted from the "Circle":

- Volunteer work in the community—tend to Elders, get firewood, do shoveling, gather food, volunteer at or attend community events
- Apologies
- Fines
- Written or verbal apology
- Attend presentations
- Attendance at school
- Testimonies, the sharing of stories to provide a Teaching
- Make and present gifts to the persons harmed
- Attend a treatment program or self-help program