

# The Participants of a Restorative Justice Circle

- The victim and his or her supporters (family members, friends, etc.)
- The offender and his or her supporters (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

The victim and his or her supporters (family members, friends, etc.)



## Head Office

### Nishnawbe-Aski Legal Services Corporation

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### Goal of the Program:

The intent of the program is to guide youth towards a better understanding of how their behaviour affects others within the community. After which the youth will work towards making amends by giving back to the community in a meaningful way. By accomplishing this the youth will gain a new insight into the cause and effects of their behaviour.

In addition, the program may help youths to develop new skills and interests, allowing them the opportunity to seek out new training opportunities.



# Community Youth Justice Program

“Maa-Mii-Nah-Chi-Ke-Win”

## Who can refer?

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

## How does it work?

Through Nishnawbe-Aski Legal Services proven Restorative Justice model, Community Youth Justice Workers (CYJWs) will receive youth diversions from the courts, police and probation officers in the communities that they serve.

Once diverted, the CYJWs will begin to plan for a justice circle to take place where the youth will be afforded the opportunity to fully understand their behavior and how it has affected those around them in a manner that is traditionally and culturally suited to them.

Through the involvement of the victim, offenders and the community, the CYJWs will facilitate healing circles towards a resolution that affords reparation, healing and successful re-integration while preventing further harm. Youth will be held accountable for his/her actions.

## Examples of referrals:

In schools, circles are being used for serious discipline problems like bullying, truancy and harassment.

For Criminal matters, circles are most commonly 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
- ❖ Assault
- ❖ Break and Enter
- ❖ & more

### Post Charge:

- ❖ Less than \$5000.00
- ❖ Theft Under \$5000
- ❖ Take Motor Vehicle Without Consent
- ❖ Break & Enter
- ❖ Assault
- ❖ Mischief Under \$5000
- ❖ Cause Disturbance
- ❖ & more

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

## Questions to ask:

- ✓ **Has someone been harmed?**
- ✓ **Is there a need to repair the harm?**
- ✓ **Has the offender admitted responsibility?**
- ✓ **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.



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## The following may be court ordered:

With dispositions through the Court, youth may be required to do some form of Community Service Work such as:

- ✓ Volunteer Work in the community
- ✓ Apologies
- ✓ Fines/Restitution
- ✓ Written or verbal apology
- ✓ Attending presentations
- ✓ Attendance at school
- ✓ Testimonies, sharing of stories to provide a teaching
- ✓ Making and Presenting gifts to the persons harmed
- ✓ Attending a treatment program or another self-help program