

PARTICIPANTS OF A RESTORATIVE JUSTICE CIRCLE

Participants often include:

- The victim(s) and their supports (family, friends)
- The offender(s) and their supports
- Key persons involved in helping the offender and victim (youth workers, social workers, teachers, counselors)
- Elders
- Community representatives
- The facilitator

WHO CAN REFER?

Referrals can come from a number of sources including:

- Community Legal Workers
- Police Officers, Probation Officers
- Chief and Council
- Principals & Teachers
- Community Resource Workers
- Parents & Individuals
- Neighbourhood Watch



For more information, or to refer a client to the Pre-Charge Restorative Justice Program, contact rjreferral@nanlegal.on.ca



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PRE-CHARGE RESTORATIVE JUSTICE

NISHNAWBE-ASKI LEGAL SERVICES



WHAT IS PRE-CHARGE RESTORATIVE JUSTICE?

Restorative justice is defined as an alternative form of justice that focuses on addressing the harm caused by crime while holding the offender responsible for their actions. A healing circle is done in this process, and provides an opportunity for the parties directly affected by the crime (victims, offenders and community members) to identify and address their needs in order to repair the harm caused by the crime.

Pre-charge restorative justice means that diversion methods are used before criminal charges are laid. If the offender is successful in meeting the conditions set by the circle, then the matter is closed. If the conditions are not met the matter is referred back to the referring party for potential charges stemming from the offence(s) committed.

The principles of restorative justice are based on respect, compassion and inclusivity. Restorative justice encourages meaningful engagement and accountability while providing an opportunity for healing, reparation and reintegration.

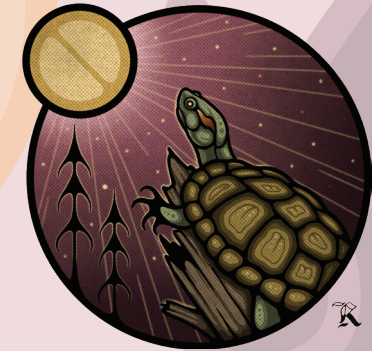
THINGS TO CONSIDER

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

ELIGIBLE OFFENCES

NALSC has flexible policies on which cases can be referred to the Pre-Charge Restorative Justice Program. Each case and all its circumstances should be thoroughly reviewed to determine eligibility. Eligible offences include:

- Theft
- Assault
- Break and Enter
- Breaches
- Bullying
- Mischief
- Trespass to Property
- Public Intoxication
- Impaired Driving
- Fail to Comply
- Disturbances



OUTCOMES AND AGREEMENTS

Agreements that may be made during a circle include:

- Volunteering in the community
- Tending to Elders
- Apologies
- Restitution
- Attending school
- Testimonies: sharing of stories to provide a teaching
- Attending a treatment/self-help program

Through motivation and understanding, restorative justice works towards changing the mindset of offenders, allowing them to live more positively and recognize their strengths as individuals. The aim is to replace ineffective non-traditional and culturally unsuitable justice systems with more culturally appropriate community based healing methods.