

PROGRAM UPDATES

► Find out more about new staff and recent program happenings.

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MOVING TOWARD A NEW HARM-FOCUS IN RJ CASES INVOLVING VIOLENCE

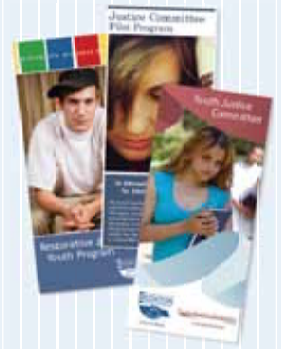
► An article by Alan Edwards.

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2008-2009 RJ TRAINING CALENDAR

► Guest trainers/speakers offer volunteers opportunities for professional development.

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○ VOLUME FOUR ○ FALL-WINTER ○ 2008

The Restorative Justice Program (RJP) provides the opportunity for victims, offenders and affected community members to meet face-to-face, in the presence of trained volunteers, in order to talk about the offence, how they have been impacted and what needs to happen to address the harm that has resulted.

Cases are accepted at any stage in the criminal justice process (pre-charge, post-charge, post-plea and post-sentence). Referrals may be made by police officers, crown attorneys, judges, probation officers, defence lawyers, social service agencies and participants (self-referrals). The program is open to both youth and adults.

Incorporating Our Values

In the first edition of RJournal, I wrote: "As a team, it's our challenge and commitment to provide services that are true to the values that guide our work..." I've spent the last nine years learning from colleagues and listening to the people with whom we work trying to discern just what those values are and mean, and reflecting on everything we, as program staff, say and do.

Last year's evaluation of our Youth Justice Committee program gave us the invaluable opportunity to discuss, identify and articulate our specific program values. The resulting document included a table outlining the four core values of our program, their supporting practices, operating principles and definitions.

In light of this information gleaned from the evaluation, we began a process of reflecting on all aspects of our program. This has entailed everything from examining how our Restorative Justice Program team works together, to reviewing forms, procedures, and trainings. For example, we have formed a working group including

Stacey Alderwick, our lead trainer, to integrate necessary material into all of our trainings. There will also continue to be opportunities for volunteers to be informed of and included in any programmatic changes. And yes, the dreaded "Co-mediator Feedback Form" has been revamped to be more useful and more consistent with our values.

These values provide a framework to do our best -- for our team that also means being open to challenges, thinking in new ways and considering new options for practice. One of the things we've been doing is training with Alan Edwards, a restorative justice practitioner from Edmonton who has developed RJ training that focuses on the distinction between conflict and violence. As we grow through engaging with Alan and his ideas, we are also working to incorporate some of these distinctions into our basic and advanced trainings. In this light, I am pleased to present Alan's article (see page 3).

- Michele Sauvé



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Program Updates

Private Information Court

In July, Kate Franklin became our Private Information Court Intern and took on the case management duties for this program. She attends court every Thursday, working with the Crown to divert cases to CMSD for mediation. With the help of a few dedicated volunteers, Kate talks to both the accused person and the complainant in these



cases, explains our process and offers them the opportunity to participate.

PIC cases have a few unique characteristics: they involve adults only, both parties are required to attend court and the cases typically resemble community mediations involving a history of conflict. The cases involve disputes between neighbours, landlords and tenants, family members and work colleagues, amongst others.

Youth Justice Committee

We welcome the new Youth Justice Committee Program Coordinator, Angela Klassen, to our RJ team. She has been in the position since the end of May, and reports that she is feeling comfortable in her role and is enjoying working with the young people in her program. An evaluation of the YJC was completed in April, and the results have been interesting and valuable. The evaluation helped to identify a list of core values that inform the RJ

program which include: Do No Further Harm, Deep Respect, Integrity, and Connectedness. The RJ team is working at more fully integrating these values in every aspect of program delivery.

Restorative Justice Youth Program

The Restorative Justice Youth Program continues to provide opportunities to effectively make a difference

in young people's lives. It involves cases with young people post-charge -- pre-sentence and post-sentence. The victim offender dialogue process which engages both offender and victim is utilized, as well as mediations and conferences which give a voice to family members of offenders who have also been impacted by the ripple effect of the criminal behavior. We have received 10 new referrals over the last 3 months from the 3 probation offices with whom we collaborate. Charges include assault, assault with a weapon, break and enter, possession of property obtained by a crime and damage to property. Much appreciation goes out to the Probation Officers at the North and both West Toronto Probation Offices for their continued support.

Adult Justice Committees

The Adult Justice Committee programs which serve the 1000 Finch and 2201 Finch Avenue courthouses have maintained a high success rate. The year to date numbers for both courthouses combined show that of those cases that proceed to mediation, there is 96% success rate for agreements reached. Of all the cases opened this year, 56% were successfully mediated and another 37% resulted in alternate forms of resolutions (i.e. peace bonds, diversion, or straight withdrawal). The coordinators for these programs are Sonya Hibbert and Lisa Nafziger. We want to extend our thanks to the Crown Attorneys who continue to support the program with their referrals.

How to Become a Volunteer

For more information please contact the Volunteer Coordinator, Brenda Kotras, at bkotras@cmsd.org.



Help make a difference in our community!

Moving Toward a New Harm-Focus in RJ Cases Involving Violence

by Alan Edwards

One of the exciting things about restorative justice is that it is constantly evolving. New insights, emerging from the fields of both theory and practice, continually challenge us practitioners to re-think aspects of what we do and why we do it. These changes are not always welcome or comfortable to entertain; sometimes they seem to rock the very core of what we understand good RJ practice to be about.

Of course, not all new ideas have merit, and some ideas with merit still do not make for good RJ practice. This means we must find meaningful ways to assess new developments in the field.

A standard question we ask ourselves, when presented with potential new ideas for practice, is “how congruent is this idea with (my understanding of) RJ values?”. In weighing new ideas against RJ values, we strive to be true to what we understand RJ to be about; at least in theory, a deep understanding of the values of RJ will lead to a wise evolution in our practice. However, RJ values need to be expressed in both our approach and our processes, and these areas are where we can get stuck in old practices that may not do what we might think they do.

Victim offender mediation, still the predominant RJ process, has its roots in conflict resolution approaches that were emerging and being codified in the 1970s and early 1980s. These approaches to conflict prioritized resolution, turn-taking, and cooperation for participants. Further, these

conflict resolution approaches usually favoured identifying “interests” (needs and values) and using active listening skills as a way for practitioners to assist in the development of understanding at the table. And, in a way, all of this makes sense for us to be doing in our RJ work.

Yet, our training reminds us that the participants in our cases were not charged by police with “being in conflict”; that's not why their case was referred to our RJ program. In cases involving violence, one person (or persons) was charged with committing an act of violence. This is where things can get muddy for practitioners.

If restorative justice practice is supposed to orient to harms as opposed to conflicts, our work as practitioners ought to be congruent with that orientation. Addressing violence by using the same approach (active listening, reframing, identifying interests, etc.) we take to addressing conflict may not be the most effective approach we could take. If we open ourselves up to the body of literature, written by those who work extensively with people who have experienced or committed violence, we begin to see that we may need to take a new approach in our own work.

What might we learn from people who work with the aftermaths of violence? In a word, *lots!* We might find out that the act of committing violence does not spring from the same motivation as the act of participation in conflict. We may hear that the experience of violence is enormously

different from the experience of conflict. We may learn what a different approach to working with victims of violence might look like, and why it may be different from what we are used to doing. We may learn ways of inviting accountability that are more responsive to what an offender may be needing from a restorative process. The possibilities are endless.

Restorative justice evolves, in part, because we cannot do our work in a vacuum; we need to be connected to other disciplines that can provide insight, support, and challenge to our work. Learning new approaches to working with violence, approaches that are still (or even more) congruent with our values, can bring greater value to our work and may more deeply meet the needs of the victims, offenders, and communities with whom we are privileged to work.



Alan Edwards

Alan is an Edmonton-based practitioner and instructor. He has been facilitating cases involving conflict, harm, violence, and abuse since 1998.

CMS-D wishes to thank our funders:

Ontario Ministry of the Attorney General

Ontario Ministry of Children and Youth Services

Restorative Justice Training

CMS-D provides customized training to organizations and groups in:

- restorative justice
- victim offender dialogue
- community conferencing

For more information contact Michele Sauvé at (416) 740-2522 ext. 21 or msauve@cmsd.org



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2008-2009 RJ Training Calendar

Working with Violence as a Factor in Restorative Justice Cases: An Advanced Restorative Justice Training with Alan Edwards

Alan's experience in working with cases involving violence over many years has led him to consider that working with violence requires that facilitators use approaches that differ substantially from approaches in non-violence cases. This 3.5-day workshop will address what sets violence apart from conflict, providing the knowledge and skills to distinguish the conflict/violence components, and how to work productively with both. Participants will learn salient aspects of violence theory, how to link a theory of violence to restorative justice values and practice, and what to listen for in victim/offender narratives that create openings for focused discussion about the violence.

Alan Edwards is an Edmonton-based practitioner and instructor. He has been facilitating cases involving conflict, harm, violence, and abuse since 1998. Currently, he is one of a small group of restorative justice facilitators in Canada working in the area of serious crime -- murder, sexual abuse, drunk-driving causing death, and so on. In addition, Alan has facilitated restorative justice dialogue in the sensitive and controversial area of domestic violence for many years. (This course does not address domestic violence.) Alan is a Senior Instructor in the Certificate Program in Conflict Management, a 210-hour training program offered by the Alberta Arbitration and Mediation Society since 2000. In addition, Alan has developed and delivered many training sessions throughout North America, and is co-author of 3 papers about RJ.

November 24-26 (Monday - Wednesday) 9:00 am - 5:00 pm and
November 27 (Thursday) 9:00 am - 12:00 pm
Cost: \$575
SPACE IS LIMITED

Volunteer Skills Development Nights (formerly Role Play/Information Nights)

Working with Violence as a Factor in Restorative Justice Cases with Alan Edwards
This evening offers the opportunity to dialogue with Alan about what separates violence from conflict, and how to work productively with both.

Thursday, November 20, 2008, 6:30 - 8:30 pm
Snacks will be provided.

Issues in Case Development with Angela Klassen and Cheryl Rodgers
Come and see 2 dynamic Case Managers role play real life situations. You'll be discussing differences between the programs and how to answer those tough legal and procedural questions.

Tuesday, January 20, 2009, 6:30 - 8:30 pm
Snacks will be provided.

Addressing Challenging Issues with Sonya Hibbert and Lisa Nafziger
Case Managers hear many challenges faced by volunteers in their cases. Hear about your colleagues' experiences and bring some of your own experiences to share. This night is designed

to meet your needs. Real life is much more interesting than anything made up!

Thursday, February 19, 2009, 6:30 - 8:30 pm
Snacks will be provided.

Parent/Youth Issues and Plans with Adil Ahmed and Hilary Salter
Cases involving youth and parents present special needs. Former Case Manager, Adil Ahmed and experienced volunteer, Hilary Salter share their learnings in an interactive evening focused on these unique cases.

Wednesday, March 11, 2009, 6:30 - 8:30 pm
Snacks will be provided.

Movie Nights
Come out for an evening of interesting discussion as we watch and talk about films from the restorative justice field. Lots of popcorn will be provided!

Monday, November 10, 2008 and Tuesday, February 3, 2009, 6:30 - 9:00 pm