

The Nanaimo Community Justice Forum: A Restorative Justice Partnership in British Columbia, Canada

BY LAURA MIRSKY

The Nanaimo Community Justice Forum (CJF), in the city of Nanaimo, British Columbia, Canada, is a fine example of how restorative justice can take root and grow in a community. The program is a partnership between the Nanaimo detachment of the Royal Canadian Mounted Police (RCMP) and the Nanaimo Region John Howard Society (NRJHS), a nongovernmental organization that has traditionally worked with offenders and ex-offenders.



**Randy Munro, Staff Sergeant
Royal Canadian Mounted Police**

Over the past six years, about 6,000 people in have participated in CJF restorative justice forums in Nanaimo. Statistics indicate the program's efficacy: 6-percent recidivism among offenders who took part in forums and high satisfaction rates among all forum participants. In addition, 97 percent of offenders have complied with the agreements reached in the forums.

The Nanaimo CJF partnership began in 1996, shepherded by RCMP Staff Sergeant Randy Munro and NRJHS program manager Violet Smith, who have been instrumental in its development and implementation. To introduce the program, Munro and Smith made public presentations to many groups, including Malaspina Uni-

versity, the Rotary Club, service clubs and the bar association.

At first, said Munro, CJFs were used for minor offenses, such as shoplifting and vandalism. Success with these cases inspired work with more serious crimes, including assault of police, arson, drug trafficking, domestic abuse and sexual assault. The first CJFs involved youth offenders, but now 30 percent concern adults.

The Nanaimo CJF partnership involves Crown counsel (government prosecutors), schools, the Canadian immigration service and corporate partners, such as retail stores. "Crown counsel understand the CJF process and make referrals to it," said Smith. Also, she said, "The courts can send a file back to the arresting officer, requesting that the offender be offered alternate extra-judicial measures under our Youth Criminal Justice Act, allowing for restorative justice."

Most potential CJF cases are referred by RCMP officers to the NRJHS, which then sets up and facilitates the forum. Officers decide which cases to refer, based on the nature of the offense and the offender's criminal record.

The CJF process has involved a change of mindset—a "paradigm-shift"—for police, said Munro, but in the last several years, "it's really taken off." All officers receive community justice forum training at the RCMP Academy in Regina. In Nanaimo, restorative justice culture is reinforced at every level, with ongoing training and support. "Everyone is aware that restorative justice is key to the Nanaimo detachment," said Munro. "Over a four-year period, 125 officers have referred cases to restorative justice and 117 have participated in a re-

storative justice forum, some as many as 32 times."

"Many people have asked how we've been able to sustain and grow this process," Munro continued. "The big part is because the police have stayed committed to the process. Other people see that we are committed and so they've stayed at the table as well. Our officers attend the forums. Our managers put the forums on the schedule, just like a regular court case. When officers are on duty, they're taken off the road and expected to participate in the process. They offer their insights as to what happened, as well as contributing their real-life experiences in the forum itself.

"What's exciting to the officers about the process is that they're making decisions; they're participating, not just doing paperwork and sending it to the Crown counsel, and whatever happens happens. They can monitor the person and see that they're actually making a difference. That's so important."

Before a forum can occur, an offender must admit culpability and a victim must agree to take part. NRJHS assigns a CJF coordinator, who contacts participants and sets up the forum: a restorative justice



**Violet Smith, Program Manager
Nanaimo Region John Howard Society**

FORUM

conference that brings together offenders and victims to deal with the impact of a crime. Offenders, victims, their supporters and referring officers attend the forum. A trained facilitator uses the restorative justice script to enable everyone to discuss what occurred and how to heal the harm caused by the offense. At the end, all participants sign an agreement concerning the offender's future actions, which is filed by the police department.

A mentor, often the officer who participated in the forum, supervises the offender's compliance with the agreement. The officer informs the NRJHS coordinator when the commitments in the agreement have been completed. Offender non-compliance is flagged by a Canada-wide police information retrieval system, which will indicate that the person has participated in a restorative justice forum. Munro is notified of any non-compliance.

Asked to recall a forum that made a lasting impression on him, Munro talked about "a straight-A, high-school student on the varsity basketball team" who sped through a radar trap, then, with two friends in the car, led police on a high-speed highway chase. "Horrendous speeds were reached; the officer thought of ramming the vehicle, when the car suddenly pulled over. The young man was arrested and charged with dangerous driving, speeding and failing to stop for a police car, causing a pursuit."

Munro convinced the arresting officer to refer the incident to a CJF. "Sitting through the restorative justice process, the young man came to terms," said Munro. The young man described his thoughts during the incident: He had gone through a radar trap before, and his parents had taken away his driver's license. So he panicked and forgot all about safety issues. "His friends were in the car yelling, 'Please stop!' And all of a sudden he snapped out of it. Because our officers didn't know what they were dealing with, it was a high-risk takedown: The kids were handcuffed, their

faces down on the ground. The young man realized he had caused that." At the conference, he took responsibility for the offense and apologized, showing real remorse. "It was extremely moving," said Munro.

In the traditional system, said Munro, the punishment for such an incident might have caused the young man "to go down the wrong path." Instead, the CJF facilitated learning and healing. Also, the young man's parents insisted that there be consequences: a fine for him to work off. All told, said Munro, "it was the right way to go."

The community is increasingly engaged in the Nanaimo CJF process. Said Smith, "Community partners, like school liaison [police] officers, make referrals and attend the forums; community members attend forums if we don't have support people for offenders or victims; and agencies in our community come as support, like ADAPT [Alcohol and Drug Abuse Prevention and Treatment Society] and Tillicum House, for First Nations."

The CJF school collaboration is flourishing. Referrals from school liaison officers are increasing, and school principals are participating in forums. Smith facilitated a forum at a high school, after a student defrauded 14 teachers by collecting funds for a phony charity. At the forum, attended by the student's parents and school staff, the student accepted responsibility for her offense. Afterward, she wrote and delivered letters of apology to the teachers and performed community service in school.

A relationship has also developed between Nanaimo CJF and the Canadian immigration service. A large, transient, multicultural population of international students attends a local college. If an international student gets into trouble with the law, a CJF is held, if the student is willing to accept responsibility and repair the harm that's been done. A representative from immigration attends the forum and suggests options to prevent the student from being deported.

The community justice forum model is used across Canada, part of a wider national restorative justice initiative. Restorative justice processes were influenced by North American Aboriginal and other traditional justice practices, in which everyone sits in a circle and speaks in turn, to resolve an issue affecting the community. The RCMP community justice forum resource guide can be viewed at: www.rcmp-learning.org/restjust/docs/ccap0001.htm.

Another successful partnership involves area "big box" [chain] stores, where shoplifting was a major problem. CJFs have eliminated repeat offenses among shoplifters who have participated in the forums, said Smith.

Smith believes that community justice forums have had a positive effect on Nanaimo as a whole. "I see our community developing healthier attitudes about how things should be handled," she said. "People know that there is support from the police, the schools and the community at large, so there's a better sense of safety in our community."

A recently published report explains the Nanaimo CJF process and presents results from a six-year program evaluation showing low recidivism rates for offenders and high satisfaction rates among program participants. To read the report, please go to: www.realjustice.org/library/nanaimorpt.html.

Munro and Smith attended the IIRP's international conference, Building a Global Alliance for Restorative Practices and Family Empowerment, Part 3, August 2004, in Vancouver, Canada, where they were presenters and were interviewed on videotape. For more information about the videotape, please go to: www.iirp.org/booksvideos.