

# **ABORIGINAL COMMUNITY HEALING PROCESSES IN CANADA**

PAPER PRESENTED AT THE INTERNATIONAL INSTITUTE FOR  
RESTORATIVE PRACTICES CONFERENCE

MANCHESTER, ENGLAND  
2005

Ed Buller  
Director, Aboriginal Corrections Policy Unit  
Public Safety and Emergency Preparedness Canada

## **INTRODUCTION:**

Issues of abuse within families and particularly Aboriginal families have been brought to the surface in Canada over the last decade. In response, a growing number of Aboriginal communities are developing holistic models of treatment for Aboriginal victims, offenders, families and the community as a whole. The approach taken is one that addresses the root causes of criminal activity and proactively engages offenders, victims and families to break the cycle of abuse. These initiatives work within the current criminal justice system while bringing a unique alternative to imprisonment that can lead to stronger and safer communities. Communities engaged in these healing approaches have seen benefits in terms of significantly reduced criminal activity and several other social benefits.

There is not one universally recognized definition of community healing. Some have described healing as being “about collective approaches to change that enhance Aboriginal cultural identity. It is about family and community crisis intervention, integrated human services, political cooperation and public participation in processes of planned change and institution building.”<sup>i</sup> The Four Worlds Centre for Development Education concludes that healing “ may therefore be strategically described as a process of removing barriers and building the capacity of people and communities to address the determinants of health.”<sup>ii</sup>

## **GENERAL PRINCIPLES:**

Over the past decade a number of Aboriginal communities in Canada have adopted healing models to address crime and victimization. While the number is still relatively small, and each community has adapted the principles of healing into processes that meet their individual needs, a number of general principles have emerged.

Community healing is not a program, which can be isolated into the work of a few individuals. Rather it is a community-wide process that involves a broad range of

community participants, whether they are paid to provide a service or are community volunteers, who work towards the common goal of community wellness.

Community healing is a dynamic process that continues to evolve through experimentation and learning but, regardless of the process chosen by a community, the goal of healing is to restore a sense of balance and wellness within the victim, offender, their families and the community.

Community healing processes become an exploration relationships and of the underlying causes that led to harm being done by a person to another person. Traditional teaching recognizes that people will always have different perceptions of what has taken place between them and that getting to “the truth” is less important than acknowledging and honouring the reality of those different perceptions. As the healing process unfolds, the actual criminal act becomes less important than the reasons behind the act and how individuals felt about the act.

While healing processes work to address the needs of all those individuals impacted by the act, the protection and safety of the victim is paramount. For any healing process involving both victims and offenders to be successful, the victim must agree, without coercion, to participate in the healing process and, just as important, the offender must admit his or her responsibility for causing the harm and acknowledge that the victim is not to blame. If either party does not agree with these pre-conditions, the process cannot proceed. It should be noted, however, that support is still offered to victims and their families even if they choose not to participate.

Community healing is a process, not an event. It is multi-faceted and multi-layered with no set time limitations. Healing proceeds at pace determined by the participants and cannot be rushed.

Successful community healing processes have a symbiotic relationship with the regular criminal justice system. In a number of cases, Aboriginal communities have written agreements with the police and Crown offices that define the respective roles and responsibilities of each party. These agreements set out the range of criminal activities that can be addressed through the community’s healing process and formalizes communications between the community and the criminal justice system.

A goal of any community healing process is to “delabel” individuals. Aboriginal people recognize that words have power attached to them. Words like “offender”, “victim”, “deviant” and “thief” all have the power to limit an individual’s self-perception and open the door to judgment from others. Both results limit the capacity of an individual to move beyond those labels to find a fuller existence and more positive relationship with others.

Whether one wants to acknowledge it or not, successful community healing processes in Aboriginal communities have all been started by women. In many cases, these women have been victims of abuse, some since childhood, and have grown to realize that they

could no longer live in an abusive environment and did not want their children to suffer as they had.

Healing processes have their roots in traditional Aboriginal culture, teachings and spirituality. They recognize that the spiritual plane is not simply a sphere of activity or belief, which is separate from the pragmatics of everyday life; instead, it seems to be a context from within which most aspects of life are seen, defined and given significance.<sup>iii</sup>

Central to all work done in healing processes is the Circle. The circle cannot be looked at as a metaphor but rather it is a natural and powerful way of thinking about the universe and healing. By its very nature, the Circle generates a power that comes from the balance it creates with those sitting around it. Individuals give to, and take from, that power to address their own needs and those of others in the Circle. Time ceases to have any meaning and physical, emotional and spiritual space expands towards infinity<sup>iv</sup>. To ensure that the integrity of the Circle is maintained, two significant steps must take place before the healing process can begin as stated earlier. First, the victimizer must fully admit his or her responsibility for the harm done and, second, the victim must agree, without coercion, to be a part of the healing process. Without both conditions being met, the healing process will not begin.

## **THE HOLLOW WATER HEALING PROCESS**

The Community Holistic Circle Healing (CHCH) process in the Hollow Water First Nation is arguably the most mature healing process in Canada; addressing the needs of sexual assault victims and victimizers since 1985. Hollow Water is an Ojibway community located 150 miles northeast of Winnipeg, Manitoba. The reserve is home to about 500 people with another 500 living off the reserve.

Up to 1984 Hollow Water was faced with a chronic alcohol and drug abuse problem, violence among men and between men and women, high unemployment and a severe breakdown in traditional cultural values. A number of people began their personal healing journey and in 1985 a 24 person Resource Team was formed. The Team included political leaders, service providers from all community agencies and a strong base of community volunteers. The team not only supported each other through their personal healing journey but also began to look at ways to support community development through training and co-ordinated agency efforts.

The first disclosure of sexual abuse came in 1986 and the Resource Team, most of whom had been affected by sexual abuse, knew there was no turning back. It became clear that as the veil of alcohol was removed, many of the people were holding on to acute anger, hurt and dysfunctional behavior patterns that were related to sexual abuse or some other violation that had been done to them in the past.<sup>v</sup> The Team consulted with a number of groups across North America who were dealing with similar issues and, in 1988, established their healing process to address sexual abuse.

The CHCH model evolved with the dramatic increase in sexual abuse disclosures that followed. It was recognized that a new negotiated relationship was required with all agencies having a stake in addressing sexual assault. Procedures were developed, and protocols signed with key stakeholders that defined how disclosures would be dealt with by the police and courts to allow for the community healing process to take place.

Hollow Water still views CHCH as an ongoing evolutionary process that involves working with victims, victimizers, their families and the community.

And as Berma Bushie, one of the founders of CHC, has said

"The spirit piece is at the very core. It has to be in place to bring people back to balance. The whole field of psychology and psychiatry has developed its own language to determine who has a disorder, and how to get people well. We don't have the same concepts or definitions. Ours is holistic. We don't label people. We understand that the decisions that we make today will affect our people for several generations, and we use a traditional holistic approach to human living problems. We want our people in our community because it's our heart and soul. Without the spiritual, balance will not be achieved, nor healing attained"<sup>vi</sup>.

CHCH is a thirteen-step process<sup>vii</sup> that begins at the time of disclosure and concludes with a Cleansing Ceremony. Hollow Water as being has defined the thirteen steps as being:

- Step 1: Disclosure
- Step 2: Protecting the Victim/Child
- Step 3: Confronting the Victimizer
- Step 4: Assisting the Spouse
- Step 5: Assisting the Family/ies/the Community
- Step 6: Meeting of Assessment Team/RCMP/Crown
- Step 7: Victimizer must Admit and Accept Responsibility
- Step 8: Preparation of the Victimizer
- Step 9: Preparation of the Victim(s)
- Step 10: Preparation of All the Families
- Step 11: The Special Gathering
- Step 12: The Healing Contract is Implemented
- Step 13: The Cleansing Ceremony

Over a period of ten years, a total of 107 victimizers, both male and female, have participated in the CHCH healing process. They included 81 male victimizers, 7 adult female victimizers and 19 young offenders (under 18 years of age). The majority was charged with assault, sexual assault or incest.

The total of 107 victimizers understates the number of people CHCH deals with and considers their responsibility. For each victimizer, there exists at least one victim and the families of both the victim and the victimizer, which are counseled and supported as a

key part of the healing process. Some of the victimizers have been convicted of more than one offence, which also increased the number of people (victims and families) involved. It is estimated that 400 to 500 people have received support from CHCH but it is more accurate to say the whole community has benefited.

Research indicates that the recidivism rate for sex offenses is approximately 13% and for any form of recidivism the figure rises to approximately 36%. Given that CHCH has had only 2 clients reoffend during the past 10 years (approximately 2% recidivism rate), one can conclude that Hollow Water has been more effective at “correcting” the behaviour of victimizers than the Canadian correctional system.

In 1999, the Department of Public Safety and Emergency Preparedness undertook a cost-benefit analysis of the Hollow Water healing process to determine whether the federal and provincial governments’ funding was a good investment. The CHCH healing process can be considered a diversion program that enables the victimizer to remain in the community, while participating in an intensive healing process where the victimizers are both accountable to the community and have an opportunity for real and sustainable holistic personal change. For Hollow Water, justice system costs were established by determining a cost for each step that a victimizer would go through. This included all processes from the first reporting of a suspected crime, through the police work, the trial, incarceration and parole to final release. By far the most significant cost is incarceration. Over a ten-year period, the federal and provincial government each contributed \$120,000 per year to CHCH. In return, it was estimated that the provincial government would otherwise have had to spend \$225,000 per year and the federal government would have had to spend between \$223,000 and \$1,000,000 per year.

If one were to determine the actual costs, they would vary from individual to individual, depending on the specific institution used, treatments, conduct during incarceration and a number of other factors that could not be determined. Further, costs reported in the study did not reflect the additional cost of psychological services and specialized sex offender treatment programs, which are acknowledged to be more costly than standard incarceration costs.

CHCH also receives considerable benefit from community resources. A Community Resource Pool (CPR), a core group of volunteers, is trained and assists counselors in many of their duties. This includes, but is not limited to: driving, suicide watch, participation in circles, and accompanying workers for safety. The community also provides support in other ways such as helping visitors who come to Hollow Water to learn and train in this restorative justice program.

The integrated nature of CHCH with the band and the community does not allow the calculation of a precise dollar value for the non-monitory contributions. A conservative estimate of 3,500 volunteer hours, at \$10.00<sup>viii</sup> per hour, would indicate that at least \$35,000 per year of volunteer time, services and support were provided, that would otherwise be paid staff time.

It needs to be recognized that any analysis of financial benefits to governments can only portray one part of the whole “benefit”. How does one weigh the intricacies of the healing process, and how does a community define or measure the value-added benefits of those processes? How does one put a dollar value on a child's smile, the mental, emotional, spiritual and physical components of wellness. How can one put a dollar figure on the power of the Spiritual resonance that underlies those processes or the core philosophy around which CHCH operates and bring healing to offenders and to the community? Suitable criteria have not been put into place, nor perhaps can it be, to quantify the threads of value or the parts that comprise the whole.

The research pointed to a number of other developments in Hollow Water that the community, itself, sees as benefits arising from the community healing process and the community development work that has taken place over the past decade. Other benefits to Hollow Water, as a direct or indirect result of CHCH have been:

- Pre-school and parenting programs have been established.
- Children are happier, feel safer and are more confident.
- Parents are seen to be more involved with raising children.
- About 50 children from other First Nations are in foster care in Hollow Water.
- No gang-related activities are reported in Hollow Water.
- Youth are remaining in school longer and remaining in the community.
- Slight decrease in dropout rate.
- Growing number of dropouts are returning to complete High School.
- More Hollow Water members are returning to the community.
- Residents from other First Nations are moving to Hollow Water as it is seen as a good place to live.
- Housing and full-time employment (major issues) are being addressed strategically.
- Alcohol abuse has almost stopped in the adult population and the community is addressing drug abuse among youth.
- Overall health of individuals fares well against the average Manitoban
- Community awareness has been heightened about proper nutrition.
- Life expectancy has risen from 63 to 70 years.

This research has shown that community healing processes have the real potential to use traditional values, culture and spiritual practices to improve treatment for offenders, their victims, families and the community. The research also points to the value to governments for the funds invested in community healing processes. The research completed in Hollow Water included a number of observations from noted individuals that exemplify the potential of healing processes that could evolve in Canada over the coming years.

Regarding the Hollow Water experience, the Canadian psychologist and internationally recognized authority on sex offender treatment, William Marshall, concluded,

"The real advantage of the Hollow Water program is that it is holistic in the sense of integrating treatment of the offender and the victim, their families, and the whole community... (T)he tradition of non-Aboriginal responses to sexual abuse is to separate treatment for offenders and victims, and to largely neglect reintegration with the community. (P)erhaps for a change non-Aboriginal people can learn from Aboriginal approaches rather than our traditional strategy of attempting to foist our ways on other people....

If we have learned anything from the errors of our past, it ought to be that Aboriginal peoples should have control over their own destiny and over their own problems. Indeed, we should have the good sense to learn from Aboriginal ways. Certainly their way of dealing with offenders of all types could teach us as much as we are likely to teach them."<sup>ix</sup>

Blanchard, a noted psychologist, also underscores the Hollow Water attitude and approach by referring to its method as "revolutionary". He also states,

"While our psychologically defined culture may find psychopath in a violent sex criminal and sentence that individual to life in prison, or even to death, Aboriginal healers believe such serious "disorders" are symptomatic of a serious rift in one's relationship to his/her fellow band members."<sup>x</sup>

"The story of Hollow Water is a community who is struggling to take back the power to help their people; they are doing this through cooperation, sharing of self and reverence for life. Using their knowledge of sacred teachings, they have found a manner of being that successfully realigns the individual inside the family, which is inside the community, which is a part of the universe/cosmos."<sup>xi</sup>

One staunch proponent of CHCH, The Honorable Associate Justice Murray Sinclair, speaks to the contributions made by Community Holistic Circle Healing in ways that marks the millennium of their achievements. In Justice Sinclair's words, Hollow Water plays a very important leadership role in establishing principles and benchmarks that solidify the relationship between justice and Aboriginal communities:

" (CHCH) has certainly enhanced the relationship between the community and the Justice system, and in particular, the Provincial court which is the main contact with the justice system, in addition to its relationship with the RCMP and probation services and the Crown attorney's office. The relationship historically has not been good and all the reports point to the deteriorating relationship that was the hallmark of Aboriginal and court contacts in the recent past, and since 1991. But in Hollow Water, it's different. The relationship has grown stronger. The court has recognized the excellent work of the Circle of Healing program and has recognized as well, the commitment of the people of Hollow Water toward resolving crime and addressing it in the way that's not only appropriate to their cultural needs,

but is also in keeping with the principles that the justice system itself is now adopting and adapting to".<sup>xii</sup>

### **IS THIS TRANSFERRABLE TO OTHER COMMUNITIES?**

This question still remains unanswered. Recently, a Gathering of Aboriginal Christian communities discussed whether the principles and practices of Aboriginal traditional healing processes could be integrated into their communities and spiritual practices. There was a strong consensus that there was a role for community healing within a Christian Aboriginal context.

In March 2005, there will be a Gathering of African-Canadian community members and Aboriginal people from Nova Scotia to explore whether healing principles are adaptable to the African-Canadian community. Early discussions indicate that there are opportunities for considerable sharing of ideas and activities.

Looking at the healing movement in Aboriginal communities, the gathering with African-Canadians in Nova Scotia will have to explore a number of underlying realities for healing to be adaptable and adopted. They include:

- A strong sense of community, albeit not necessarily limited to a geographic location;
- A willingness to work with the existing criminal justice system, and the system to work with the community;
- A strong sense of spiritual/religious cohesion within the community;
- A commitment from the formal and informal leadership in the community;
- A number of women in the community who are willing to lead the process;
- Recognition that unhealthy behaviour is learned, can be changed and must be addressed; and
- Patience.

These precursors to community healing, and probably others not raised in this paper, could be seen as a starting point for discussing the viability of establishing healing processes in any community and in any country.

## APPENDIX A

### THE THIRTEEN STEPS

It is imperative to know that the following steps are in constant process of evolving as each case comes up. This is due to the uniqueness of the victim, victimizer, families, and worker's needs. At this moment the process or steps are being reviewed and partially re-written to reflect the evolution of the process, thus the following is to be considered a draft.

#### Step 1: Disclosure

Disclosures come from many sources, some accidental and some intentional. They may come from a victim, a family member, a spouse, a community member who witnesses an abuse, or even the victimizer him/herself.

It is important that all members of the Resource Group be available to the community for disclosures. The person who receives a disclosure regarding the victimization of a child has three primary responsibilities:

1. to get as much information as possible as to the FACTS of the allegation;
2. to continue as "natural" ally to the person who made the disclosure; and
3. to pass the information to the Assessment Team Coordinator immediately.

Upon receiving this information, it is then the responsibility of the Coordinator to:

1. contact the RCMP a. to inform them of the disclosure; and b. to invite them to attend a meeting of the Assessment Team where the information received will be discussed and the subsequent intervention planned;
2. call a meeting of the Assessment Team to:
  - a. discuss the disclosure;
  - b. complete an assessment/history of the individuals and families involved; and
  - c. plan the actual intervention that will follow. This plan will identify specifically who is taking responsibility for what and when. The safety of all family/community members will be a primary factor to be taken into consideration in the details of the planned intervention.

3. ensure that all 13 steps of this process are followed in proper sequence (Steps 2 and 3 occur simultaneously, with priority given to step 3, protecting the child).

### Step 2: Protecting the Victim/Child

The person(s) from the Assessment Team taking responsibility for assisting the victim, using whatever Resource Group members necessary, must:

- involve Child & Family Services;
- identify a safe home and make arrangements for the victim's stay;
- validate the disclosure. Since the community will have a say in the role, which the court system will play, this process can concentrate on healing rather than punishment. The victim does not have to be defensive, and consequently, the openness of the process promotes the beginning of a return to balance of the individuals involved;
- take the victim to a safe home;
- ensure that an ally is available to the victim;
- ensure training and on-going support to the safe home; and
- make whatever arrangements are necessary for the victim (e.g., medical assessment, admission to victim's/survivor's group, etc.)

### Step 3: Confronting the Victimizer

Although the protection, support and healing of the victim takes priority, we believe that the major focus of dealing with sexual abuse needs to be shifted to include the victimizer, thereby also dealing with the source of the problem and beginning the process of restoring balance within the individuals, families, and community involved. The person(s) from the Assessment Team taking responsibility for assisting the victimizer should feel comfortable with alleged offender and see him/herself as a potential ally to the victimizer. It is also important that this person has already begun his or her own healing process. This person (confronter) using whatever Resource Group members necessary must:

1. approach the alleged victimizer and confront him/her with the information gained in the disclosure;
2. explain that the victim has been removed and will be staying in a safe home until the community can resolve the situation (The other option, if the alleged victimizer is willing, would be to "remove" the victimizer to a safe home);

3. explain that there is a good possibility depending upon:
  - a. the severity of the offence(s); and his/her willingness to cooperate
  - b. that the matter could be handled by the community, in conjunction with the court system;
4. make it clear that any attempt at interference with either the process or the victim will result in the community assuming a secondary role and the matter being handled primarily by the court system;
5. ensure that an ally is available to the alleged victimizer. This ally will have to be extremely sensitive to the potential for suicide and/or violence toward others, and offer non-threatening and non-judgmental support, without reinforcing the alleged victimizer's denial system;
6. inform the alleged victimizer that it will be necessary for him/her to:
  - a. accept full responsibility for what has happened; and
  - b. undergo a psychological assessment if he/she is going to choose the community alternative.
7. tell the alleged victimizer that he/she will be contacted within five days as to:
  - a. what the community concludes after completing the assessment; and
  - b. what the community can offer in terms of dealing with the offences(s) in a traditional healing manner;
8. make whatever arrangements are necessary for the victimizer, e.g., psychological assessment, admission to victimizer's group, self-awareness, etc.

#### Step 4: Assisting the Spouse

As with the alleged victimizer, this can be an extremely difficult time for the spouse. Denial, anger, possible suicide, and potential violence toward others are all real possibilities. The person(s) from the Assessment Team taking responsibility for assisting the spouse, using whatever Resource Group members necessary, must:

- approach the spouse and present him/her with the information gained in the disclosure;
- explain what has happened thus far in terms of both the victim and alleged victimizer;

- explain the possibility of the matter being handled in the community, in conjunction with the court system;
- ensure that an ally is available to the spouse; and
- make whatever arrangements are necessary for the spouse, e.g., admission to survivors' group; self-awareness, women's therapy, etc.

#### Step 5: Assisting the Family/ies/the Community

In some cases the family of the victim and victimizer will be one and the same. In most cases they will be from the same community. In all cases the pain brought about by a disclosure will have a rippling effect throughout the community and many people, in both immediate and extended family/ies will be affected.

The person (s) from the Assessment Team taking responsibility for assisting the family/ies using whatever Resource Group members necessary, must:

1. approach appropriate members of the immediate and extended family/ies and present the information learned in the disclosure;
2. explain what has happened thus far;
3. explain the possibility of the matter being handled by the community, in conjunction with the court system;
4. ensure that an ally is available for all members requiring this kind of support;
5. make whatever arrangements are necessary for the family members, e.g., admission to survivors' group, women's therapy, self-awareness, etc.

#### Step 6: Meeting of Assessment Team/RCMP/Crown

This meeting will be called by the Coordinator as soon (within four days of disclosure) as the first five steps of this process have been completed. The purpose of this is to:

1. present all information obtained thus far;
2. decide how to proceed. There are three possibilities:
  - the facts do not support the allegation. In this case the victim would be returned to the family and the family worked with until it is back into balance;
  - the facts support the allegation, but for some reason (offence too serious, community resources too limited, victimizer not willing, etc.) it is most appropriate for the court system to assume the primary role; or

- the facts support the allegation and the victimizer should be given the choice of proceeding within the community alternative. In this case a Healing Contract\* would then be drawn up for presentation to the victimizer;
3. review responsibilities of respective meeting participants regarding the decision as to how to proceed (who will do what, and when).

Step 7: Victimizer must Admit and Accept Responsibility

The person(s) from the Assessment Team taking responsibility for assisting the victimizer, using whatever resources necessary, approaches the victimizer, and

1. informs him/her of the outcome of the investigation;
2. explains the two primary alternatives available (community/legal; legal/community);
3. explain to the victimizer that, in order to restore his/her healing process, he/she must admit to the offence(s) and accept full responsibility for his/her actions. To this end, the victimizer must:
  - a. provide a voluntary statement (cautioned statement) to the RCMP outlining specifically his/her total involvement with victim(s). This statement will be made with full knowledge on the part of the victimizer that if:
    - i. the assessment team becomes aware of any victim(s);
    - ii. or information not included in the statement; and/or
    - iii. the victimizer refuses to comply with the community alternative procedure at any point, and/or there is any recurrence of the offence the court system will immediately be asked to assume the primary role; and
  - b. undergo a psychological assessment and agree to release the information obtained in this assessment to the Assessment Team.
4. present the Healing Contract; and
5. inform the victimizer that he/she has to:
  - a. make a decision as to which primary alternative will be pursued; and
  - b. inform the Assessment Team of this decision within two days. Failure to comply with the above would result in the court system assuming the primary role.

### Step 8: Preparation of the Victimizer

If the victimizer admits to the allegations and is willing to accept the community alternative, he/she must then be prepared for the next step in the healing process: an appearance before a special gathering of the Resource Group, selected members of his/her family, the victim(s), and selected member of his/her/their family/ies.

This preparation would be completed by the person(s) from the Assessment Team who has/have taken responsibility for assisting the victimizer, again using whatever resources are appropriate, and would include:

1. an explanation of what will happen; and
2. what will be expected of him/her.

### Step 9: Preparation of the Victim(s)

As with the victimizer, the victim(s) must be prepared for the next step in the healing process, the appearance of the victimizer before him/her/themselves, selected member of his/her/their family/ies, and the Resource Group. The victim(s) must be prepared to the point where he/she/they are at least willing to **TRY** to forgive the victimizer for what has happened. This preparation would be completed by the person(s) from the Assessment Team who has/have taken responsibility for assisting the victim(s), again using whatever resources are appropriate, and would include:

1. an explanation of what will happen; and
2. what will be expected of him/her/them.

### Step 10: Preparation of All the Families

As with the victimizer and victim(s), selected members of the victimizer's family the victim(s) family/ies must be prepared for the next step in the healing process: the appearance of the victimizer before themselves, the victim(s), and the Resource Group. The selected members of the family/ies must be prepared to the point where they are at least willing to **TRY** to forgive the victimizer for what has happened. This presentation is completed by the person(s) from the Assessment Team who has taken responsibility for assisting the family/ies, again using whatever resources are appropriate, and would include:

1. an explanation of what will happen, and
2. what will be expected of them.

### Step 11: The Special Gathering

Once the victimizer, the victim(s), and selected family members have been prepared, the Coordinator will arrange for the victimizer to come face-to-face with:

1. the Resource Group, who represent the (healing) community;
2. the victim(s);
3. selected members of the family/ies to answer for his/her misconduct.

The gathering will occur at a time and place agreed upon by all involved, and the seating arrangement will take the form of a circle.

### ***The Special Gathering has Ten Steps***

1. The ceremonial opening. This marks the gathering as an event of importance. Preference as to the exact nature of the opening will be given to the victimizer/victim(s) but could also include a song, a prayer, or some form of religious or traditional ceremony.
2. The Coordinator will address the gathering and explain its purpose as follows:
  - a. to hear the details of the offence;
  - b. to speak publicly to the victimizer about the offence;
  - c. to look at ways of dealing with the offence that will heal all persons involved and reunite the community;
  - d. to demonstrate that such behavior is unacceptable, but that healing is possible and supported;
  - e. to learn something about sexual abuse in general through an educational process, and
  - f. to have all people present accept responsibility for supervising the Healing Contract.
3. The explanation of the offence. The Assessment Team members will then explain the offence.
4. The Assessment Team members will then explain the offence. The Coordinator then asks the victimizer if he/she
  - a. accepts the charges as true; and
  - b. is willing to participate in the proceedings. If the victimizer rejects either or both conditions, the Coordinator explains that the gathering must be brought to a close and that the court system will be asked to assume the primary role. If the victimizer accepts both conditions, the

gathering can continue. It is the community's responsibility to support the action of the Coordinator, based on the offender's decision.

#### 5. The Educational Process:

This part sets the stage for the rest of the proceedings. It helps to educate all the people present about the seriousness and the dynamics of the offence. It sets the emotional stage necessary for change in attitudes to occur. It is, in effect, a mini-workshop, and can include lectures, videos, and handouts. "Something about Amelia", a video which runs through the dynamics involved in sexual abuse and ends with the reuniting and healing of all family members will most likely be used.

#### 6. The victimizer verbally accepts full responsibility for his/her action.

Now that all present have a better idea of what it is they are dealing with, the victimizer is asked by the Coordinator to accept full responsibility for the offence, without rationalization, justification, or reservation. Again, if the victimizer fully accepts the responsibility for the offence, the gathering can continue. If not, it is turned over to the court system as the primary agent. (If a break is necessary, this would be a good time. It will give people time to think about what they have learned, and to gather their thoughts about what they would like to say to the victimizer).

#### 7. The Participants of the Gathering Speak

This is the heart of the traditional healing process, and allows the Community to show its concern for all involved. Here the people have a chance to speak openly to:

- a. the victimizer, telling him/her how they feel about the offence, encouraging him/her to accept full responsibility, and offering their support for his/her healing;
- b. the spouse, about his/her responsibility in helping in the healing process, or perhaps talking to him/her about their part in the abusive situation if it is appropriate; and
- c. the victim (s), relieving them of any guilt they may feel, reassuring them that they are not responsible for the offence, and offering support.

When appropriate, and the victimizer, spouse, and victim(s) are willing, the idea of the family reuniting in the future (after the healing process has taken enough to ensure that such behavior will not be repeated) is encouraged and supported. Members of the group are free, if they feel that it will help in the healing process, to relate their own experiences in the past of being abused or being an abuser, and the problems that occurred as a result.

#### 8. Healing Contract is Presented

At this point the Coordinator will present the Healing Contract developed in Step 6 to the whole group for their:

- a. comments and feedback
- b. support
- c. eventual supervision

The Healing Contract contains/addresses three general areas:

- a. some degree of punishment, but the result must enhance the community as well as the victimizer's self-esteem. This would likely take the form of community service work;
- b. protection against further victimization. This would likely take form of restricted access to potential victims for a specified period of time;
- c. treatment. This would likely take the form of individual counseling, attendance at support groups, etc.

If the participants of the gathering, through consensus, recommend changes in the Healing Contract, it would be the responsibility of the Coordinator to contact the RCMP and Crown with the recommendations for their approval before the changes are accepted.

In the future, after the community has progressed in its own healing, we anticipate that the Healing Contract will actually be drawn up by the participants at the gathering, rather than by the Assessment Team/RCMP/Crown. It would then be the responsibility of the Coordinator to contact the RCMP and Crown with the proposed Healing Contract, for their approval.

9. The victimizer publicly apologizes and accepts the Healing Contract. At the request of the Coordinator, the victimizer is now asked to:
  - a. publicly apologize to:
    - i the victimizer, accepting full responsibility for what has happened, and reassuring the victim(s) that it will not happen again;
    - ii the spouse;
    - iii the group-at-large.
  - b. will publicly agree to abide by the conditions of the Healing Contract, and
  - c. state that he/she understands that any failure to comply with the conditions will result immediately in the court system being asked to assume the primary role.

## 10. The Ceremonial Closure.

This again marks the gathering as an event of importance. Preference as to the actual content of the ceremony will be given to the victimizer/victim.

### Step 12: The Healing Contract is Implemented

It is the responsibility of the Coordinator, using whatever Resource Group members necessary, to ensure that the conditions of the Healing Contract are implemented and carried out as intended. The role of the participants of the Special Gathering in supervising the contract is essential to the healing of the victimizer, victim(s), family/ies, and community. ANY failure of the victimizer to comply with ANY conditions of the Healing Contract will result immediately in the court system being asked to assume the primary role.

### Step 13: The Cleansing Ceremony

This is a ceremony that marks the completion of the Healing Contract, the restoration to balance of the victimizer, and a new beginning for all involved. The Coordinator will be responsible for arranging for ceremony at the appropriate time. The appropriate time will vary, depending upon the healing process of each individual victimizer. We do not anticipate that this would happen before at least two years from the time of the Special Gathering. The victimizer will have input into the content of the ceremony, but it will be open to the community and will likely include some form of a community feast. It is time to honor the victimizer for completing the healing contract/process. As the community continues to heal, we anticipate having some form of annual celebration to recognize in a general way the healing and cleansing of our members.

---

<sup>i</sup> Warry, W. *Unfinished dreams: Community Healing and the Reality of Aboriginal Self-Government*. University of Toronto Press. 1998. p. 256.

<sup>ii</sup> Bopp et. al. *Developing Healthy Communities: Fundamental Strategies for Health Promotion*. Four Worlds Press. 1989.

<sup>iii</sup> Ross, Rupert. *Dancing with a Ghost: Exploring Indian Reality*. Reed Books Canada. 1992. p.55

<sup>iv</sup> *ibid.* p.14

<sup>v</sup> Bushie, Berma. "Community Holistic Circle Healing – A Community Approach" *Building Partnerships for Restorative Practices Conference Report* (1999). Page 60.

<sup>vi</sup> "A Cost-Benefit Analysis of Hollow Water's Community Healing Process" p. 25

<sup>vii</sup> Detailed description of the 13-step process can be found in "A Cost-Benefit Analysis of Hollow Water's Community Healing Process" pp. 91-101.

---

<sup>viii</sup> The figure of \$10.00 / hour was derived through researching other agencies/funding sources that recognize volunteer work as “in kind” fund raising. For example, the Alberta Provincial government (through the Wild Rose Foundation) recognizes volunteer hours as “matched funding”, at \$10.00 / volunteer hour.

<sup>ix</sup> “The Four Circles of Hollow Water”. Solicitor General Canada APC 15 CA (1997): page 88

<sup>x</sup> G. Blanchard (1997) Aboriginal Canadian Innovations in the Treatment of Sexual Violence; p. 3

<sup>xi</sup> As written by Dr. Joe Couture, Principal Researcher, “A Cost-Benefit of Hollow Water’s Community Healing Process”

<sup>xii</sup> Justice Murray Sinclair's full commentary may be found in “A Cost-Benefit of Hollow Water’s Community Healing Process”