

**ACTS Deliverables for RJ Pilot Project**

**Alberta Conflict Transformation Society**  
**Edmonton, Alberta, Canada**

By  
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## RJ Pilot Program

In March 2007, the Minister of Justice and Attorney General Ron Stevens commissioned the Alberta's Task Force on Crime Reduction and Safety Communities. He gave the Task Force the mandate "to make recommendations on effective ways to reduce crime, make Alberta's communities safer and improve public confidence in the criminal justice system."<sup>1</sup> In September 27, 2007, the Task Force released its report: *Keeping Communities Safe*.

## Albertans' Concerns

The Task Force engaged communities throughout the province to grasp their sense of the state of crime and safety. The Task Force found that while Albertans generally felt safe in their communities, 44 percent of them felt crime was a serious problem in their neighborhoods, and 41 percent felt that crime had increased over the last three years. In the online survey approximately 56 percent of Albertans felt crime was a high priority concern.<sup>2</sup>

The Task Force also wanted to find out Albertans' perception of the justice system, particularly whether they felt the justice system worked or not. The Task Force reports hearing repeatedly "concerns about the lack of meaningful sentences for crimes and about sentences that appear to be nothing more than a 'slap on the wrists'".<sup>3</sup> The communities also voiced "concerns about the need for meaningful consequences for young offenders."<sup>4</sup> The Task Force summarized Albertans' concerns with the criminal justice system as follows:

- Many people talked about the lack of meaningful consequences and the fact that sentences are not a deterrent to crime.
- People said that justice system processes take too long. The gap between the crime and the consequences imposed by the courts is too long for the outcome to have a meaningful impact on either offenders or victims.
- From victims and their families, we heard concerns not only with sentencing but also with the challenges of accessing support and understanding what's happening with court processes.
- From police and enforcement agencies, we heard frustration not only about delays in court processes but also about the increasing administrative burden on police. We also heard about the need for the courts to deal more appropriately with repeat offenders.
- People also called for more "visible" police – police who are on the street, checking local shops and getting to know community members.

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<sup>1</sup> *Keeping Communities Safe: Report and Recommendations*, p. 12.

<sup>2</sup> *Ibid.*, p. 14.

<sup>3</sup> *Ibid.*, p. 22.

<sup>4</sup> *Ibid.*, p. 23.

- The decision to move justices of the peace out of local communities was criticized in many locations.

In the Task Force's online survey, over 60 percent of Albertans felt victims were not treated fairly by the criminal justice system. Over a half of these participants felt the criminal justice system does not address Aboriginal justice issues in an appropriate way.

It is important to reiterate once again that the practices, procedures and principles of restorative justice stand to address these concerns more appropriately.

## Recommendations

The Task Force made a range of recommendations to address citizens' concerns. Of these recommendations, I list those that would be addressed more appropriately through restorative justice as it is practiced at ACTS. They are:

- Ensure that at-risk children, youth and young adults have access to full-time, long-term, intense treatment for addictions and mental illnesses. This would include the expansion of the mandatory length of time children apprehended under the *Protection of Children Abusing Drugs Act* can be required to remain in treatment.<sup>5</sup>
- Develop and implement a targeted social marketing campaign to counter excessive drinking and use of drugs.<sup>6</sup>
- Adopt a Safe Neighbourhoods Act expanding the powers of municipalities to tackle crime and improve safety in their communities.
- Streamline the criminal justice process.
- Ensure meaningful consequences for criminal activity through closer monitoring of offenders, expanding the uses of effective approaches to custody and requiring strict compliance with the conditions of release.
- Provide mandatory, early and ongoing education for children and youth to build their skills and reduce the risks of them getting involved in gangs, drugs, violence or other crime.<sup>7</sup>
- Implement targeted pilot projects to provide comprehensive community-based services to at-risk youth and their families.
- Identify and map high crime areas and support pilot projects targeted at improving safety in those 'hot spots.'
- Expand the use of multi-disciplinary teams to address crisis in communities.<sup>8</sup>

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<sup>5</sup> Ibid., p. 7.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid., p. 8.

<sup>8</sup> Ibid., p. 9.

The Task Force also recommended a set of community actions that must be taken. These include:

- Encourage all municipalities to develop and implement a safe communities strategy.
- Provide three-year provincial funding for community-based social agencies with proven outcomes.
- Expand the current tax deduction for charitable contributions to include time spent on volunteer activities.<sup>9</sup>
- Partner with Alberta's First Nations and the federal government to jointly develop pilot projects designed to build safer communities, reduce crime and address the needs of at-risk community members.<sup>10</sup>

The Task Force's final recommendation is: "Establish a comprehensive, longer-term Alberta crime reduction and prevention strategy coordinated and supported by a dedicated responsibility centre within the provincial government."<sup>11</sup>

## **The Pilot Project**

**A.** In order to deliver on the Task Force's recommendations, a pilot project should be designed and implemented. In the initial instance, the pilot project should be smaller and concentrated to avoid overworking or overstretching the limited available human capital. This is necessary in order to avoid turnovers while ensuring effectiveness, efficiency and satisfaction of participants and stake holders.

**B.** The pilot project should be well monitored in order to enable the measurement of its outcome after a certain period of time, preferably three years. Victim and offender pre- and post-tests should be administered prior and after community conferencing respectively. The objective is to build and organize a database that will be used in the evaluation phase. If possible, these tests should also be administered to the supporters of both victims and offenders. This will enable the evaluation process to measure the community's sense of satisfaction with the project. The tests should be simple and straightforward, preferably in open-ended questions in order to allow the participants to express themselves. These should be kept in both digital audio files and transcripts.

**C.** One or two troubled neighborhoods, the so-called crime hotspots, should be identified and targeted for restorative practices, particularly community conferencing. A number of willing police officers, teachers and community volunteers should be given restorative justice training, including community conferencing facilitation. Participating police officers should be introduced to

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<sup>9</sup> Ibid., p. 9.

<sup>10</sup> Ibid., p. 10.

<sup>11</sup> Ibid.

restorative policing; teachers to restorative education practices; and community volunteers to community conferencing facilitation.

**D.** The Task Force recommended tax credits for hours spent volunteering. This incentive should be implemented to encourage greater numbers of community members to get involved.

As I indicated, the Task Force recommended mainstreaming the justice system. This project should be designed to do exactly this by getting as many communities as possible to participate in the production of justice. It is also clear in the Task Force's report that sentiments of alienation from the justice system, that perceptions of meaningless sentences, specifically that offenders are let off the hook with a mere "slap on the wrist", are dominating Albertans' ideas about the justice system. The RJ pilot project will address these problems. If communities participate in the production of justice there will be no basis for feelings of alienation from the justice system because community participation returns the ownership of crime to the victim, offender and their community. As I indicated in the review, where it has been adopted, this procedure has produced meaningful sentences and satisfaction for communities. There are no reasons, to my knowledge, why this strategy would not produce the same results in Alberta.

### **Institutionalization of RJ**

The impact of restorative justice will depend a great deal on its institutionalization in the institutions that socialize young members of society including – that is, communities (families) and schools – and institutions of law and order – that is, police services and courts.

**Communities and Schools:** Communities should be encouraged to participate in restorative justice. Province wide publicity campaign would be appropriate in order to get the attention of as many communities as possible. Volunteers should be recruited and trained as community conferencing facilitators.

Research everywhere indicates that responsible adulthood depends largely on childhood education. The Task Force recognizes this in the report. RJ research in education shows that exclusionary or isolation practices, such as suspension and expulsion, within the repressive and authoritarian educational approaches have repeatedly produced oppositional behavior among youth. At the same time, the same research shows that restorative practices in education have yielded desirable, positive, results. Restorative practices training for teachers would go a long way in achieving the same results in Alberta. This would ensure that, right from a young age, children learn to take responsibility and accountability for their actions. This approach has successfully produced balanced ego-super-ego relations.

**Police Services and Courts:** The role of the police is also crucial for the success or failure of restorative justice. The police could be on the leading front of RJ. As we have seen, in other jurisdictions police services have championed RJ through restorative policing. They have become avid practitioners of RJ, CC facilitators, RJ consultants and trainers of CC facilitators. This has increased the visibility and involvement of the police in communities, has empowered people to take charge of their communities. In short, the approach has reinvigorated communities. This is encouraging news for police services across the province to give restorative policing a try.

Courts should increase offender referrals, where appropriate, to community conferencing as soon as the guilty plea is entered. In so doing so the courts will send a message to the effect that restorative justice is taken seriously, that community initiatives and inputs are appreciated. The justice system will communicate that it wants partnership rather than the usual exclusionary approach.