
Community Justice Committees Administrative Processes

The establishment and ongoing activities of a Community Justice Committee (CJC) involve several administrative processes.

This document is intended to be used as a reference by staff of the Department of Corrections and Public Safety (CPS) and Saskatchewan Justice in handling these processes and in dealing with the resulting paper flow. It is not intended for public distribution. The processes described in this document apply to urban and rural communities only. Parallel processes have been developed for First Nation communities. This document has three parts:

- Part 1: CJC Incorporation and Appointment Process -Administrative Process.
- Part 2: CJC Annual Reporting - Administrative Processes.
- Part 3: Replacing CJC Members - Administrative Processes.

Part 1: Community Justice Committee Incorporation and Appointment Process - Administrative Process

In order to handle cases in which the law has been broken, CJsCs must be appointed by the Attorney General of Saskatchewan. (Official appointment is not required for advisory, public education, crime prevention and similar community activities.) This document describes the process that is used to officially appoint a CJC. The processes described in this document apply to urban and rural communities only. Parallel processes have been developed for First Nation communities.

- A. Form the Intent** - a group of citizens get together and decide they would like to form a CJC.
- B. Get Assistance** - the community group contacts Saskatchewan Justice or CPS who appoint a staff member to work with the proposed CJC and guide it through the process of incorporation and appointment and help it get up and running.
- C. Consult the Community** - the citizens who lead the development of the CJC consult with and involve community organizations in their planning.
- D. Become Incorporated and Appointed** - the potential CJC begins the process of becoming incorporated as a non-profit charitable corporation and officially appointed as a CJC by the Attorney General of Saskatchewan. Field staff of CPS and/or a representative of Saskatchewan Justice guide the members of the potential CJC through the application

process. The steps in the application process are outlined below. Although these steps are listed sequentially, it is likely that several will be taking place at the same time.

- **Step 1 - Develop a Constitution** - The proposed CJC develops a constitution that will guide the operation of the CJC. A sample constitution appears in Part 1 - Appendix A.
- **Step 2 - Become Incorporated** - The CJC becomes incorporated as a non-profit charitable corporation using the kit, *The Non-Profit Corporations Act, 1995: Incorporation Kit*. This kit is available from:

Saskatchewan Justice
Corporations Branch
1871 Smith Street
Regina, SK S4P 3V7
Tel.: (306) 787-2962
Fax: (306) 757-8999

- **Step 3 - Get Letters of Support** - The proposed CJC gets letters of support from at least two individuals/organizations within the justice system such as:
 - Police;
 - Crown Prosecutor;
 - local Judge; and
 - head of local Legal Aid office.

The proposed CJC gets at least three letters of support from community organizations and/or individuals such as:

- First Nations'/Métis organization;
- Mayor or similar local government official;
- head of a community-based service organization such as Family Service Bureau or John Howard Society;
- head of a service club such as Lions, Rotary or Kiwanis;
- head of a community safety group such as Neighbourhood Watch or Block Parents;
- head of regional health board;
- head of a business group such as Chamber of Commerce or Board of Trade;
- school principal;
- president of the student council/SRC at the local high school; and
- a church in the community.

- **Step 4 - Select the Founding Members of the CJC** - A CJC usually has between five and 10 members. Two examples of processes that are sometimes used to select CJC members are:
 - the Mayor and Council (or other local government officials) ask for volunteers. People who are interested let the Mayor and Council know by writing or phoning. The Mayor and Council review all applications, interview as necessary, and select the applicants who are most qualified; and
 - the various community groups appoint members. For example, the Chamber of Commerce, Neighbourhood Watch, Friendship Centre, Block Parents, Ministerial Association, high school and seniors' centre might each appoint one member.

In addition to the members selected through one of the processes described above, the CJC usually includes a representative of the local police and a representative of CPS or Saskatchewan Justice. These individuals may or may not be full voting members.

Potential members:

- get a letter of reference from the local Police which involves a Police Records Check;
- get a record check from the Department of Community Resources (DCR) to determine if the individual has ever been responsible for the abuse or neglect of a child;
- get two letters of reference from people in the community who have known him/her for at least three years and can attest to his/her good character; and
- completes the form, *Community Justice Committee Application for Individual Membership*. This form is attached as Part 1 - Appendix B.

- **Step 5 - Assemble Appointment Package** - The proposed CJC assembles a package that contains the following items:
 - the constitution of the proposed CJC; and
 - the five (or more) letters of support for the application (two from representatives of the justice system, three from community organizations);
 - a package from each of the following members. Each package consists of:
 - letter of reference from the Police;
 - two letters of reference from community members; and
 - the completed *CJC Application for Individual Members* form.
 - the completed form, *Application for Appointment as a CJC*. This form is attached as Part 1 - Appendix C.
- **Step 6 - Copy the Application** - The proposed CJC makes a copy of the package. They keep the original for their file and send the copy to the Regional Director of CPS for their area.

- E. Process the Application at the Regional Level** - The Regional Director of CPS reviews the application. (The Regional Director may involve members of his/her staff and/or Saskatchewan Justice consultants in this review.) This review includes:
- checking the constitution to ensure that it is complete and that the organizational structure proposed for the CJC is workable;
 - checking the letters of support for the CJC to ensure that they come from appropriate people and that they show a commitment to the CJC; and
 - checking the applications from potential founding members to ensure the individuals are appropriate and that the composition as a whole reflects the composition of the community.

If necessary, the Regional Director will call or meet with individuals or groups to get additional details about the constitution, the letters of support for the CJC and/or the applications from individuals.

- if the application is unsatisfactory or incomplete, the Regional Director returns it to the proposed CJC and explains what must be done to improve the application.
- if the application is satisfactory, the Regional Director of CPS forwards it to the Program Manager of Alternative Measures, Young Offender Programs Division, Corrections and Public Safety. The form *CJC - Regional Approval Form* (Part 1 - Appendix D) is used.

The Program Manager of Alternative Measures, Young Offender Programs Division,

Corrections and Public Safety, makes a copy of the proposed CJC's application package and forwards it to the Director of Community Services, Saskatchewan Justice.

- F. Process the Application at the Provincial Level** - The Director of Community Services, Saskatchewan Justice and the Program Manager of Alternative Measures, Young Offender Programs, Division, Corrections and Public Safety jointly review the application. They may call the Regional Director of CPS, the group submitting the application or the people who provided letters of support for more information.
- If the application is unsatisfactory or incomplete, it is returned to the appropriate Regional Director of CPS with an explanation of what must be done to improve the application.
 - If the application is satisfactory:
 - Saskatchewan Justice enters into a service agreement with the CJC to handle cases involving adult offenders.
 - Saskatchewan Justice prepares a Minister's Order or its equivalent appointing the committee as a CJC.
- G. Notify the CJC of its Appointment** - the Attorney General of Saskatchewan sends a letter to the CJC informing it that it has been officially appointed as a CJC. The Minister of CPS writes a letter to the CJC congratulating it on its appointment as a CJC.
- H. Open a File for the CJC** - The Program Manager of Alternative Measures, Young Offender Programs Division, Department of Corrections and Public Safety opens a file for the CJC. The CJC's application package (constitution and letters of support), and all other correspondence is placed in this file. All reports and correspondence relating to this CJC goes in this file, henceforth.
- I. The Community Justice Committee begins its work.**

Part 1 - Appendix A

Sample Community Justice Committee Constitution

Title: The Sunny Valley Community Justice Committee Constitution

Article 1 - Name and Area Served

- 1.01** The organization shall be called The Sunny Valley CJC and will be called "the Committee" for short.
- 1.02** The Committee will serve residents in the town of Sunny Valley and the area patrolled by the Sunny Valley RCMP detachment.

Article 2 - Purpose (For example)

- 2.01** To provide an alternative to the court system for disputes involving offenders and offences deemed appropriate by the RCMP. It is in the best interests of society at large to deal with criminal activities at a local level whenever possible. Therefore, it is desirable to establish a CJC which would offer offenders an opportunity to make amends through a

structured, publicly accountable program which is sensitive to cultural, community, and victim issues. Such a process will enhance citizen involvement in the resolution of offenses which affect the community. The principles that guide the Committee in this process are as follows:

- (1) the program offers offenders opportunities to make amends for their unlawful behaviours within a structured, publicly accountable program which is sensitive to cultural diversity;
- (2) the purpose is to promote healing rather than punishment. This applies to both victim and offender;
- (3) referrals may be made pre-charge or post-charge as determined by the Police and Crown Prosecutor. Some flexibility in the referral process is appropriate to reflect different circumstances;
- (4) victim participation is encouraged but is not a prerequisite for program eligibility. When cases involve young offenders, victim participation is voluntary and guided by CPS, Young Offender Diversion Program Policy approved by the Attorney General in 1996;
- (5) the onus shall be on the offender (and his/her family) to arrive at an acceptable resolution. If the dispute is not resolved, the case is referred back to the Police or Crown Prosecutor;
- (6) other parties (Elders, spiritual advisors, counsellors, legal counsel, or the support persons of either the victim or the offender) will be involved in the conflict resolution process as deemed necessary by the Sunny Valley CJC;
- (7) it is recognized that committee members will serve without remuneration; and
- (8) there will be a commitment by the committee to on-going training and skills enhancement.

2.02 To advise the Sunny Valley RCMP on matters related to policing.

2.03 To conduct public education activities as determined by community needs.

2.04 To conduct crime prevention activities as determined by community needs.

Article 3 - Legal Authority

3.01 The legal basis of a CJC's work with youth aged 12 to 17 inclusive is Section 18 of the *Youth Criminal Justice Act (YCJA) 2003*, and the *Youth Justice Administration Act, (YJAA) 2003*.

3.02 The legal basis of a CJC's work with adults is through a service agreement with Saskatchewan Justice and Section 717 of the *Canadian Criminal Code*. Liability protection to CJCs dealing with adult cases is provided through Section 15 of the *Correctional Services Act, 1998*.

3.03 Children under the age of 12, who have committed a wrong for which they would be held criminally responsible if they were older can be referred to a CJC by their parents or guardians. They can receive conflict resolution services through a CJC with the

informed, written consent of their parents or guardians.

- 3.04** It is understood that the committee must be incorporated as a non-profit charitable corporation and officially appointed by the Attorney General of Saskatchewan in order to handle cases in which the law has been broken.

Article 4 - Accountability

- 4.01** It is acknowledged that the committee is accountable to the Sunny Valley Town Council and is required to report to the Sunny Valley Town Council on an annual basis.

Article 5 - Committee Membership

5.01 Membership Structure

The Committee shall include a cross-section of community members and may be expanded as needed. Initially, it shall consist of eight members appointed by the Sunny Valley Town Council as follows:

- (1) representative of Sunny Valley School Division;
- (2) representative from the Ministerial Association;
- (3) representative from the Seniors group;
- (4) representative appointed by Sunny Valley Town Council;
- (5) representative of Métis Local;
- (6) representative of First Nations;
- (7) representative from youth; and
- (8) representative of the Chamber of Commerce.

CPS, Saskatchewan Justice and the RCMP will serve in an advisory capacity. Any expansion shall require a two-thirds majority vote of the Sunny Valley CJC and of the Sunny Valley Town Council.

5.02 Eligibility for Membership

Members shall have no outstanding criminal charges and will not have been convicted of a criminal offence relating to domestic violence, child abuse or sexual assault, unless they have received a pardon for the specific offence. Members shall be subject to a Police Criminal Records Check and a DCR Client Index check to determine any prior involvement in child abuse or neglect. DCR will return the form to the person who requested it with the bottom part filled out when the records check has been completed. This form is confidential and is the property of the person who requested it. The results of the Record Check must be shown to the organizing committee for the CJC if the candidate wishes their name to be put forward for membership on the CJC.

5.03 Tenure of Members

- (1) Appointments shall be for a term of two years.
 - a. committee members can be re-appointed;
 - b. at the initial organization meeting, one-half of the committee shall be appointed for a one-year term and one-half of the committee shall be appointed for a two-year term. Thereafter, terms shall be for two years;
 - c. when a vacancy occurs on the Committee, within one month, the Town Council shall appoint a person to fill the vacancy for the remainder of the term; and
 - d. members who wish to resign their position on the committee must give one month's written notice to the chairperson of the committee.

5.04 Removal of Members

- (1) A member may be removed from the committee by a quorum of the committee when that member:
 - a. has acted in violation of the committee's code of ethics;
 - b. has failed to attend four consecutive meetings;
 - c. has placed him/herself in a position of a conflict of interest (examples of conflict of interest include a failure to declare when the committee is handling a case involving the member's immediate family, close friend or a person with whom the member has had a dispute, when the committee is handling a case where the member has a financial interest);
 - d. acts in a manner that is detrimental to the operation of the committee; and
 - e. is no longer a resident of the area.
- (2) A member will step down if charged with a criminal offence, and if convicted will cease to be a member.

Article 6 - Committee Executive

6.01 The committee will appoint a Chair and a Secretary/Treasurer annually.

6.02 The Chair is responsible for overseeing the affairs of the Committee including, but not limited to:

- (1) setting dates for meetings and conflict resolution cases in consultation with other committee members;
- (2) arranging the preparation and timely distribution of the agenda and all supporting documents required prior to each meeting and conflict resolution case; and
- (3) preparing a yearly report for CPS.

6.03 The Secretary/Treasurer is responsible for:

- (1) maintaining a record of each committee meeting and conflict resolution case including the outcome of each case. This shall include a report to the referring Crown prosecutor and/or RCMP;
- (2) managing any funds and preparing the yearly financial statement as required; and
- (3) preparing the annual return required by the Corporations Branch, Saskatchewan Justice.

Article 7 - Quorum and Meetings

- 7.01** Business meetings shall be held at least once a month. At business meetings, five members shall constitute a quorum. Decisions shall be based on a majority vote of 50 percent or more and a decision passed by a quorum shall bind all members of the committee.
- 7.02** The committee shall meet as required to handle conflict resolution cases. A minimum of three members shall participate in the screening process for conflict resolution cases.

Article 8 - Confidentiality

- 8.01** Each committee member is required to take an oath of confidentiality.

Article 9 - Code of Ethics

- 9.01** All members of the committee must adhere to the attached Code of Ethics.

Article 10 - Financial Accountability

- 10.01** The committee will keep records of all funds received and spent and will prepare a yearly financial statement.

Article 11 - Amending the Constitution

- 11.01** This Constitution can be amended upon a vote of two-thirds of the committee members. (Note - if you amend your constitution, attach copies of the amendments to the annual report that you file with CPS each year. Amendments involving minimum and maximum number of members of a CJC, change of municipality and/or change of name must be done using the *Amendment Kit* available from the Corporations Branch of Saskatchewan Justice and must be reported to the Corporations Branch.

Article 12 - Annual Meeting and Reporting

- 12.01** The committee will hold at least one public annual meeting within three months of the end of the calendar year.
- 12.02** The committee will prepare an annual report within three months of the end of the calendar year. This report will be made available to the public and also submitted to CPS.

Part 1 - Appendix B
Community Justice Committee -
Application for Individual Membership

I, _____ hereby apply to be a member of the

(your name) (name of the CJC)
serving _____.
(geographic area served by the CJC)

Address: _____

Business Phone: _____ Business Fax: _____
E-mail address: _____ Home Phone: _____

What are your reasons for wishing to be a member of this committee?

What are your qualifications (experience, education, interests) to serve on this committee?

I understand that I will not be paid for serving on the committee.

I agree to take an oath of confidentiality as part of my membership on the committee and to abide by the confidentiality requirements of the *Youth Criminal Justice Act (YCJA)*.

I agree to honour the commitments on the Code of Ethics established by the committee.

Please attach the following to this form:

- letter of reference from Police; and
- two letters of reference from community members.

I give permission for the Department of Community Resources to review its records to determine whether I have been responsible for the abuse or neglect of a child. (Although people with a history of child abuse and neglect are not usually suitable members of a Community Justice Committee, there may be exceptions.)

Signature: _____ Date: _____

Part 1 - Appendix C
Application for Appointment as a
Community Justice Committee

The _____ serving _____ hereby applies to
 (name of the CJC) (geographic area served by the CJC)
 the Attorney General of Saskatchewan for appointment as an official CJC.

We plan to provide services to offenders: [Check as many as apply]

- under the age of 12
- aged 12-17 years
- adults (18 and over)

Please briefly describe the process that you used when doing preliminary planning for your CJC and for developing the constitution. Use the back of this sheet if more space is needed.

Please list the community organizations that were involved in planning for your CJC and in developing the constitution.

Name of Organization	Name of Representatives	Phone

Please use the back of this sheet if more space is needed.

Person who should be contacted for more information about this application:

Name: _____ Home Phone: _____

Business Phone: _____ Address: _____

_____ Date: _____

Please attach the following to this application:

- copy of Community Justice Committee constitution;
- at least five letters of support (two from representatives of the justice system, three from community organizations); and
- a package from each potential founding member. Each package consists of:
 - letter of reference from Police;
 - two letters of reference from community members; and
 - completed *Community Justice Committee Application for Individual Membership*.

Make a copy of this package:

- keep the original for your file; and
- send the copy to the Regional Director of Corrections and Public Safety for your area.

When your application is approved, you will receive an official notice of appointment from the Attorney General of Saskatchewan.

Part 1 - Appendix D
Community Justice Committee - Regional Application

To be used by Regional Directors of Corrections and Public Safety when recommending applications for appointment as a Community Justice Committee.

The _____ serving _____ hereby
(name of the CJC) (geographic area served by the CJC)

applies to the Attorney General of Saskatchewan for appointment as an official CJC.

Contact person for CJC:

Name: _____ Home Phone: _____

Business Phone: _____ Address: _____

_____ Date: _____

The application for appointment as a CJC submitted by this proposed CJC meets the following criteria:

- constitution is complete.
- organizational structure outlined in constitution is workable.
- at least five letters of support from appropriate individuals/organizations are provided (two from representatives of the justice system, three from community organizations).
- letters of support indicate an understanding of the role that the CJC will play in the community and a commitment to the CJC.
- application from founding members are appropriate.
- I recommend that this application be approved by the Attorney General of Saskatchewan.
- I do not recommend that this application be approved by the Attorney General of Saskatchewan for the following reasons:

Signature: Regional Director of Corrections and Public Safety

Send a copy of this form along with the proposed CJC's application to the Program Manager of Alternative Measures, Young Offender Programs Division, Corrections and Public Safety.

Part 2: Community Justice Committee Year-End Reporting Administrative Process

At the end of each fiscal year, CJs are required to:

- hold an annual meeting;
- prepare a financial statement;
- submit an annual return to the Corporations Branch of Saskatchewan Justice. The annual return is a form the Corporations Branch sends out to confirm the continuing existence of the CJC; and
- submit an annual report to CPS.

The annual report is due within three months of the end of the calendar year. For example, the annual report for 2002 is due no later than March 31, 2003. The form that is used for this report is attached as Part 2 - Appendix A.

The purpose of this document is to describe the processes that CPS uses to handle these annual reports. This document is not intended for public distribution. The processes described in this document apply to urban and rural communities only. Parallel processes have been developed for First Nation communities.

1. CJC prepares the annual report, keeps the original and sends a copy to the Regional Director of CPS. The Regional Director of CPS:
 - reviews the report to ensure that it is complete and records any data that s/he might require for internal use
 - contacts any CJs in the region who are late with their reports, identifies problems that may be contributing to the lateness and offers support.
2. The Regional Director forwards the CJC annual reports to the Program Manager of Alternative Measures, Young Offender Programs Division, Department of Corrections and Public Safety. The Program Manager of Alternative Measures:
 - reviews the reports;
 - draws narrative and other information from them as needed for the CPS annual report and other reports;
 - provides appropriate statistical information to CPS Research Branch; and
 - files each annual report in the appropriate CJC file.

Part 2 - Appendix A

COMMUNITY JUSTICE COMMITTEE ANNUAL REPORT FORM

Part 1 - The CJC

Name of CJC:

Mailing address:

Telephone number of contact person:

Part 2 - The Year

This annual report is for the calendar year ended, December 31, _____.
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Part 3 - Cases Handled

Total number of cases handled during the year _____.
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Number of cases carried forward from previous year _____.

Number of cases opened during year _____.

Number of successful cases (terms of agreement were met) _____.

Number of unsuccessful cases (referred back to the Police or Prosecutor) _____.

Number of cases still open _____.

Part 4 - Other Activities (attach additional sheets if more space is needed)

Crime Prevention Activities:

Public Education Activities:

Advisory Activities (advising Mayor and Council and others about policing, crime prevention, advising the courts about sentencing, etc.):
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Other Activities:

Part 5 - Amendments to the Constitution
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Please attach any constitutional amendments made during the last year.
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Note - Constitutional amendments involving minimum and maximum number of members of a CJC, change of municipality and/or change of name must be done using the <i>Amendment Kit</i> available through the Corporations Branch of Saskatchewan Justice and must be reported to the Corporations Branch.
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Part 6 - Current Members

Name	Address	Phone #

Part 7 - Membership Changes

Members who resigned or whose terms expired during year:

Name	Address	Phone #

New members added during year

Name	Address	Phone #

Members removed from CJC for cause:

Name	Address	Phone #	Reason for Removal

Part 8 - Executive

If CJC has an executive please identify executive members below:

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Chairperson/President:
Vice-Chairperson/President:
Secretary:
Treasurer:
Other:
Other:

Part 9 - Annual Meeting
Date held:
Place held:

Part 10 - Financial Statement
Please attach a copy of your financial statement. It should provide an itemized list of all money received through community fundraising or donations and an itemized list of all money spent.

Part 11 - Signature and Date
Signature of person completing this form:
Phone number of person completing this form:
Date this form completed:

When this form is completed, make one copy.

- keep the original for your files; and
- mail the copy to the Regional Director of CPS for your area.

Part 3: Replacing Community Justice Committee Members - Administrative Processes

The membership of a CJC will gradually change as people leave the committee. When a new member joins an established CJC, the procedures are as follows:

The potential member:

- needs to get a letter of reference from the local police (a Police Records Check is required as part of this process);
- needs to get a records check from the DCR to determine whether the potential member has ever been responsible for the abuse or neglect of a child;
- needs to get at least two letters of reference from representatives of community organizations; and
- needs to submit a package comprised of the letters of reference and an application form to the organization/group that led the development of the CJC. Typically, this is the Mayor and Council or a steering committee comprised of local community agencies.

The Mayor and Council or steering committee:

- Reviews the application and may ask for more information or a personal interview if appropriate; and
- If the Mayor and Council or steering committee approves the application, they forward it to the Regional Director of CPS.

The Regional Director of CPS:

- Reviews the application and may ask for more information; and
- If the Regional Director of CPS approves the application, he/she forwards it to the Executive Director of Public Law, Saskatchewan Justice.

The Executive Director of Public Law, Saskatchewan Justice:

- Reviews the application; and
- If the application is approved, the Executive Director of Public Law:
 - sends a letter of confirmation to the applicant and to the relevant CJC; and
 - sends all completed paperwork to the Program Manager of Alternative Measures, Young Offender Programs Division, Department of Corrections and Public Safety where it is filed in the appropriate CJC's file.