
Orientation for New Community Justice Committee Members

This orientation package is designed to be delivered by staff of the Department of Corrections and Public Safety (CPS) or Saskatchewan Justice to the members of newly established Community Justice Committees (CJCs) in urban and rural communities. A parallel orientation package has been developed for First Nation communities. For more information about the First Nations' presentation contact the:

Federation of Saskatchewan Indian Nations
Justice Department
Suite 200, 103-A Packham Avenue
Saskatoon, SK S7N 4K4
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When an existing CJC has member turnover, this presentation may also be delivered to the new members.

This presentation is designed for delivery to groups of four to twelve people.

The presentation itself is about 30-40 minutes long. With questions, the total time required will be about one to one-and-a-half hours.

This presentation has two parts:

- Presenter's Script; and
- Participant's Hand-out Package.

Orientation for New Community Justice Committee Members

Presenter's Script

Material and Equipment Needed:

For each participant, one copy of:

- the *Participant's Handout Package* attached to this script
- *The Work of a Community Justice Committee* (Section 2) (available on this website or from the Department of Corrections and Public Safety or Saskatchewan Justice)
- *Community Justice Committee - Year-End Reporting* (booklet) (available from this website or the Department of Corrections and Public Safety or Saskatchewan Justice)

Introductions

Good evening.

I'm very pleased to be with you tonight. My name is _____.
I work at _____. My usual job is _____,
but tonight my job is to provide you with an overview of what
Community Justice Committees are all about. Before we start talking
about Community Justice Committees, I'd like to ask you to introduce
yourselves. You probably all know each other, but I only know a couple
of you.

[Allow time for participants to give their names. If the group is small, ask participants to give a bit of information about themselves _ how they came to be on the Committee, where they work, why they are interested in the justice system, etc.]

Context

Thank you! It helps to know everyone's name.

In my presentation tonight, I'll be presenting a summary of the work you'll be doing and of the expectations for Community Justice Committees.

I want to emphasize that my presentation today is just an overview. The Department of Corrections and Public Safety has several booklets that provide a lot more information about the work that Community Justice Committees do.

Also, you'll be getting more training in the months ahead. Saskatchewan Justice will be inviting you to attend workshops where you'll learn more about the justice system and conflict resolution and get a chance to polish your interpersonal skills.

Why Community Justice Committees?

I want to begin talking about why Saskatchewan communities are establishing Community Justice Committees. Many individuals and communities want a larger and more direct role in the justice system. Community Justice Committees are one way of increasing the public's access to the justice system. They complement and expand the traditional system.

The Work of a Community Justice Committee

[Hand-out #1]

The work of a Community Justice Committee falls into four categories.

1. Some Community Justice Committees serve as an advisory body. For example, when a person has been tried and found guilty, or pleaded guilty, the judge might ask the CJC for sentencing recommendations. Or the CJC might advise people such as the Police or the Crown Prosecutor on the community's feelings about various justice matters.
2. CJCs often do public education about their work and the justice system in general. For example, they might organize a seminar on a topic like parents' legal responsibility for their children's actions, or they might talk to the Rotary and Kiwanis about the work the CJC is doing.
3. Crime prevention is a focus of many CJCs. For example, a CJC might work with a local sport or recreation group to get an evening recreation program going for kids. As we all know, kids who are doing something that's fun like basketball or hoop dancing are less likely to get into trouble than kids who are roaming the streets with nothing to do.
4. As well, many CJCs handle cases where the law has been broken and attempt to resolve the resulting conflict in a way that brings satisfaction to both victim and offender and restores harmony to the community. The legislation allows CJCs to handle cases involving both adults and young offenders. A young offender is a person aged 12 to 17 years. CJCs can handle cases where the offender is under 12 that are referred to them by the child's parents or guardians. The CJC needs the written, informed consent of a parent or guardian to handle a case where the offender is under 12 years old.

Are there questions about any of the work that a Community Justice Committee does? *[Pause and answer questions.]*

There's a lot more information about the work that Community Justice

Committees do in this booklet [*hold up a copy of The Work of a Community Justice Committee.*] I'll leave copies of this detailed guide for you.

Incorporation and Official Appointment

Community Justice Committees that want to handle cases where the law has been broken by a person 12 years old or more must be incorporated as a non-profit charitable corporation and officially appointed by the Attorney General of Saskatchewan. Incorporation and official appointment are not required for advisory, public education and crime prevention activities. Nor are they required for dealing with children under 12.

You may already be incorporated and officially appointed by the Attorney General, you might be right in the middle of these processes or you may have decided that you don't need to be incorporated and officially appointed for the time being. I'm going to talk a bit now about handling cases, because even if you aren't incorporated and appointed at this time, you may choose to be in the future, so you can handle cases.

Handling Cases

[*Hand-out #2*]

Cases where the offender is 12 years old or more will be referred to you by the Crown prosecutor or the police on the basis of criteria relating to the nature of the offense and the background of the offender.

Cases where the offender is under 12 will be referred to you the child's parent or guardian.

The process that is used to refer cases to CJsCs varies somewhat depending on the nature of the case. One of the first things that most newly established CJsCs do is to hold a meeting with the police, the Crown prosecutor and the staff of the Department of Corrections and Public Safety to work out the details of the referral process that will be used in different situations.

Most of the cases that you'll be handling will involve a property offence (such as shoplifting or vandalism) or a minor assault (such as a schoolyard fight) that doesn't involve serious injury.

You won't be handling assault cases that cause injury, sexual abuse cases, child abuse cases, family violence cases, or major thefts. For offenses like these, the Crown Prosecutor or the Police will charge the offender and he/she will go to Court.

You won't be handling any cases where the alleged offender says that he or she didn't do it. If an alleged offender says that he/she isn't responsible for an offence, the Police or Crown Prosecutor will lay a charge and the alleged offender will go to court. CJs do not determine guilt or innocence. They only handle cases where the offender acknowledges responsibility for the offense.

Community Justice Committees take a restorative approach to justice - an approach that focuses on restoring harmony in the community and on restoring ownership of justice processes to the community. With a restorative approach, lawyers and judges play a subordinate role to offenders, victims and community. Victims are encouraged to participate fully in resolving the case, in contrast to the traditional system, where victims may not have a chance to tell their story or contribute to the outcome of the case.

The way that CJs handle the conflict that is part of the cases referred to them varies from one community to another and from one case to another. But most conflict resolution processes used by CJs have two things in common. The first thing the conflict resolution processes used by CJs have in common is that they bring the victim and the offender together and give both victim and offender an opportunity to describe what happened and how it affected them. For many offenders, facing their victim and their community and acknowledging the wrong they did is a harder, tougher and more sobering experience than going to court. The second thing that most conflict resolution processes used by CJs have in common is that they result in an agreement in which the offender agrees to undertake specific actions to right the wrong that she or he did. Victims have a major say in shaping the terms of this agreement.

Actions that offenders agree to undertake may include personal or written apologies, restitution, repair of damage and personal service. Offenders sometimes also agree to participate in personal healing activities like going to AA, taking drug or alcohol treatment or participating in an anger-management program.

Victims who have worked with Community Justice Committees report that they are more involved than would have been possible with the traditional court system. Generally, victim satisfaction is much higher with Community Justice Committees than with the traditional justice system.

Are there any questions about handling cases? *[Pause and answer questions.]*

Reporting

It's important that you keep records on all the cases you handle. The Department of Corrections and Public Safety needs information about the cases you handle too. Corrections and Public Safety will use the information you provide to assess the effectiveness of Community Justice Committees and to keep statistical records. Some of the things that Corrections and Public Safety keeps records about are the number and types of cases handled by Community Justice Committees, the characteristics of victims and offenders, and the outcomes of cases.

You have to fill out a form for each case you handle. The Community Services Division of Saskatchewan Justice will provide you with a copy of this form. My intent today is simply to make you aware of this reporting requirement. Later on when you begin handling cases, staff at Corrections and Public Safety's regional office or staff from Saskatchewan Justice will explain how to fill it out.

Confidentiality

One of your most important responsibilities as CJC members is to keep confidential all of the cases you handle. This means that you must not talk about cases - even in the most general terms - with anyone outside the committee. You mustn't even talk about the details of cases with your spouse. The only information about cases that you can appropriately share with your spouse, your family and the public is statistical information about the number and type of cases handled.

The promise of confidentiality also applies to CJC records. All notes and other written information about CJC cases must be kept in a locked filing cabinet and the key must be kept in a secure location at all times. If you're keeping some of your records on a computer, the records must be protected with a password or other security feature so that no one else in your office or household can access the records.

You have a moral obligation to keep information confidential, and you also have a legal one, too. Cases where the offender is between the ages of 12 and 17 inclusive fall under the **Youth Criminal Justice Act** and you are legally bound by the confidentiality requirements of that **Act**.

Financial Accountability

The provincial government does not provide Community Justice Committees with a budget. However, local provincial government offices may provide in-kind services like putting the CJC's letters through its postage meter. Some CJC's do community fundraising to support their activities or accept donations from local businesses, churches and service clubs. You must keep records of any money that you receive and spend and prepare a yearly financial statement.

Year-End Reporting

[Hand-out #3]

There are several requirements of Community Justice Committees at the end of each calendar year. Community Justice Committees that have been incorporated and officially appointed are required to:

- **hold an annual public meeting.** Everyone in the community can be invited to your public meeting to hear what you've been doing. It wouldn't be appropriate, of course, to discuss the details of individual cases, because cases are confidential. But you might give statistics about number and type of case and tell the community about some of your other work.

The annual public meeting is a good way to get community input, too, and to encourage community involvement. For example, you might ask community members and other organizations to work with you on crime prevention activities.

- **prepare a financial statement** and send a copy of it to the Corporations Branch of Saskatchewan Justice.
- **submit an Annual Return** to the Corporations Branch of Saskatchewan Justice. This Annual Return is a form that Saskatchewan Justice sends out to confirm the continuing existence of the CJC.
- **submit an annual report** to the Department of Corrections and Public Safety. You're required to give specific statistical information about the cases you handled in your annual report and to attach your financial statement. You're also asked to provide details about your advisory, crime prevention and public education activities and about member turnover. More information about preparing your annual report is given in the booklet, *Community Justice Committee* –

Year-End Reporting, which I've brought with me. *[Hold up booklet.]*
Are there any questions about year-end requirements? *[Pause and answer questions.]*

Evaluation

The end of the year is a good time to reflect on your work and to evaluate what you've done during the past 12 months. Many Community Justice Committees spend part of their January or February meeting evaluating the work they did during the previous year. You might want to ask yourself:

- What were our strengths during the past year?
- Where do we need to improve?
- What interesting things happened during the past year?

The answers to these questions will help to shape your activities during the year ahead.

Professional Development

When you agreed to become a member of the CJC, you made an implicit commitment to professional development - that you will participate in training courses, conferences and workshops and do personal reading in order to increase your knowledge and skills.

From time to time the Mediation Services Branch of Saskatchewan Justice gives training courses for Community Justice Committees. Typically, there is a three-day introductory course and a three-day second-level course. The introductory course focuses on understanding conflict, on basic communication skills and on processes that can be used to resolve conflicts. The second-level course takes participants

through an actual mediation or family group conference. When some members of your committee are ready to participate in either of these courses, contact the Mediation Services Branch of Saskatchewan Justice and let them know. When there are enough interested people in your area, they will set up a course.

Under some circumstances, the staff of Mediation Services Branch of Saskatchewan Justice will also serve as mentors to new CJs. For example, they might co-facilitate or co-mediate your first few cases.

As well, there are many workshops and conferences sponsored by Saskatchewan Justice and by mediation organizations. Attending these will increase your knowledge and skills and help you form relationships with other people throughout Saskatchewan who are doing work similar to yours.

Any questions about professional development? *[Pause and answer questions.]*

Closing

Thank you for welcoming me to your community. It was a pleasure to meet all of you. Thank you for your hospitality, etc. etc.

Do you have other questions for me? *[Pause and answer questions.]*

**Orientation for New
Community Justice
Committee Members**

Participants' Handout Package

The Work of a Community Justice Committee

The work that CJC's do usually falls into four categories:

- **Advising on justice matters**, such as:
 - upon request, advising the Courts on sentencing recommendations for offenders who have been found guilty or pleaded guilty;
 - advising the local Police on matters relating to policing;
 - advising the Mayor and Council or other local government officials on ways the community can be made safer;
 - advising the Police, the Crown Prosecutor, the head of the local Legal Aid Office and other justice system officials on matters related to justice in the community.
- **Doing public education activities**, such as:
 - organizing workshops and seminars on justice-related topics;
 - speaking to local schools, service and community groups about the CJC; and
 - preparing booklets for the public and articles for the local paper about the CJC.
- **Doing crime prevention activities**, such as:
 - working with local organizations and groups to develop an evening and weekend recreation program, so that youth will be busy and less likely to get into trouble
 - working with the school to create a peer mediation program to resolve conflicts among youth
- **Using conflict resolution processes to handle cases in which the law has been broken**

one community to another and from one case to another. But most conflict resolution processes used by CJC's have two things in common:

- (1) They bring the victim and the offender together and give both victim and offender an opportunity to describe what happened and how it affected them. For many offenders, facing their victim and their community and acknowledging the wrong they did is a harder, tougher and more sobering experience than going to court.
- (2) They result in an agreement in which the offender agrees to undertake specific actions to right the wrong that she or he did. Victims have a major say in shaping the terms of this agreement.

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

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 CJC's dealing with adult cases is provided through Section 15 of the *Correctional Services Act, 1998*.

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 and can receive conflict resolution services through a CJC with the informed, written consent of the parent/guardian.

The way that CJC's handle the conflict that is part of the cases referred to them varies from

Handling Cases

Hand-out #2

- **CJCs must be incorporated as non-profit charitable corporations and must be officially appointed by the Attorney General of Saskatchewan if they want to handle cases involving offenders 12 years of age and over.** Incorporation and appointment are not necessary for advisory, crime prevention and public education work, or to work with children under the age of 12;
- Cases involving offenders 12 years of age and over are **referred to the CJC by the Police or Crown Prosecutor.** Cases involving offenders under the age of 12 are referred to the CJC **by the offenders' parents or guardians;**
- **CJCs do not determine guilt or innocence.** They only handle cases where the offender acknowledges responsibility for the offence;
- **The conflict resolution processes used by CJCs have two things in common:**
 - They bring the victim and offender together and give both an opportunity to describe what happened and how it affected them; and
 - They require that the offender undertake actions to right the wrong that he/she did.
- **Examples of actions that offenders might agree to undertake include:**
 - Personal apologies and/or letters or tape recordings of apology to the victim and the victim's family;
 - Personal apologies and/or letters or tape recordings of apology to the offender's family (appropriate when the offender's family feels shamed by the offender's actions);
 - Restitution, for example, if an offender broke the windows in a store, the offender might be required to use earnings from a part-time job to pay for the windows;
 - Direct repair of damage, for example, if an offender spray-painted slogans on the victim's garage, it would be appropriate for the offender to paint the garage;
 - Personal service to the victim, such as yard work, house work and/or running errands.
 - Community service, such as picking litter in the park;
 - Spending time with an Elder and writing a report or making a tape recording about what the offender learned from the Elder;
 - Participating regularly in Alcoholics Anonymous meetings;
 - Completing an anger-management program;
 - Completing a drug and/or alcohol treatment program; and
 - Avoiding certain places in the community - typically places where large groups of youth tend to hang out such as certain restaurants or the video arcade.
- **Community Justice Committees follow up on cases** to make sure the offender completes the actions he/she agreed to.

Year-End Reporting

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

- **Hold an annual public meeting** - The CJs financial statements must be made available to the public not less than 15 days before the annual meeting. (Publishing the financial statements in the local newspaper meets this requirement.)

At the annual public meeting:

- tell the public what you've been doing;
 - give statistics about the number and type of cases handled; and
 - invite public involvement, support and participation.
- **Prepare a financial statement.** CJs must send a copy of the financial statement to the Corporations Branch of Saskatchewan Justice not less than 15 days before the annual public meeting. It must cover the fiscal year ended and must not be more than four months old at the time of the annual meeting.
- **Submit an Annual Return to the Corporations Branch of Saskatchewan Justice.** This Annual Return is a form that Saskatchewan Justice sends out to confirm the continuing existence of the CJC.
- **Submit an annual report to the Department of Corrections and Public Safety.** In this report you:
 - give statistical information about the cases you've handled;
 - give information about your advisory, public education and crime prevention activities;
 - include your annual financial statement; and
 - give names of CJC members and information about member turnover.