

Alternative Measures Program

A Restorative Justice Approach



Encouraging Empowerment

What is the Alternative Measures Program?

It is a pre-court referral program based on a police assessment that provides for “alternatives” to court proceedings. The program offers a constructive way to deal with non-violent, low-risk offenders who accept responsibility for their crimes. Serious and violent crimes, including domestic violence, are not eligible for Alternative Measures.

The process involves victim, offender and the community in a search for solutions that promote reparation and reconciliation. Conditions of the program provide the opportunity for offenders to acknowledge what they have done, to work at making amends and, by doing so, to avoid having a criminal record.

The process searches for positive outcomes, which help to restore community harmony and the personal safety of citizens and their property.

What experience does New Brunswick have with Alternative Measures?

New Brunswick began an Alternative Measures Program for young persons over 15 years ago. In 1998/99, an impressive 95 per cent of eligible youth completed the required conditions of the program. Based on its success, the province initiated a similar program for adult offenders in 1998.

Why an Alternative Measures Program?

The Alternative Measures Program is founded on the principles of Restorative Justice. The underlying belief is that it is more beneficial for victims, communities and offenders, if all are involved in addressing the offending behavior and identifying ways to repair the harm that has been done.

For victims, it means an opportunity to tell offenders about the impact of crime and to make suggestions about what should be done to make things right.

For communities, it means empowerment to deal with problems in a way that complements community-based policing and correctional service initiatives.

For offenders, by accepting responsibility for their actions, it means greater understanding and increased awareness of the harm done.

When are offenders referred to the Alternative Measures Program?

The program only applies to certain designated offenses and in certain situations. In determining eligibility for the program, police, as part of the investigation of a crime, will look at such factors as the:

- type of offense
- seriousness of the offense
- feelings of the victim
- attitude of the offender about the offense and the victim
- the offender’s previous involvement, if any, with the criminal justice system.

Alternative Measures will be considered for those who:

- meet all the criteria regarding risk

Working together to find a solution!

- accept responsibility for an offense
- freely agree to take part in the program, and
- are usually first-time offenders.

Although incarceration is necessary for some offenders, many:

- do not require custodial intervention
- are capable of making personal change and are contributing members of the community
- have a need to belong, or
- will benefit from positive connections in the community where they have done harm.

What role do victims play in the referral?

The interests, needs and feelings of victims are carefully considered in making the decision to proceed with Alternative Measures. If the accused has agreed to take part in the Alternative Measures Program, the victim is contacted and encouraged to participate in the process. The process provides an opportunity to tell offenders about the effects of the wrongdoing while encouraging meaningful dialogue and awareness. However, if the victim does not agree or declines to participate, the decision to proceed with Alternative Measures may still be warranted.

How does the Alternative Measures Program work?

The frontline police role is critical. Police investigate charges and assess cases that could be considered for the Alternative Measures Program. The Department of Public Safety operates the program with an Alternative Measures Coordinator who manages case referrals.

The coordinator arranges for an Alternative Measures Committee to meet with an offender. The committee, composed of community representatives, police and corrections’ officials,

meets with the offender and the victim, if the victim wishes to take part.

At the meeting, the committee discusses the case and determines appropriate measures. These could include, for example:

- participating in mediation with the victim(s)
- attending special information and education sessions
- paying restitution to the victim
- providing personal service work for the victim
- obtaining treatment or counseling
- or, completing a period of community service.

The offender and the committee chairperson then sign a contract outlining the terms and conditions.

Restitution, community service and other outcomes may become part of a binding agreement which, when successfully completed, will satisfy the offender’s responsibility in regard to their offence and the community. If an offender breaks the conditions of the agreement, the case proceeds through the regular court system. For the offender who successfully completes the agreement, there will be no conviction or subsequent criminal record.

How do I get more information?

If you want to know more about Alternative Measures, please contact the Department of Public Safety in your region:

Fredericton, 453-2367
Moncton, 856-2313
Saint John, 658-2495
Edmundston, 735-2030
Bathurst, 547-2159