

Group wants restorative justice in Bancroft

By Sarah Sobanski

The Bancroft Area Community Conferencing Initiative is developing restorative justice alternatives for the community.

The initiative held its last meeting of the year Nov. 17 at St. John's Anglican Church. It brought together community members from area social organizations, the school board and Bancroft's council to discuss the history of the conventional criminal justice system in society and its pros and cons.

Facilitator and community justice consultant Hugh Russell noted the church "is serving as an umbrella agency for this fledgling group." He opened the meeting by welcoming initiative founder Nicole Soanes.

A Bancroftian, Soanes is certified through Sir Sandford Fleming College in community justice. She works for the John Howard Society in Peterborough, which Russell said "receives referrals from the courts for community justice circles as a diversion for some offenders."

Russell invited attendees to sit in a circle before describing King Aethelbert of Kent. Reigning in the late 500s, Aethelbert sought to copy the model of the organized church in order to support his decadent lifestyle.

This third Saxon king saw that the church provided religion to local tribes and communities in exchange for taxes, Russell explained. The king decided to do the same with justice for the tribes and communities he'd colonized. He developed the first criminal code with 90 offences and sanctions which he imposed on the people in exchange for taxes.

"From that time to now, the state has held sovereignty over justice "largely suppressing the role of community," said Russell.

The group discussed that as justice evolved from that starting point, it created an adversarial relationship among those who seek justice, those who give it out and those who have justice imposed upon them. They suggested it leads to the wrong-doer, and those who have been harmed, getting lost in the justice system.

"They become divorced from the care, concerns and supports that are available in community," said Russell.

"There are people that are being harmed and it's a community issue not a punishment issue," said Wendy Fouts, who works on restorative justice with children in local schools. "It perpetuates a system of us and them "winners and losers "the idea of justice for all becomes justice for some."

Other points made were that by having a punishment-based system, the responsibility of the community to the member who has acted against it, is lost.

"People who commit social or criminal offences don't think of their offensive behaviour as harming someone else, they think about what the state is going to do to them," said Russell.

According to the group, when the wrong-doer goes through the justice system their outcomes, responsibilities and well-being are controlled by it.

"Community's roles, responsibilities and prerogatives for finding remorse, forgiveness, reparations and strategies for preventing future occurrences are lost," Russell said.

He explained that a community-based restorative justice program includes: those who have been harmed as central to the process; ensures preparation and safety for all participants; enables dialogue among all persons involved; strives for re-integration of the wrong-doer and those who have been harmed, with their community; and ensures accountability and resources and services to deal with systemic pressures toward crime and social disorder.

The circle observed that community-based justice alternatives would "elevate the humanity" of the person infringing on someone else by making them more aware of those infringements through face-to-face interaction. One way this is achieved is through community justice circles, which allow "dialogue among the persons involved."

In a community justice circle, all parties sit down together, with supporters for both the person harmed and the person who did the harm, and third parties. Together they examine the offensive behaviour and its effects on those harmed.

They then they seek "consensus around ways to achieve reparations and to keep it from happening again," said Russell. Restorative justice "works with any kind of conflict, for example, it could help keep youth out of the court system," he said.

Youth, such as attending Grade 9 student Eric O'Neil, could be trained to help facilitate community circles with other youth for peer-to-peer support. This proactive approach would help keep youth in touch with their community and on the right path before traditional justice practices are required.

Russell said the group plans to meet again in the new year to discuss practices further. It wants to then begin recruiting youth who are interested in developing community justice circles.