



Alleyway in Parkdale, Toronto 2024, by author.

## Restorative Justice in Canada

SØREN RASK BJERRE CHRISTENSEN – KONFLIKTRÅD,  
ØSTJYLLANDS POLITI

The following pages are, quite literally, reflections from the field in Toronto, Canada where I am spending a year on leave from my position as a coordinator in Konfliktråd. Based on conversations with Canadian practitioners working with Restorative Justice (RJ) in criminal cases, I reflect on points of inspiration that I will take back home to Denmark.

### The Two Contexts

Firstly, there are notable differences between Denmark and Canada in how RJ is applied in criminal cases. In Denmark, RJ is offered by Konfliktråd, which operates under the police. We follow a relatively narrow mandate spelled out in the program's legal framework; If certain criteria are met, we offer victims and offenders the opportunity to meet in a safe way and provide a skilled mediator to facilitate a dialogue.

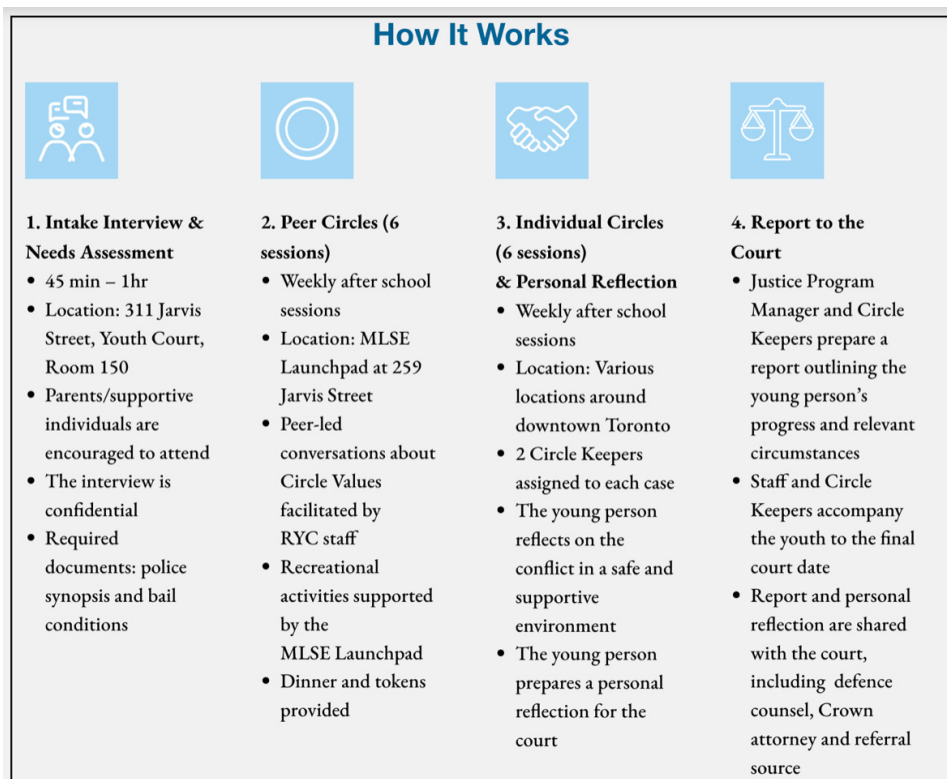
In Canada, RJ is often managed by civil society organizations. Courts and police refer cases to these organizations, which vary widely in structure, purpose and methodology. This results in a lot of variation and flexibility. Furthermore, RJ in criminal cases is just one of many activities offered by the organizations I encountered. Below, I present two cases that illustrate this.

## Peacebuilders Canada (PC) – Synergies and Multiple Levels of Work

I meet Lorna Richards at the Ontario provincial courthouse in Downtown Toronto, where she manages PC's Restorative Youth Circle (RYC) program. A point of inspiration from this conversation is how being a youth-centered organization with a restorative focus allows Lorna and her colleagues to create synergies between RYC and other programs.

If you're between 12 and 17 years old, commit an offense, and are required to appear in court, you may be referred to RYC as an alternative to a punitive process. Since PC works closely with another youth organization, the diversion program is integrated with activities at a youth hub in one of Toronto's more vulnerable areas. In this hub, a safe space is provided where youth are supported to explore topics such as empathy, responsibility, and communication during weekly peer circles.

Being diverted to PC's program involves participating in these circles for six weeks, allowing young offenders to engage in dialogue with peers without being labeled as criminals. Afterwards, participants complete individual circles and write a personal statement for the court on how to desist and repair the harm they caused.



By Peacebuilders Canada.

Beyond these individual interventions, PC works on expanding restorative approaches to youth crime more broadly. For example, they have used their experience from RYC to collaborate with the municipality, courts and the Board of Education on a restorative program in schools, as an alternative to suspension or police involvement. On a broader level, PC draws on their practical experience and evaluations of their programs to engage in policy advocacy. For instance, by initiating a campaign for raising the age of criminal responsibility to allow more developmentally appropriate responses to adolescent crime.

## Community Justice Initiatives (CJI) – Adaptability to Local Needs

Although the director of CJI,<sup>1</sup> Chris Cowe, is a busy man, he still generously made time to meet me. One theme from our conversation that stuck with me is CJI's flexibility and adaptability in responding to local community needs.

CJI primarily offers victim-offender mediation but when the community faces pressing issues, CJI has a history of adapting its expertise to new contexts. A good example is CJI's Sulah<sup>2</sup> program. Chris explained:

"It was 2016 or 17, we started to hear of an increase in incidents of Islamophobia. We had a lot of refugees coming from Syria at the time. Kitchen-Waterloo, by the way, is an extraordinarily diverse area. More than most other places in Canada. We also have a vibrant group in town called the Coalition for Muslim Women and I knew the executive director..."

After a dialogue-meeting where the women shared their experiences of the situation CJI and the Coalition collaborated to design a restorative response. CJI conducted research on intercultural conflict, drawing inspiration from an English program. Sulah was initiated, and volunteers from both organizations were trained in trauma-informed, culturally appropriate mediation. Since then, these competencies have been broadly applied in cases involving identity-based and intercultural conflict.

"...now, identity-based harm – we are a diverse community, and many cases have that kind of intercultural rub to them, and it's very difficult to work with because people have very ingrained ideas about others. But we've done some tremendous work in that area, and also try to be proactive in terms of prevention."

1. CJI is best known for being the organization created after the world's first-known case of RJ in a western justice system. See also: <https://cjiwr.com/cji-history-2/>

2. The program is entitled Sulah which has meanings related to reconciliation in several languages. Among these; Arabic, Urdu and Pashto.



### CONSIDER MEDIATION OR INTERVENTION THROUGH COMMUNITY JUSTICE INITIATIVES

By Community Justice Initiatives.

Beside the Sulah program, CJI have expanded the restorative lens to other areas, including a nearby women's prison, working with the municipality's Family and Children Service, providing services to victims and offenders of sexual offenses, to mention a few.

## Concluding Reflections

As we have seen in the two examples above, anchoring RJ in civil society creates some inspiring opportunities. I have focused on these and not limitations, such as the continued need for raising funds. When I see the potential of integrating RJ in criminal cases with other restorative efforts, I can't help but hope that the relatively small landscape of actors in the field in Denmark will continue increasing dialogue, collaborate more and work to create more space for restorative practices.

### References

Peacebuilders Canada (website). 2024: Restorative Youth Circles. <https://peacebuilders.ca/what-we-do/restorative-justice-programs-2/>

Community Justice Initiatives (website). 2024: Sulah Program. <https://cjiwr.com/sulah/>



### About the author

Søren Rask Bjerre Christensen is currently residing in Toronto, Canada, on a leave from his position as a coordinator in Konfliktråd. He is part of Aarcon's advisory board, has previously worked on the research project: Konfliktråd Impact Project, and been a volunteer facilitator and coordinator of Red Cross Youth's Street Mediator project.

**Email:** [soerenrask1@gmail.com](mailto:soerenrask1@gmail.com)

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