

MOTION

6. Working Collaboratively to Become a Restorative City (Member's Motion B.7)

At the Council meeting on December 14, 2021 (reconvened from November 16, 2021), Council referred the following motion to the Standing Committee on Policy and Strategic Priorities meeting on January 26, 2022, in order to hear from speakers, followed by debate and decision.

MOVED by Councillor Wiebe

WHEREAS

1. Vancouver is struggling to address the impacts of multiple crises. Many residents feel unsafe and isolated, and are experiencing harm. The current justice system alone is not able to deal with the complexities of the issues and meet people's needs. Systemic change is required, with calls for increased use of restorative approaches;
2. Restorative justice is a different way to understand and achieve justice. It focuses on addressing harm, healing and relationships. It's a relational, inclusive, flexible and participatory approach that can be complementary or an alternative to the legal system. It's guided by values, principles and Indigenous teachings. Affected parties – those who caused harm, those harmed, their families and community – are given an opportunity to participate in determining meaningful accountability, reparation, meeting needs and a path forward;
3. Restorative justice has been proven to be effective in addressing harm, reducing recidivism, and increasing public safety. For example, Restorative Justice Victoria is a city-wide program with data from over a decade and almost 1700 cases. They accept diverse and serious cases - robbery, assault, fatalities and much more. Of all cases accepted into their restorative justice program, 95% completed successfully. In all cases within the last 4 years, 96% of victims and 99% of offenders were satisfied. 100% of victims would recommend restorative justice to others;
4. There are about 80 restorative justice programs across BC. Surrounding municipalities support restorative justice programs, including North & West Vancouver, Richmond, Surrey, Tri-Cities, Langley and Abbotsford;
5. In Vancouver, there is a huge gap in community-based restorative justice programs and very limited justice options outside of criminal justice and courts. An Indigenous program, Vancouver Aboriginal Transformative Justice Services Society, offers services for Indigenous peoples. MCFD Youth Justice now has two probation officers who offer restorative justice post-sentencing for youth. Restorative approaches are available through fee-for-services offered independently. Criminal justice options expanded to include the Downtown Community Court and Drug Treatment Court; they have also expressed interest in having more restorative justice;

6. A global restorative movement continues to grow. The United Nations endorses and promotes it. In recent years, leadership has emerged from cities like Hull (UK), Oakland (USA), and Whanganui (New Zealand) who have expanded the focus from restorative justice programs to committing to becoming Restorative Cities;
7. A Restorative City is a city that expands beyond criminal justice to implement restorative values, principles and practices across multiple sectors. The basic goals of a Restorative City include healthy people, safe streets, strong communities, and a connected city that is invested in the humanity of all its citizens. As Whanganui (NZ) said, it's creating an environment for all "to thrive and succeed together through respectful relationships";
8. The potential benefits and outcomes of a Restorative City are vast. It could change the trajectories away from ongoing impacts of colonization, polarization, fragmented services, addiction, poverty, violence, incarceration, death and environmental destruction; and result in a city deeply rooted in communities that care for one another;
9. The foundation of becoming a Restorative City has already started in Vancouver by a diverse collective. Peace of the Circle received initial funding through Civil Forfeiture Funds, Ministry of Public Safety and Solicitor General BC to launch 'Building Partnerships for Restorative Justice in Vancouver'. At their latest stakeholders meeting in October 2021, they reached a consensus to work toward becoming a Restorative City. Through the coordination of Peace of the Circle, this collective is collaborating across sectors to create a relational, holistic, interdisciplinary, decolonizing approach to harm reduction, healing, safety, justice and peace (see background information for list of participants);
10. Becoming a Restorative City aligns with many current initiatives and strategies of the City, including: the Healthy City Strategy; the July 2020 motion council passed: "Decriminalizing Poverty and Supporting Community-led Safety Initiatives"; Safe Spaces for Women and Girls; Reconciliation and Equity; Anti-Racism; Murdered and Missing Indigenous Women and Girls; and
11. The Vancouver restorative collective is able to oversee the development and do the work necessary to move Vancouver towards becoming a Restorative City. This requires deepening partnerships, support and funding. Achieving justice and safety lies in the hands of communities, organizations, governments at all levels and ultimately, all of us.

THEREFORE BE IT RESOLVED

- A. THAT Council endorse the aspiration of Vancouver becoming a Restorative City.
- B. THAT Council direct staff to create training opportunities for staff to learn about restorative justice and that they include opportunities to incorporate restorative justice values, principles, and programming in future reports back to Council when applicable.

- C. THAT Council commits to having a representative participate in meetings of the Vancouver restorative collective as a stakeholder;

FURTHER THAT Council direct staff to include an option for \$200,000 to support a restorative justice lens for consideration by Council for the 2022 Budget process, specific allocation to be for a \$150,000 one-time grant to the Restorative Collective to work on the development of a Restorative City Framework and \$50,000 to support development and delivery of restorative justice training for City staff and Council.

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BACKGROUND INFORMATION

Peace of the Circle received initial funding through Civil Forfeiture Funds, Ministry of Public Safety and Solicitor General BC to launch 'Building Partnerships for Restorative Justice in Vancouver'. The first few months of 2021 focused on extensive outreach and strategic partnership development. We created a diverse coalition of agencies, groups and organizations with an overall goal to see restorative approaches flourish in the city of Vancouver, unceded traditional xʷməθkʷəyəm (Musqueam), Sk̓wx̓wú7mesh (Squamish) and səliiwətaʔt (Tsleil-Waututh) territory.

With the coordination and facilitation of Dr. Evelyn Zellerer, Director Peace of the Circle, they have met five times thus far for relationship building, education, and visioning (April-October 2021). Representatives have participated from various organizations, including:

- Aboriginal Community Policing Centre
- Atira Women's Resource Society
- BC Community Response Networks
- BC Housing, Orange Hall
- Black Lives Matter Vancouver
- Downtown Community Court
- Elizabeth Fry Society
- Hastings Sunrise Community Policing Centre
- John Howard Society of the Pacific
- Living Interfaith Sanctuary
- Ministry of Children and Family Development, Youth Justice
- Ministry of Public Safety and Solicitor General
- Ministry of Social Development and Poverty Reduction
- Planetary Resilience Council
- QMUNITY - BC's Queer, Trans & Two-Spirit Resource Centre
- Strathcona Community Policing Centre
- Urban Native Youth Association
- Vancouver Association for Restorative Justice
- Vancouver BIA Partnership Safety Committee
- Vancouver Board of Parks & Recreation
- Vancouver Police Department
- Victim Services Unit, Vancouver Police Department
- Yo Bro/Yo Girl
- Watari Counselling and Support Service

- WISH Vancouver
- WAVAW Rape Crisis Centre

<https://peaceofthecircle.com>

Restorative Justice Victoria: this city-wide program has data from over a decade and almost 1700 cases and has proven restorative justice is effective. For example, of all cases accepted into their restorative program, 95% completed successfully. They accept referrals from individuals/community, police, crown and court and diverse cases - from robbery, assault, assault with a weapon, intimate partner violence, fatalities and more. In all cases within the last 4 years, 96% of victims and 99% of offenders were satisfied. 100% of victims would recommend restorative justice to others.

<http://www.rjvictoria.com>

Restorative Justice Association of British Columbia: “envisions a province where restorative justice is known for quality, accessibility and innovation.” <https://rjabc.ca>

Indigenous Justice Association: “promoting the critical work of long-established, community based, indigenous justice programs throughout BC.” <https://indigenousjustice.ca>

Various **legislation, case law, government-commissioned reports and mandates recommend restorative justice.** For example:

- Minister Mike Farnworth mandate letter November 2020 includes the increased use of restorative justice: https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/farnworth_mandate_2020_mar_pssg.pdf
- “Getting Serious About Crime Reduction: Report of the Blue Ribbon Panel on Crime Reduction”: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/government/blue-ribbon-crime-reduction.pdf>
- BC Justice Reform Initiative, “A Criminal Justice System for the 21st Century: Final Report to the Minister of Justice and Attorney General”: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/justice-reform-initiatives/cowperfinalreport.pdf>
See also the 2016 update: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/justice-reform-initiatives/cowper-report-4-anniversary-update.pdf>

United Nations:

Has long endorsed restorative justice.

“Restorative justice is an inclusive, flexible and participatory approach to crime that can be complementary or an alternative to the conventional criminal justice process. It provides an opportunity to all affected parties – offenders, victims, their families and the community – to participate in addressing the crime and repairing the harm caused by it. It is also often the only, or one of very few, measures available for victims to participate in the resolution of a case and seek redress. Underpinning restorative justice is the understanding that criminal behaviour not only breaches the law, but also harms victims and the community.

In recent decades, the use of restorative justice in criminal matters has significantly increased around the world. As the custodian of the *Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters*, UNODC assists Member States...”:

<https://www.unodc.org/unodc/en/justice-and-prison-reform/cpcj-restorative-justice.html>

The 14th UN Congress on Crime Prevention and Criminal Justice was held March 7-12, 2021 in Kyoto, Japan. This largest international meeting in the fields of crime prevention and criminal justice is organised every five years. The Kyoto Declaration:

- Explicitly calls for the facilitation of “restorative justice processes at relevant stages in criminal proceedings in order to assist the recovery of victims and the reintegration of offenders” (article 42).
- Highlights the significance of victim-centred procedures and the key role of practitioners' professional training “to strengthen their capacity to provide victim-centred assistance and support that take into account the specific needs of victims” (article 34).

<https://documents-dds-ny.un.org/doc/UNDOC/LTD/V21/006/54/PDF/V2100654.pdf>

European Forum for Restorative Justice: Restorative justice is practiced across the EU. Several cities in the EU have chosen to become Restorative Cities. EFRJ provides a description and resources, including from their working group for restorative cities:

<https://www.euforumrj.org/en/restorative-cities>

Hull, UK:

First to proclaim becoming a restorative city.

Short Videos: <https://www.youtube.com/watch?v=6Qc6zYvnmvac>

and <https://www.youtube.com/watch?v=s4tpmantqel>

Whanganui, New Zealand:

First in New Zealand committed to becoming a restorative city:

<https://restorativepracticeswhanganui.co.nz>

Article: <https://www.nzherald.co.nz/whanganui-chronicle/news/restorative-city-whanganui-trust-leading-the-way-in-restorative-practices/XWJ7LXVVWSDT4O4P6MZJHVCFTI/>

Oakland, USA:

Mapping exercise for becoming a Restorative City:

https://www.iftf.org/fileadmin/user_upload/downloads/catalysts/IFTF_Fourm_TheRestorativeJusticeCityMap_rdr.pdf

Partnering justice with urban design: <https://designingjustice.org/restorative-justice-city/>

Article: https://medium.com/@Yo_Yo/re-imagining-oakland-building-the-first-restorative-city-in-the-country-6b6c022fdd3

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