

"Working Together" Series -- Paper #7
FCSS working together with
THE JUSTICE SYSTEM

2003



The FCSS "Working Together" project

The original FCSS "Working Together" project grew out of discussions among Family and Community Support Services (FCSS) programs about ways to work together within and between municipalities, and with regional authorities.

In 1998-99, with the support of (then) Alberta Family and Social Services, the FCSS Association of Alberta conducted a research project to learn the experiences of FCSS programs in working with others. The six "Working Together" papers produced through that project are listed below.

In 2002, as a follow-up to discussions, correspondence and meetings related to FCSS working with different aspects of the justice system, it was decided to add this Paper #7 to the "Working Together" series.

People who carried out the "FCSS-justice" working together project

Advisory Committee members overseeing this project were:

For the Family and Community Support Services Association of Alberta:

- Karen Bernard, board member Strathcona County FCSS and Vice President of Family and Community Support Services Association of Alberta
- Marg Clark, Director, Gibbons FCSS and Secretary of Family and Community Support Services Association of Alberta

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Papers in the "FCSS Working Together" series are:

Theme One: Working together overview

- Paper #1: Working together in FCSS -- gifts and challenges

Theme Two: Working together in FCSS communities

- Paper #2: Working together within municipalities and Metis settlements
- Paper #3: Working together between municipalities
- Paper #4: Working together with community organizations

Theme Three: Working together with regional authorities

- Paper #5: Working together with Child and Family Services Authorities
- Paper #6: Working together with Health Authorities

Theme Four: Working together with the justice system

- Paper #7: FCSS working together with the justice system (*this paper*)

All seven "Working Together" papers are available on request from:

Family and Community Support Services Association of Alberta

Phone 780-415-4791, Fax 780-415-4793, E-mail fcssaa@telusplanet.net

or

Alberta Children's Service, Prevention and Community Support Unit

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FCSS working together with THE JUSTICE SYSTEM

THANK YOU

- To the board and staff of the Family and Community Support Services Association of Alberta, for continuous cooperation, and for helping to arrange numerous contacts with FCSS representatives across the province.
- To Alberta Children's Services, who initiated the project and provided funds and staff support that made the project possible.
- To representatives of Alberta Solicitor General and Alberta Justice, who provided guidance and background information about justice system roles and programs.

Solicitor General representatives also distributed surveys and encouraged local justice system representatives to participate in the project.

Solicitor General and Justice representatives reviewed findings and draft reports produced during the project.

Alberta Solicitor General representatives included Crime Prevention, Victims Programs, Youth Justice, Community Corrections and Aboriginal Justice.

Alberta Justice representatives included Criminal Justice Division and Family Mediation Services.

- To the 230 local and community-based representatives of FCSS programs, Crime Prevention, Victim Services, Youth Justice and Probation who completed surveys, participated in interviews and provided additional background information.

The information and insights of all these people provided rich and often heartfelt information on which to base this report.

Family and Community Support Services

Family and Community Support Services (FCSS) is a municipal-provincial program through which a municipality or Metis settlement may foster community development and preventive support. The province funds up to 80% of the net cost of FCSS programs. Local governments contribute at least 20%.

FCSS is an optional program. Municipalities and Metis settlements choose whether or not they wish to participate. Within the broad guidelines of the *Family and Community Support Services Act and Regulation*, municipalities and Metis settlements determine how FCSS will operate in their communities:

- How they will organize their FCSS program,
- What community social issues they will address,
- What role FCSS will play in addressing community social issues, and
- What services, if any, FCSS will develop or support in response to local priorities.

Attachment 2 of this paper provides more information about FCSS.

Prevention and Community Support Unit, Alberta Children's Services

Prevention and Community Support Unit, Alberta Children's Services, administers Family and Community Support Services finance, policy and municipal-provincial agreements.

The project to research and develop this paper was initiated by Alberta Children's Services, and supported by the FCSS Program Advisory Team, a joint management committee co-chaired by the FCSS Association of Alberta President and Alberta Children's Services Prevention and Community Support Unit Manager.

Family and Community Support Services Association of Alberta

The Family and Community Support Services Association of Alberta (FCSSAA) is a provincial organization of FCSS programs. The Association is private, non-government, not-for-profit and voluntary (that is, membership in the Association is optional). The Association is a registered society operated by and for municipal and Metis Settlement FCSS programs.

Advisory Committee

Two members of the provincial FCSSAA board and two representatives of Alberta Children's Services formed the Advisory Committee for this project.

Justice system

The over-all justice system includes both civil and criminal justice. Aspects of the justice system discussed in this paper are those with which FCSS programs have opportunities to work together. These include:

- Core components of the criminal justice system: Police, Crown Prosecutor, Courts and Corrections; and
- Justice system programs related to the core components -- Crime Prevention, Victim Services, Probation and Youth Justice Committees -- as well as Family Mediation Services.

Attachments 1, 3, 4, 5, 6, 7 and 8 provide more information about aspects of the justice system discussed in this paper.

FCSS working together with THE JUSTICE SYSTEM

EXECUTIVE SUMMARY

WHY THIS PROJECT

This project was initiated because local Family and Community Support Services (FCSS) programs expressed concerns about the justice system.

- A number of FCSS programs felt pressured by local requests for FCSS funding and other support, to assist justice system programs such as Victim Services, crime prevention and youth justice committees.
- Some FCSS programs believed that the provincial government was attempting to download its responsibilities onto local governments.

Meanwhile, within the justice system, concerns were expressed about FCSS.

- Victim Services was concerned that provincial FCSS policy limited the ways in which local FCSS programs could assist Victim Services.
- Crime Prevention and Youth Justice Committees wondered why some FCSS programs assisted them, and other FCSS programs did not.
- In general, justice system representatives wished FCSS programs could see that people affected by crime were part of the community and so of interest to FCSS.

At the provincial level, correspondence and meetings took place. Out of that contact came the decision to add this seventh paper to the FCSS "Working Together" series.

SOURCES OF INFORMATION

Information in this report is based on:

- Survey, interviews and documents provided by about 250 provincial and

- local representatives of FCSS, Crime Prevention, Victim Services, Crown Prosecutors, Aboriginal Justice, Youth Justice and Family Mediation Services.
- Review of program and statistical information available on-line and from provincial government sources.

MAJOR FINDINGS

1. Original concerns not addressed but activity increased

Few of the original concerns that sparked this project have been addressed.

- Though some additional administrative funding is available for Youth Justice Committees, FCSS programs continue to perceive that justice system initiatives involving the community often have sparse resources for their responsibilities.
- Though some local FCSS programs are much involved with justice system programs, the provincial FCSS policies that concerned justice system representatives remain unchanged.

Despite the fact that the original concerns have not changed much, this project found that there is considerable activity between FCSS programs and parts of the justice system.

In those communities that have considerable contact between FCSS and the justice system, the people involved believe their communities benefit.

2. Overview of the justice system

a. Crime in Alberta

The facets of the justice system most likely to be in contact with FCSS are in the criminal justice system, so a review of Alberta crime

rates was part of the project. Highlights from the year 2001 include:¹

- In 2001, Alberta's crime rate in nearly all categories of crime was higher than the crime rate for Canada as a whole.
- In 2001, the highest crime rates by specific types of crime were for property crimes.
 - More than half of property crimes were theft under \$5,000.
 - About one-fifth of property crimes were breaking and entering.
 - About one-eighth of property crimes were motor vehicle theft.
- In 2001, the second highest crime rate was for crimes of violence.
 - More than 80% of violent crimes were assaults.
 - Robbery and sexual assaults each represented about 9% of crimes of violence.
- In 2001 in Alberta, considerably more youth than adults were charged with crime. About 65% of those charged with a crime were youth. About 35% of those charged were adult.

b. Criminal justice

FCSS is more likely to be in contact with criminal justice than with civil justice.²

The core of the criminal justice system consists of Police, Crown Prosecutors, Courts and Corrections. Each of these has mandated responsibilities as a reported crime is investigated, and an accused person is charged with a crime, prosecuted in a court, and, if found guilty, sentenced to a penalty ranging

¹ 2001 crime rate information is from Statistics Canada, CANSIMII, Table 252-0013, reported at www.canada.gc.ca.

² Civil justice deals with disputes between individuals or groups -- for example, disputes about contracts, family matters or wills and estates. Criminal justice involves protecting the public when a crime has been committed. Criminal justice includes investigating crime, laying charges, prosecuting accused persons in court, and supervising offenders who have been found guilty and sentenced to a penalty.

from a fine, probation, or short or long term prison term.

These core components are supported by programs such as Crime Prevention, Victim Services, Alternative Measures, Youth Justice Committees and Victim Services.

Within criminal justice, local FCSS programs are most likely to work with Victim Services and Probation. A smaller proportion of FCSS programs have contact with Police, Crime Prevention and Youth Justice Committees.

c. Comparison and contrast: FCSS and the justice system

FCSS and the criminal justice system have contrasting mandates, jurisdictions, focus and operating principles. To work together, it is helpful to understand the contrasts.

- FCSS mandate is to promote and enhance well-being among individuals, families and communities. The criminal justice system mandate is to protect the public, enforce the law and administer justice.
- FCSS is administered by municipal government. The criminal justice system is administered by the provincial government.
- FCSS is focussed on families and communities, or groups of individuals (e.g., children, seniors). The criminal justice system is focussed on individual offenders or victims of crime.
- FCSS principles include prevention, volunteerism, local autonomy and community development. Criminal justice principles are, "innocent until proven guilty," respect for law, statutory responsibility, and following due process.
- FCSS values flexibility, responsiveness to local circumstances, and governance through citizen councils, boards and committees. The criminal justice system values consistency, even-handed application of the law, and hierarchical structures and levels of authority.

Despite the contrasts, FCSS and the justice system find common ground in the community.

- Offenders and victims of crime are community citizens.
- The root causes of crime affect and are affected by the community.
- The impact of crime affects the community.
- The community has the power to heal and restore, or to isolate and blame.

3. FCSS working together with the justice system

a. Ways that FCSS works with justice

This project identified seven major ways that FCSS works with the justice system.

- **Being part of the same community committees** -- FCSS is often part of a community interagency group or task group that includes justice system representatives (most commonly, Victim Services or Probation).
- **Learning about community social needs** -- Contact with the justice system helps FCSS become aware of social needs that might not otherwise be known to FCSS (Victim Services, Probation, Crime Prevention and Youth Justice).
- **Helping the community become aware** - - FCSS can help the justice system increase community awareness of social issues seen by the justice system (Victim Services, Probation, Crime Prevention and Youth Justice).
- **Cooperating with specific events or projects** -- FCSS often works with justice system people to organize community education or fundraiser events, or projects related to social issues that involve the justice system (e.g. prevention of family violence, drug use, etc)
- **Making referrals and/or working together with specific clients** -- Some FCSS programs exchange referrals with Victim Services, Probation, Youth Justice Committees or Family Mediation Services. Some FCSS programs are

involved in joint case planning regarding shared clients.

- **Funding** -- FCSS programs often allocate funds for specific justice system activities or projects (e.g. Victim Services training, Crime Prevention events).
- **Helping to get a justice system project going** -- In some communities, FCSS was part of a community process to initiate Crime Prevention or Youth Justice Committees.

b. What helps: conditions in which FCSS is more likely to work with the justice system

Five conditions in which FCSS is more likely to work with the justice system are:

- **Someone in FCSS believes justice system issues are community issues.** In FCSS programs where someone is willing to champion connections with the justice system, then connections happen.
- **The FCSS program looks at over-all social needs in the community.** FCSS programs that look at the community as a whole are more likely to see the justice system as part of the community fabric. FCSS programs with a focus on one particular area (e.g. seniors) are less likely to contact the justice system.
- **The FCSS program is big enough to have one or more full time staff persons.** FCSS programs with at least one full time staff person are more likely to have time for connections with the justice system.
- **The FCSS program provides or funds services to individual and families.** FCSS programs that provide services or allocate funds to community agencies are more likely to have reasons to work with justice system programs. They may make referrals, or have clients in common.
- **The justice system program is able to devote staff or volunteer time to working together.** When justice system representatives are able to participate in interagency meetings or community projects, FCSS is more likely to encounter

them, and therefore more likely to work together with them.

c. What hinders: barriers to working together

- **Barriers within both FCSS and the justice system** -- FCSS and justice are less likely to work together when:
 - They are seldom in the same place at the same time.
 - They do not understand one another's mandates and services.
 - They do not perceive cooperation to be a benefit.
 - They judge and blame one another when they see differences.
- **Barriers within FCSS** -- FCSS programs are less likely to work with justice when:
 - They believe cooperation with justice is not preventive.
 - They believe that helping justice duplicates government services.
 - They fear that helping justice enables the provincial government to abdicate its responsibility.
 - They fear being overwhelmed by justice system needs.
 - They do not have staff time or resources for working with justice.
- **Barriers within the justice system** Justice system people are less likely to work with FCSS when:
 - They do not see community contact as a benefit.
 - They do not have time or resources to attend community meetings or be part of community projects.
 - They do not have patience for community planning processes and community meetings.

OPPORTUNITIES

1. At the local level

Those FCSS programs that wish to enhance their contact with the justice system can:

- See justice system issues as part of the community fabric, and relevant to FCSS.
- Seek out information about the justice system.
- Initiate contact. Phone, arrange visits, and help schedule multi-agency events when justice system people can be available.
- Be respectful of the need for justice system people to operate within their statutory mandate.

2. At the provincial level

- The FCSS community could re-visit FCSS policy interpretations of "duplication" and "prevention" as these apply to justice system cooperation.
- The justice system could recognize that working with the community requires a commitment of time and money.

And finally

This project was born out of concerns expressed by both FCSS and justice system representatives. Though few of those concerns have been addressed, many local FCSS and justice system representatives believe that working together benefits their programs and their communities. They have decided to make it work.

Perhaps that is the message of this project. Despite local and provincial barriers, when local people decide it matters, it works.

The final document produced for this project includes two types of information:

- The report of findings (summarized in this Executive Summary); and
- Reference material -- background attachments about the justice system, FCSS, Crime Prevention, Victim Services, Crown Prosecutor, Family Mediation Services, Probation and Youth Justice.

"Working Together" Series -- Paper #7

FCSS working together with THE JUSTICE SYSTEM

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FCSS working together with THE JUSTICE SYSTEM

A. CONTEXT

1. Why this paper

Over the past few years, municipal FCSS programs have expressed concerns about pressure from various local parts of the justice system. FCSS representatives perceived that the justice system wanted to encourage more community involvement in aspects of the justice system through, for example, community crime prevention and youth justice committees. These local committees were approaching FCSS for funding or other assistance.

In general, municipal FCSS representatives expressed concerns that:

- The justice system wanted community involvement without providing adequate resources to support it;
- Local people involved in justice system initiatives were asking FCSS to provide funding and sometimes other assistance;
- This put local FCSS programs in a position of being asked to provide support which FCSS believed was a provincial responsibility, and/or which FCSS sometimes did not feel it had resources to cover;
- This could create hard feelings between FCSS and some people in the community.

Concerns were brought to the Family and Community Support Services Association of Alberta (FCSSAA). Letters were

exchanged between the FCSSAA and the Minister of Justice.

Meanwhile, in some parts of the justice system, concerns were expressed about FCSS.

- The Victim Services program was concerned that statements in the *FCSS Handbook*¹ limited the ways FCSS funds could be used to support Victim Services programs. Victim Services representatives wanted this policy to be re-considered.
- Other programs such as crime prevention and youth justice wondered why, when some FCSS programs provided funds or worked closely with local justice system committees, that other FCSS programs did not.
- In general, justice system representatives wished that FCSS programs would perceive that people affected by crime were part of the community (and therefore relevant to FCSS), and not just a justice system responsibility.

At the provincial level, correspondence and meetings took place. The meetings did not result in actions that reduced the concerns. However, one factor was identified that could be addressed: a lack of knowledge and understanding between FCSS and justice system representatives.

¹ The *FCSS Handbook* sets out provincial government policies regarding FCSS funding and administration.

Thus was born the decision to add this seventh paper to the six FCSS "Working Together" papers published in 1999.

2. Changes

Between the time the original concerns were expressed and the time this project took place, a number of circumstances changed within the justice system and within FCSS:

Within the justice system:

- The justice system made funds available to assist with administrative costs of youth justice and crime prevention committees, thus reducing some of the pressure for FCSS programs to provide funds (at least in some communities).
- The ministry of justice was separated into two departments, Alberta Justice and Alberta Solicitor General. The justice system areas with the most community contact became part of Solicitor General. This change did not particularly affect how things worked at the community level, but it did impact the provincial people who worked most closely with local justice system committees.
- In a round of budget cuts early in 2002, justice system funds for community crime prevention were cut, and restorative justice initiatives were put on hold.
- The justice system as a whole has continued to work on creating additional ways to divert less serious criminal offences away from formal criminal justice processes, so courts and corrections are freed up to focus on more serious criminal cases.

- A new federal Act called the *Youth Criminal Justice Act* takes effect in 2003, replacing the previous *Young Offenders Act*. The new *Youth Criminal Justice Act* provides for an expanded role for community.

Within FCSS:

- Other issues emerged, most notably issues related to FCSS and child welfare. Concerns about FCSS and the justice system seemed to recede into the background.
- Those FCSS programs that wanted to work with or assist Victim Services, community crime prevention, probation or youth justice found ways to do so within the parameters of the FCSS mandate and policies.
- In some communities, FCSS and justice system representatives created or strengthened forms of cooperation that were extremely satisfying to those involved, and beneficial to the community.

3. How this project was carried out

The project began with data gathering assisted by provincial government representatives, to identify the issues to be explored in this project, and to learn more about what was happening within the justice system.

Information about how FCSS and justice now work together was gathered through surveys and interviews of local FCSS and justice system representatives. More than 200 people provided information (names are provided in Attachment 10).

Preliminary findings were provided to a provincial meeting of FCSS directors, who suggested additional data gathering, and to provincial representatives of the justice system, who agreed to review draft reports.

Information from all sources was analyzed for themes and trends, and summarized in a series of attachments to the report. These were reviewed by provincial representatives of the different justice system program areas, and by local FCSS representatives. Finally, the report itself was drafted and reviewed by provincial and local stakeholders at both provincial and community levels.

Throughout the project, the research team was guided by an Advisory Committee of representatives from the FCSS Association of Alberta and Alberta Children's Services.

4. What is in this document

This document includes two types of information:

A summary report of findings from the project, and
Background information about the justice system and about FCSS, intended as reference material.

Findings from the project include:

- This "report" section of the document summarizing how FCSS and the justice system now work together, and the barriers and bridges to cooperation identified during the project.
- Attachments 3, 4, 5, 6, 7 and 8, providing more detailed information about different facets of the justice system and the way they now work with FCSS.

(Some of the information in these attachments can be considered reference material.)

Background reference information includes:

- In response to requests from FCSS representatives during this project, Attachment 1 provides background information about the justice system in general.
- In response to comments from justice system representatives during this project, Attachment 2 provides background information about FCSS, written for the understanding of a justice system audience.

B. FCSS AND THE JUSTICE SYSTEM: AN OVERVIEW

1. Crime in Alberta

In a report about FCSS working with the justice system, it seems appropriate to look at the types of crimes that are dealt with by the justice system. These crimes are the reason for the work of the justice system.

As shown in the chart below, Statistics Canada reports that Alberta's crime rate is higher than that of Canada as a whole. Please note that the chart provides the crime rate per 100,000 population, not the actual number of crimes in 2001.

Crime Rate per 100,000 population, Canada and Alberta, 2001²		
TYPES OF OFFENCES	Canada	Alberta
All incidents of crime -- crime rate per 100,000 population	8,572.7	10,087.2
<i>Criminal Code</i> offences -- crime rate per 100,000 population	8,153.6	9,635.2
Crimes of violence -- crime rate per 100,000 population	994.5	1,098.9
• Homicide	1.8	2.3
• Attempted murder	2.3	1.0
• Assaults	769.5	864.3
• Sexual assault	78.6	87.3
• Other sexual offences	9.7	6.1
• Robbery	88.2	89.0
• Other crimes of violence	44.4	48.9
Property crimes -- total crime rate	4,046.5	4,405.5
• Breaking and entering	908.9	837.1
• Motor vehicle theft	547.6	570.0
• Theft over \$5,000	68.0	58.1
• Theft \$5,000 and under	2,142.6	2,422.9
• Possession of stolen goods	95.1	132.3
• Frauds	284.2	385.1
<i>Criminal Code</i> traffic offences (e.g. impaired driving, etc.)	406.3	584.8
Other <i>Criminal Code</i> offences	2,706.4	3,546.0
Federal statutes (drug offences, etc.) -- crime rate per 100,000	418.8	452.0

In summary, in 2001 the highest crime rates by specific type of offence were for property crimes and crimes of violence.

- Property crimes -- The Alberta rate was 4,405.5 per 100,000 population, compared to the Canada rate of 4,046.5. The most frequent type of property crime was theft \$5,000 and under -- an Alberta rate of 2,422.9 compared to a Canada rate of 2,142.6.

- Crimes of violence -- The Alberta rate was 1,098.9 per 100,000 compared to a Canada rate of 994.5. The most frequent type of violent crime was assault -- an Alberta rate of 864.3 compared to a Canada rate of 769.5.

Considerably more youth than adults were charged with crimes in 2001. As shown in the chart below, in 2001, Alberta had a rate of 8,675.2 adults and youths per

2 Crime rate statistics in this report are from Statistics Canada, CANSIMII, Table 252-0013, reported on the federal government website at www.canada.gc.ca

Rate of youths and adults charged, Canada and Alberta, 2001³						
Rate per 100,000 population						
TYPES OF OFFENCES	CANADA			ALBERTA		
	Total	Youth	Adult	Total	Youth	Adult
All incidents of crime	6,897.5	4,656.9	2,240.6	8,675.2	5,603.5	3,071.7
<i>Criminal Code</i> offences	6,159.8	4,140.6	2,019.2	7,921.3	5,062.5	2,858.7
Crimes of violence	1,451.3	940.4	510.9	1,563.2	1,001.5	561.7
• Homicide	2.9	1.2	1.7	4.9	2.6	2.3
• Attempted murder	5.2	2.9	2.4	1.9	1.1	0.7
• Assaults	1,080.1	673.9	406.1	1,170.9	733.6	437.3
• Sexual assault	97.9	64.9	33.0	103.5	67.8	35.7
• Other sexual offences	9.2	6.5	2.7	8.2	6.3	1.9
• Robbery	174.6	145.8	28.9	185.6	150.5	35.1
• Other crimes of violence	84.5	45.2	39.3	88.3	39.5	48.8
Property crime	2,342.7	1,824.0	518.7	3,043.3	2,300.6	742.7
• Breaking and entering	564.8	479.2	85.6	676.3	565.6	110.7
• Motor vehicle theft	285.0	249.4	35.6	431.4	373.3	58.1
• Theft over \$5,000	20.3	11.8	8.6	25.4	14.5	11.8
• Theft \$5,000 and under	1,009.6	780.8	228.8	1,250.6	937.0	313.5
• Possession of stolen goods	292.0	224.3	67.7	399.4	290.2	109.1
• Frauds	171.0	78.5	92.5	259.4	120.0	139.4
<i>Criminal Code</i> traffic offences (e.g. impaired driving, etc.)	357.4	0.0	357.4	574.8	0.0	574.8
Other <i>Criminal Code</i> offences	2,008.4	1,376.2	632.2	2,740.0	1,760.4	979.6
Federal statutes (e.g., drug offences, etc.)	737.7	516.3	221.4	753.9	541.0	212.9

100,000 population who were charged with a criminal offence. Of these, the rate for youths was 5,603.5 (about 65% of the total rate) and for adults was 3,071.7 (about 35%) per 100,000 population.

The relevance of these statistics is:

- The crime rate in Alberta is higher than in Canada. The root causes of crime and the impact of crime are community issues as well as justice system issues, and therefore may be of interest to FCSS.

³ Crime rate statistics in this report are from Statistics Canada, CANSIMII, Table 252-0013, reported on the federal government website at www.canada.gc.ca

- Property crimes are likely the most frequent types of crime in most communities -- at least, if a community follows the general pattern of Alberta as a whole.

The rate of violent crimes is lower than the rate of property crimes. However, given the impact of violence -- not only on victims but also on the level of fear in the community -- violent crime may be as compelling an issue for the community as property crime.

- Youths are more likely than adults to be charged with criminal offences. Since many FCSS communities have a focus on youth, these rates may be of interest to FCSS.

2. The justice system

In order to work together with the justice system, it is helpful if FCSS understands something of how the justice system works. In response to requests from FCSS representatives during this project, Attachment 1 of this report provides much background information about the justice system. Key points are highlighted here.

a. Civil and criminal justice

Civil and criminal law are two different facets of the justice system. FCSS programs may sometimes be in contact with aspects of civil law (e.g., Family Mediation Services). More commonly, FCSS programs work with components of criminal justice.

- **Civil law** usually refers to disputes between individuals or groups -- for example, disputes about a contract, family matters, or wills and estates. In civil cases it is the plaintiff or

complainant ("wronged party") who initiates a lawsuit. If matters cannot be settled out of court, a civil court will hear from the disputing parties (often represented by lawyers) and make a decision or "judgment" about how the matter will be settled.

- **Criminal law** involves protecting the public when a crime has been committed. The victim or person who has been wronged does not have to initiate action to prosecute the crime. The justice system views crimes as **wrongs against society as a whole**, not simply private matters between two people. Therefore, in criminal cases, it is the Crown (not the victim or person who has been wronged) that initiates action and attempts to prove the case against the accused.

b. Criminal justice system

As illustrated in the diagram on the next page, the core of the criminal justice process begins when a crime is reported.

When a crime is reported, the core criminal justice process is carried out by police, Crown prosecutor, courts and corrections systems. These core components are supported by programs such as crime prevention, youth justice, alternative measures, restorative justice and victim services.

In condensed form, the roles of each are:

- **Police** investigate reported crimes to determine whether there is enough evidence to lay charges. The central roles of police are to:
 - Protect the public;
 - Maintain public peace and order;
 - Investigate crime;

- Prepare and present evidence in court -- In Canadian law, the accused is innocent until proven guilty. Therefore, the burden of proof is on the Crown prosecutor. It is the responsibility of the Crown prosecutor to prove *beyond a reasonable doubt* that the accused committed the offence as charged. The accused person does not have to prove innocence.

Courts in Canada serve two distinct functions:

- Trial or hearing function -- to conduct trials or hearings related to criminal or civil matters; and
- Appeal function -- to hear appeals of decisions from lower courts.

Three levels of court (from lowest to highest level) are Provincial Court, Court of Queen's Bench and Alberta Court of Appeal.

Provincial Court has four divisions:

- Criminal Division generally deals with criminal offences;
- Family Division handles most *Child Welfare Act* matters and certain custody and maintenance disputes;
- Youth Division hears matters under the *Youth Criminal Justice Act* (Canada); and
- Civil Division handles civil claims where the amount claimed does not exceed \$25,000.

The Court of Queen's Bench is a superior court of civil and criminal jurisdiction. The Court of Queen's Bench:

- Holds jury trials for both criminal and civil matters;

- Hears civil trials for damages, regardless of the amount;
- Handles family matters such as divorces and adoptions;
- Handles foreclosures, bankruptcies, and matters relating to wills and estates.
- Handles applications under the *Dependent Adults Act*.

The Court of Appeal of Alberta is the highest appeal court in the province. The Court of Appeal can:

- Hear most civil and criminal appeals; and
- Hear applications and appeals respecting certain judgments, orders, and decisions of the other courts.

The Supreme Court of Canada is the highest court in Canada. It hears appeals from the appeal courts of each province and territory, as well as the federal court of appeal.

Corrections -- Once an offender has been convicted and sentenced by the court, the corrections system takes over primary responsibility. The courts have responsibility to sentence offenders, and corrections have responsibility to manage convicted offenders.

Different offenders are supervised by federal or provincial corrections systems. In general, the Correctional Service of Canada supervises adult offenders sentenced to two years or more. Alberta Solicitor General supervises adult offenders sentenced to less than two years, and all young offenders.

Community corrections (Probation and Parole) -- Offenders may serve part or all of their sentence in the community rather than in prison, depending on the nature and conditions attached to the sentence. Offenders serving sentences in the community are always under the supervision of provincial or federal corrections systems.

The justice system has a number of programs and processes that support different phases of the core criminal justice process. For example:

- **Crime prevention** programs work to prevent crimes from happening in the first place. Many police services have officers designated as Crime Prevention Coordinators. As well, volunteer community crime prevention programs exist in many Alberta communities along with provincial crime prevention associations.
- **Youth Justice Committees** work with police and probation to provide alternative ways of working with young offenders, to reduce the likelihood of repeat offences and to help youth get back on a healthy path.
- **Alternative measures and other restorative justice** approaches aim to foster healing and "restoring" individuals and communities affected by crime. Restorative justice processes may operate parallel to or in addition to the core criminal justice process.
- **Victim Services** may be involved as soon as a crime is reported, whether or not anyone is charged with the crime. The role of Victim Services is to provide information, support and

referral services to a victim of crime during the time the victim has contact with the criminal justice system.

3. FCSS and criminal justice: comparison and contrast

The chart on the next page illustrates a number of contrasts between FCSS and the criminal justice system. In order to work together, it is helpful for FCSS and criminal justice representatives to understand and respect one another's different "realities."

With all these contrasts, where is the common ground? In the community -- the context in which both FCSS and criminal justice operate: Victims and offenders are community citizens. The root causes of crime affect and are affected by the community. The impact of crime affects the community. The community has the power to heal and restore, or to isolate and blame.

FCSS and criminal justice can have complementary roles in their community setting. The people who participated in this project described a number of ways in which FCSS and people in the justice system now work together for their mutual benefit and the benefit of the community. The next section of this report describes how.

<p align="center">Family and Community Support Services (FCSS)</p>	<p align="center">Criminal justice system (police, Crown, courts, corrections, and programs that support them)</p>
<ul style="list-style-type: none"> • Over-all mandate: Design and deliver preventive social programs; promote and enhance well-being among individuals, families and communities. 	<ul style="list-style-type: none"> • Over-all mandate: Protect the public, enforce the law; administer justice
<ul style="list-style-type: none"> • Legislative authority: Provincial <i>Family and Community Support Services Act and Regulation</i>. The Act does not specify what FCSS programs must do, but sets out program boundaries (whatever FCSS does must fit within the defined boundaries), and cost sharing between municipal and provincial governments. 	<ul style="list-style-type: none"> • Legislative authority: <i>Criminal Code of Canada</i> and other legislation defines "crime." Several federal and provincial government Acts define role, authority and responsibility of different justice system officials (police, Crown, courts, corrections, youth justice). Provincial Acts outline program responsibilities related to crime prevention, victims of crime, etc.
<ul style="list-style-type: none"> • Administered by: Municipal government 	<ul style="list-style-type: none"> • Administered by: Provincial government (with some specific responsibilities administered by the federal government)
<ul style="list-style-type: none"> • Focus: Families and communities; sub-populations of individuals (e.g., children, youth, seniors, individuals dealing with particular social issues) 	<ul style="list-style-type: none"> • Focus: Individuals involved with the criminal justice system (offenders and victims of crime)
<ul style="list-style-type: none"> • Principles: Prevention, volunteerism, local autonomy, community development; responsive to local issues; governance through citizen boards and committees 	<ul style="list-style-type: none"> • Principles: Innocent until proven guilty; respect for law; consistency; mandated responsibilities and procedure; hierarchical structures and levels of authority

C. HOW FCSS AND THE JUSTICE SYSTEM NOW WORK TOGETHER

1. Seven ways that some FCSS programs work with the justice system

- **Being part of the same community committees** -- Most commonly, FCSS is part of an interagency group that may also include justice system representatives. Some FCSS and justice system representatives are part of community committees that focus on a particular community social issue (e.g., youth and drugs; family violence).
- **Learning about community social needs identified by people in the justice system** - - Connections with justice system representatives helps FCSS become aware of social needs and issues that might not otherwise be visible to FCSS.
- **Helping the community become aware of social needs identified by people in the justice system**

FCSS has connections to the municipal power structure, and can give justice system representatives an avenue to help local elected representatives and the municipal administration become more aware of social issues seen by representatives of the justice system.

Many FCSS programs see part of their responsibility as helping the community to become more aware of social issues. They routinely use local media, community events, presentations, brochures, and informal discussions as methods to raise

community awareness and encourage people to become involved.

- **Helping to get a particular justice system project going** -- For example, in some communities, FCSS took part in community processes to initiate crime prevention, victim services or youth justice committees. Sometimes FCSS has continued to be involved. Other times, FCSS saw its role as an initiator, and when the project was up and running, FCSS no longer had a role.
- **Cooperating in specific events or initiatives** -- crime prevention, co-sponsoring community education events, family violence prevention strategies, etc.
- **Making referrals, and/or working together regarding specific clients** -- Some FCSS programs make referrals to, and/or receive referrals from Victim Services, Probation, Family Mediation and Youth Justice Committees. Some FCSS programs provide community services that share clients and are involved in joint case planning with justice system services such as Probation.
- **Providing funds** -- FCSS programs frequently allocate funds for specific activities (for example, crime prevention events; Victim Services training). Some FCSS programs also provide on-going annual grants to support some aspects of a justice system program.

2. FCSS and specific facets of the justice system (summary)

Nearly all the FCSS programs that participated in this project have contact with at least one facet of the justice system.

Victim Services and Probation (in that order) are the two justice system areas that FCSS respondents are most likely to work with. A smaller proportion of FCSS respondents report having contact with Youth Justice Committees and Crime Prevention Committees.

The chart on the next page summarizes contact between FCSS and various facets of the justice system. More information about how FCSS works with seven facets of the justice system is highlighted below.

a. FCSS and Crime Prevention

A greater proportion of Crime Prevention stakeholders have heard of FCSS, than the proportion of FCSS representatives who have heard of Crime Prevention Committees and Coordinators in their communities. Three-quarters (75%) of Crime Prevention survey respondents have heard of FCSS, and 60% report they have some contact with FCSS.

On the other hand, less than half (44%) of FCSS survey respondents have heard of a Crime Prevention Committee, and just over one-quarter (28%) have heard of a Crime Prevention Coordinator. Just over one-quarter (28%) of FCSS survey respondents report having contact with a Crime Prevention Committee and less than one-fifth (17%) report having contact with a Crime Prevention Coordinator.

During interviews, many FCSS representatives were not aware of a Crime

Prevention Committee or Coordinator in their community. However, when asked if they had heard of crime prevention programs such as Wise Owls, Rural Crime Watch, or Citizens on Patrol, FCSS representatives said they had heard of these, though often were not in direct contact with them.

The most frequently identified ways that Crime Prevention and FCSS work together are:

- FCSS is represented on a Crime Prevention Committee;
- FCSS helps to arrange crime prevention activities or events;
- FCSS provides funds to help with specific crime prevention activities or events;
- Crime Prevention helps FCSS become aware of community needs.

b. FCSS and Police

Some FCSS programs have little or no contact with police. During this project, FCSS representatives who reported contact with police described five types of activity:

- Attending the same interagency meetings (in communities where police attend such meetings);
- Educational programs involving children and youth;
- Crime prevention activities;
- Taking part in committees working on community responses to issues such as domestic violence that have criminal and social aspects;
- Disaster services planning.

Percentage of FCSS respondents that contact selected aspects of the justice system	Percentage of justice system respondents that contact FCSS programs
<p>FCSS and Crime Prevention Committee</p> <ul style="list-style-type: none"> • FCSS has heard of.....44% • FCSS has contact28% • Most common types of contact: FCSS on crime prevention committee; Crime Prevention tells FCSS community needs; FCSS provides some funds <p>FCSS and Crime Prevention Coordinator</p> <ul style="list-style-type: none"> • FCSS has heard of.....28% • FCSS has contact17% • Most common types of contact: Crime Prevention Coord. tells community needs 	<p>Crime Prevention stakeholders</p> <ul style="list-style-type: none"> • Have heard of FCSS75% • Have contact with FCSS60% • Most common type of contact: FCSS on Crime Prevention Committee; FCSS helps arrange events to raise public awareness; FCSS provides some funds
<p>FCSS and Victim Services</p> <ul style="list-style-type: none"> • FCSS has heard of Victim Services97% • FCSS has contact with Victim Services.....74% • Most common types of contact: FCSS provides some funds for specific items; VS tells FCSS community needs; FCSS helps community become aware of needs 	<p>Victim Services and FCSS</p> <ul style="list-style-type: none"> • Have heard of FCSS95% • Have contact with FCSS83% • Most common type of contact: On same community committees; FCSS funds specific items; Victim Services tells FCSS about community needs
<p>FCSS and Crown Prosecutor</p> <ul style="list-style-type: none"> • FCSS has contact11% • Most common types of contact: Help individual person make contact with Crown 	
<p>FCSS and Youth Justice Committees</p> <ul style="list-style-type: none"> • FCSS has heard of.....57% • FCSS has contact29% • Most common types of contact: community service opportunities; FCSS helped YJC start; FCSS helps arrange volunteers 	<p>Youth Justice Committees and FCSS</p> <ul style="list-style-type: none"> • Have heard of FCSS82% • Have contact with FCSS36% • Most common type of contact: YJC informs FCSS of needs; community service opportunities; FCSS helped YJC start
<p>FCSS and Family Mediation Services</p> <ul style="list-style-type: none"> • FCSS has heard of.....47% • FCSS has contact17% • Most common contact: FCSS helps people become aware of Mediation; referrals 	
<p>FCSS and Probation</p> <ul style="list-style-type: none"> • FCSS knows of probation in community74% • FCSS has contact with probation.....44% • Most common types of contact: help arrange community service opportunities; same committees; case planning 	<p>Probation and FCSS</p> <ul style="list-style-type: none"> • Probation has heard of FCSS78% • Probation has contact with FCSS.....63% • Most common types of contact: same community committees; community service opportunities; case planning

A few FCSS representatives are represented on a municipal police commission or a community advisory committee that works with the municipal police or local RCMP detachment. Those FCSS representatives who have this opportunity report that it is valuable because:

- FCSS learns about community issues they might not otherwise know about;
- Police hear about community concerns and resources that could benefit their work;
- Both FCSS and police have the opportunity to influence community-wide attitudes and knowledge that could help make the community safer.

An observation of FCSS representatives is that the nature of the relationship between police and the community (including FCSS) is dependent on the interests of the FCSS program, and the style and priorities of the police service and individual police officers.

c. FCSS and Victim Services

Of all components of the justice system that were considered during this project, Victim Services is the area most likely to have a connection with FCSS.

Almost all FCSS and Victim Services respondents reported that they have heard of one another in their communities. More than four-fifths (83%) of Victim Services respondents report they have contact with FCSS, and about three-quarters (74%) of FCSS respondents report they have contact with Victim Services.

The most frequently identified forms of contact between FCSS and Victim Services are:

- FCSS provides funds for specific Victim Services activities such as volunteer training;
- Victim Services helps FCSS learn about community needs;
- FCSS and Victim Services are on some of the same community committees;
- FCSS helps the community become aware of needs identified by Victim Services.

d. FCSS and Crown Prosecutors

Approximately one-tenth (11%) of FCSS respondents in this project said they have contact with a Crown prosecutor. The type of contact includes:

Involvement with the same interagency meetings or community committees;
Assisting FCSS clients in their contact with a Crown prosecutor.

A very few FCSS representatives have invited Crown prosecutors to participate in community education, or have attended Victim Awareness training hosted by a Crown prosecutor's office.

e. FCSS and Family Mediation

Nearly half (47%) of FCSS representatives who completed a survey for this project say they have heard of Family Mediation Services available through the courts. However, less than one-fifth (17%) of FCSS respondents report that they actually have contact with Family Mediation Services.

Some FCSS programs help to inform the community or refer people to Family Mediation Services. A very small number of FCSS respondents say they have helped

to provide a *Parenting After Separation* program in their community.

f. FCSS and Probation

Within the Corrections part of criminal justice, FCSS programs are most likely to have contact with Probation Officers of Alberta Solicitor General.

- In this project, four-fifths (80%) of Probation respondents report that they have heard of FCSS, and about two-thirds (63%) report that someone in their Probation office has contact with an FCSS program.
- Three-quarters (75%) of FCSS survey respondents say they have heard of Probation in their community. Less than half (44%) of FCSS respondents report having contact with Probation.

Respondents report that the most common forms of contact between FCSS and Probation are:

- Participation in some of the same community committees;
- Arranging for community service opportunities for offenders; and
- Joint case planning in regard to shared clients of Probation and FCSS.

g. FCSS and Youth Justice Committees

Youth Justice Committees are somewhat more familiar with FCSS than FCSS is familiar with Youth Justice.

- About four-fifths (82%) of Youth Justice Committee respondents report that they have heard of FCSS, and about one-third (36%) report that their Youth Justice Committee has contact with an FCSS program.

- Somewhat more than half (57%) of FCSS survey respondents say they have heard of a Youth Justice Committee in their community. About one quarter (29%) of FCSS respondents report having contact with a Youth Justice Committee.

The most frequent ways that FCSS and Youth Justice Committee respondents report working together are:

- FCSS helps arrange for community service opportunities for young offenders.
- Youth Justice Committees help FCSS become aware of community needs.
- FCSS has helped to get a Youth Justice Committee going in their community.
- FCSS provides office space or administrative support to a Youth Justice Committee;
- FCSS and Youth Justice participate in some of the same committees.

3. Characteristics of FCSS programs that work with the justice system

From this research project, we have learned that FCSS programs are more likely to work together with some aspect of the justice system when one or more of the following five conditions are present:

- Someone within the FCSS program perceives that justice system issues are community issues.

This may be the most significant factor. In those FCSS programs where someone is willing to champion connections with the justice system, then connections happen. In those FCSS programs where no one

perceives that the justice system is an intrinsic part of the community, working relationships are less likely to seem relevant to FCSS.

- **The FCSS program looks at the social needs of the community** in general (not just particular issues or specific services). FCSS programs that look at the community as a whole are more likely to view the justice system as part of the community fabric.

In these programs, FCSS people may seek out contact with, for example, police or probation or Victim Services, in order to better understand community needs. They may also participate with justice system people in addressing social issues that have a connection with the justice system (for example, domestic violence, youth drug use).

- **The FCSS program is big enough to have one or more full time staff persons**, with time and interest in working together with representatives of the justice system.

Information gathered in this project suggests that working together with justice system people is most likely to occur in larger FCSS programs. The small FCSS programs with, for example, one part time staff person, are less likely to have staff time to devote to cultivating working relationships with justice people.

- **The FCSS program provides or funds services to individuals and families** -- for example, counselling services, family-school liaison

workers, or support for families experiencing family violence.

These FCSS programs are more likely to encounter individuals involved with the justice system. They therefore have reasons to work with justice system people in regard to specific clients.

These FCSS programs can also observe patterns of social issues within the community, as revealed by people in contact with the justice system.

- **The justice system program is able to devote staff or volunteer time** to attend interagency meetings and be involved in cooperative community projects. In these cases, FCSS is more likely to be in the same place at the same time as justice system people, which increases the odds of seeing opportunities to work together.

4. What FCSS and Justice respondents wish others understood about them

One of the survey questions was, "What do you wish (justice system/FCSS) understood about your program?" The following are frequent themes in responses to that question.

FCSS respondents would like justice system representatives to understand:

- FCSS must be preventive.
- FCSS doesn't have the resources to cover off all the gaps you see.
- FCSS is not allowed to allocate FCSS funds for projects that duplicate government services.
- FCSS responds to many community issues; your specific request may not fit within our over-all FCSS priorities.

- FCSS could help justice system programs link to other community resources.
- Talk to us about how your program works and what's available through it.
- We admire what you do.

Justice system respondents would like FCSS to understand:

- The people we work with are community people.
- The work we do is preventive.
- Helping us is not a duplication of a government program -- the government doesn't fund us for everything we do.
- We have to work within the focus and mandate of the justice system.
- We don't have time for a lot of meetings.
- We wish you could help provide needed services to our clients.
- Talk to us about how your program works and what's available through it.
- We admire what you do.

D. WHAT HELPS AND WHAT HINDERS WORKING TOGETHER

Survey and interview data reveal these common themes about what helps and what hinders FCSS working together with the justice system.

What helps: Working together is more likely when...

- FCSS representatives believe justice system issues are community issues.
- Justice system representatives believe community contact is valuable.
- Both FCSS and justice system people have opportunities to be in the same place at the same time.

- Both FCSS and justice system programs have people with time to meet, time to learn about one another's mandates, and a desire to find ways to cooperate.
- The FCSS program is involved with services for individuals or families and/or the FCSS program takes a role in coordinating community responses to social issues.
- The FCSS program's concept of prevention is broad enough to encompass forms of cooperation with justice system.
- The FCSS program does not see assistance to justice system programs as a duplication of government service.
- The FCSS program is not afraid of being overwhelmed by justice system needs.

What hinders: Working together is less likely when...

- FCSS or justice system representatives perceive that there is no advantage to working together.
- FCSS and justice system representatives do not routinely have opportunities to be in the same place at the same time, so do not know one another or their respective programs, and do not see opportunities to work together.
- FCSS and justice system representatives have little or no information about one another.

- FCSS representatives believe that:
 - Cooperation with justice is not "preventive" and therefore is outside the FCSS mandate.
 - Assistance to justice system programs is a duplication of government services, and therefore not eligible for FCSS funding according to the FCSS Regulation.
 - If they begin to help a justice system program, FCSS will be overwhelmed by the needs of the justice system.
 - If they help a justice system program, that help will allow the provincial or federal government to abdicate responsibility. (The word "downloading" hangs in the air.)
- Justice system representatives often appear under-resourced for the work they are doing. (This perception comes from FCSS respondents.) Being under-resourced creates two kinds of barriers:
 - Little time for community contact, learning about community resources (including FCSS) and discovering opportunities to work together.
 - Fear on the part of others (such as FCSS) that cooperation will lead to expectations that people outside the justice system can cover off the gaps seen by justice system people.
- Some justice system people (e.g., crime prevention and youth justice volunteers) are not available for weekday meetings. Therefore, they cannot attend interagency or other multi-agency meetings where opportunities to cooperate often become visible.

E. OPPORTUNITIES

1. Municipal and provincial opportunities

Based on information gathered during this project, there are opportunities to increase the likelihood of FCSS working together with justice system programs.

At the local level:

- FCSS can see justice system issues as part of the fabric of the community, and therefore relevant to FCSS and the municipality.
- The justice system can see community involvement as having a benefit to offenders and victims, and to the justice system's ability to do its job.
- Both FCSS and justice system people can seek out information about one another. Phone, arrange a visit, exchange brochures, talk.
- FCSS can initiate contact, and schedule some multi-agency events at times when justice system volunteers can be available.
- FCSS can be respectful of the need for justice system people to operate within their defined mandate.
- Justice system people can be patient with the FCSS tradition of working via community meetings.

At the provincial level:

- Within the FCSS community -- Revisit the *FCSS Handbook* policy interpretations of "duplication" and "prevention."

- Within the justice system -- Recognize that working with the community requires a commitment of both time and money.

2. And finally

Benefits to FCSS

The majority of FCSS programs in Alberta have some contact with at least one aspect of the justice system. The benefits to FCSS are:

- FCSS can learn about community needs that it might not otherwise discover.
- Through work with the justice system, FCSS may connect to members of the community they would not have contact with in any other way.
- Justice system issues are community issues. People in contact with the justice system are a part of the community. What happens within the justice system is both a cause and a reflection of the quality of life (positive or negative) in the community. That makes the justice system relevant to FCSS.
- With its broader mandate, FCSS has the opportunity to build on processes and initiatives within the justice system, and help to make them even more beneficial to the community.

We often like each other

About 240 justice system and FCSS representatives took part in this project to explore how FCSS and the justice system can work together. Of those respondents who now work together with one another, some talked of barriers and frustrations. However, a high proportion spoke highly of the value of working together. They believe the community benefits from their cooperation.

One other benefit was sometimes stated explicitly, and at other times was obvious from people's comments. A (perhaps unanticipated) benefit of FCSS working together with people in the justice system is that it is often personally enjoyable. They just plain like each other.

Good news anyway

This project was born out of concerns expressed by both FCSS and justice system representatives. During this project, we discovered that few of those concerns have been addressed or resolved.

Nevertheless (and perhaps surprisingly), the project has also revealed that across Alberta, local FCSS and justice system people have decided that working together benefits their respective programs, and the community. So -- regardless of challenges and barriers -- they have made it work.

Perhaps the most important conclusion of this project is that when it is good, it is very very good.

**Attachment 1:
A guided tour of
THE JUSTICE SYSTEM
(for FCSS people)**

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Additional information about the justice system

On-line information about Justice Canada is at <http://canada.justice.gc.ca/en/index.html>

On-line information about Alberta Justice & Attorney General and Solicitor General (joint web site) is at <http://www4.gov.ab.ca/just/>.

Resource material specific to Alberta is produced by PLENA (Public Legal Education Network of Alberta) and available on-line at www.plena.org

Documents related to family law are available from Family Law Information Centres at the Court House Annex in Calgary and the Law Courts Building in Edmonton. For a listing of available documents, phone 403-297-6600 Calgary or 780-415-0404 Edmonton.

For further information on the Aboriginal Justice Initiative, phone 780-422-2779.

Attachment 1: A guided tour of THE JUSTICE SYSTEM (for FCSS people)

A. WHAT IS IN THIS ATTACHMENT

During interviews and meetings with FCSS representatives during this project, a frequent request was that this report include "a guided tour of the justice system" -- something that would help FCSS people understand where different justice system components fit and what they do.

This attachment is a response to that request. The content is geared for an FCSS audience and includes:

Factual information:

- An explanation of the difference between civil and criminal justice (FCSS works mostly with parts of the criminal justice system);
- An explanation of the core of criminal justice -- police, Crown prosecutor, courts and corrections;
- Information about some justice system services and programs that support core criminal justice processes and may be of interest to FCSS programs -- Crime Prevention, Victim Services, Youth Justice, Maintenance Enforcement and Legal Aid.

Interpretive information:

- Why FCSS might want to work with the justice system;
- How FCSS programs are now in contact with different parts of the justice system;
- What FCSS programs need to understand if they are going to work with the justice system.

B. THE JUSTICE SYSTEM

1. Civil and criminal justice

a. Offences against a person vs. crimes against society

Though FCSS programs may sometimes be in contact with some aspects of civil law (e.g., Court Mediation Services), FCSS programs more commonly work with components of criminal justice.

- **Civil law** usually refers to disputes that arise between individuals or groups -- for example, disputes about a contract, family matters, or wills and estates. In civil cases it is the plaintiff or complainant ("wronged party") who initiates a lawsuit. If matters cannot be settled out of court, a civil court will hear from the disputing parties (often represented by lawyers) and make a decision or "judgment" about how the matter will be settled.

Unless the government is a party to an action -- for example if someone is suing the government -- Alberta Justice and Attorney General is not involved in civil cases. Civil litigation involving private individuals does not involve the government, and neither the Attorney General nor the Department of Justice can intervene or become involved in a private case

- **Criminal law** involves protecting the public interest in matters where a crime has been committed. The victim or person who has been wronged does not have to initiate action to prosecute the crime. The justice system views crimes as **wrongs against society as a whole**, not simply private matters between two people.

Therefore, the government employs Crown prosecutors.

In criminal cases, it is the Crown that prosecutes the case against the accused. The Crown is a representative of the state, not the victim, the police or person who has been wronged.

b. Proving an offence under criminal law

- **Criminal law** -- In criminal law all persons are considered **innocent until proven guilty**. It is not up to the accused to prove his or her innocence; it is up to the Crown to prove guilt beyond a reasonable doubt. In cases where there is a reasonable doubt as to the guilt of the accused person, the Court must find the accused "not guilty."

Before an accused individual can be convicted (found guilty) of a crime, the Crown must prove that:

- The accused committed a **criminal act** defined by the *Criminal Code of Canada* or other statute; and
- The accused had the **intent** necessary to commit the act.

These two factors constitute important legal principles in criminal law.

c. Time limitations

In criminal law there are time limits for less serious offences (classified as *summary* conviction offences) but no time limits for many serious charges (which are known as *indictable* offences).

d. Penalties in criminal law

In criminal law, if a person is found guilty, the penalty may range from an absolute or conditional discharge to fines, probation (with or without conditions), a conditional sentence or imprisonment. If there is a fine, it is paid to the court, not to the victim of the crime. A court order such as a probation order may require the offender to pay restitution to the victim of the crime.

2. Criminal justice purpose and functions

Purpose The criminal justice system has two main purposes:

- To protect individuals and society from criminal activities that threaten their lives, health or property; and
- To ensure that those who are charged and/or convicted of committing a criminal act are treated fairly and justly.

Two important **functions** of the criminal justice system are:

1. Administration of justice; and
2. Enforcement of criminal law.

In working with justice system people, FCSS needs to remember this is the framework that guide and governs those in the justice system.

3. Levels of criminal offences (and why this is relevant to FCSS)

Three different classifications of offences are included under the *Criminal Code of Canada*.

- **Summary offences** – These are generally considered to be the less serious offences and may result in a fine, probation or short jail sentence Example: causing a disturbance.
- **Indictable offences** – These are more serious offences. Penalties range from a fine to periods in jail up to a maximum of a life sentence. Examples: robbery, murder.
- **Hybrid offences (called "Dual procedure offences")** – This group of offences can be designated either summary or indictable, at the discretion of the Crown prosecutor. The Crown's decision will be based on such things as the seriousness of the facts and whether or not the accused has previously been convicted of a similar offence.

"Seriousness" refers to the offence *in comparison to other offences*, not in relationship to the level of trauma suffered by the victim or the community. The impact of a

crime can be significant even in cases that are considered "less serious" within the criminal justice system.

Understanding levels of offences may be relevant to FCSS in at least three ways, listed below. The first two are straightforward. The third is more subtle.

- **Case specific activities** -- FCSS work with probation, Youth Justice Committees, community justice forums or alternative measures is almost certain to be concerned with offenders convicted of summary offences. One of the intentions of these programs is to reduce the likelihood that an offender will commit further crimes or escalate to more serious offences.
- **Community education activities** -- FCSS support for Victim Services training or other community education may teach participants how best to assist people affected by more serious offences. Much research indicates that providing support at the time of a traumatic event makes a great difference in terms of reducing the long-term post-traumatic impact, and increasing the person's ability to deal with the impact in a healthy way.
- **Coordinated community response activities** -- Being aware of how the justice system defines "less serious" and "more serious" offences (levels of offences) may be useful to FCSS in a more subtle way than the two examples given above.

Some FCSS programs are involved with community initiatives to coordinate justice system and community responses to particular social issues. Family violence prevention or anti-bullying projects are examples.

To continue with the family violence example, research indicates that one of the pre-cursors of violence within families is verbal abuse -- putdowns, insults, intimidating language, etc. Not every situation of verbal abuse leads to physical violence. However, in virtually every

family where violence has occurred between family members, verbal abuse has been part of the family's dynamics.

Similarly, a history of being taunted and insulted by peers may be one of the common characteristics of individuals who have committed mass murders in schools or workplaces.

Verbal abuse is therefore a significant factor to consider when assessing the risk of domestic or schoolyard or workplace violence. There is also reason to believe that reducing verbal abuse and insisting on respectful communication helps to reduce incidence of other forms of abuse including violence.

FCSS people involved in family violence prevention or anti-bullying projects might therefore want police or courts or probation officers to take verbal abuse seriously.

On the other hand, people inside the criminal justice system may have a different perspective. The mandate of the criminal justice system is related to offences under the *Criminal Code*, and depending on the circumstances, verbal abuse may not constitute a crime.

As noted above, the criminal justice system defines summary and indictable offences. To people inside the justice system, whose regular daily work may expose them to more violence and inhumanity than most of us see in a lifetime, verbal abuse may not even register as something to notice.

This is not an indicator of "not caring." It is an indicator of being more exposed than most people to ways human beings can and do hurt one another.

Being aware of this may help FCSS representatives understand why sometimes people in the justice system see things differently than FCSS people do. This understanding in turn may help FCSS people to find a way to connect their

perceptions to the justice system reality, to make it easier for FCSS and justice to create common goals and shared activities.

4. Ministers and departments responsible for the justice system

Both the provincial and federal governments have responsibilities for components of the justice system.

a. Provincial government ministers and departments

- **Provincial Minister of Justice and Attorney General** -- In Canada, provinces are responsible for the administration of justice. The Alberta Minister of Justice and Attorney General is the senior law officer of the Crown. The Minister is responsible for legal proceedings under the *Criminal Code*, the *Youth Criminal Justice Act* and provincial laws. The Minister does not become involved in civil matters unless the government is a party to the action, as noted above.

Crown prosecutors and court services are part of the Alberta Justice department.

- **Provincial Solicitor General** -- In Alberta, the provincial Solicitor General is responsible to maintain adequate and effective policing services, and responsible for all offenders (including young and adult offenders) who receive sentences of less than two years and community dispositions. The Ministry also promotes crime prevention activities, and provides services to victims of crime.

b. Federal government ministers and departments

- **Federal Minister of Justice and Attorney General** -- The federal Minister of Justice and Attorney General is responsible for criminal proceedings under federal laws other than the *Criminal Code* and the *Youth Criminal Justice Act*, and for civil proceedings under federal laws.

- **Federal Solicitor General** -- Alberta contracts with the federal Solicitor General to provide the RCMP Provincial Police Service. Along with Solicitor General Canada, Alberta provides for the establishment and funding of First Nations police services through tripartite policing agreements.

The federal Solicitor General is also responsible for offenders who receive prison sentences of two years or more. The federal National Parole Board has jurisdiction to grant parole for offenders sentenced to a federal penitentiary and offenders held in Alberta provincial jails.

C. THE CORE OF CRIMINAL JUSTICE: POLICE, CROWN, COURT, CORRECTIONS

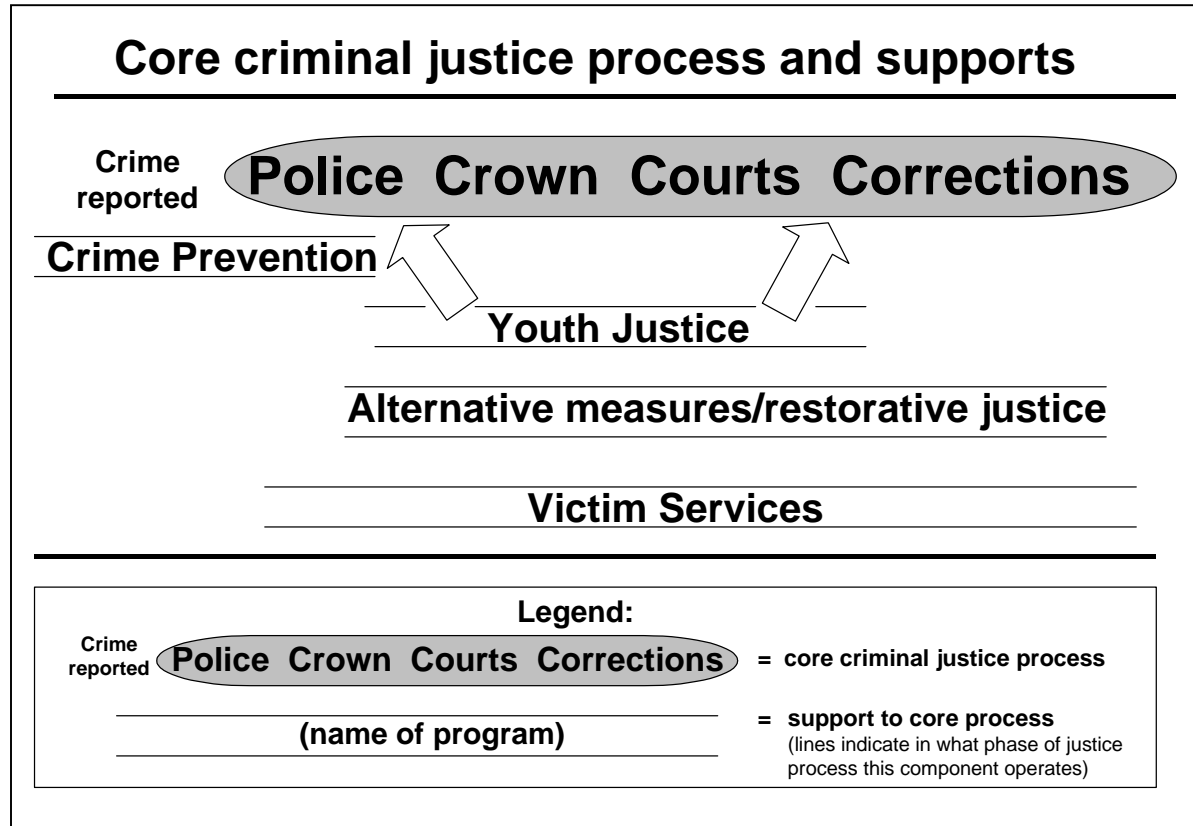
1. Overview of criminal justice: core and support components

As illustrated in the diagram on the next page, the **core criminal justice process** begins when a crime is reported, and continues through the following phases:

- Police investigation;
- Laying charges against an accused person (Police, in consultation with Crown prosecutor in some major cases);
- Prosecuting an accused (by Crown prosecutor) through Court processes, and, if the person is found guilty, Court sentencing of the accused; and
- Administering the sentence through Corrections.

The justice system has a number of programs and processes that support different phases of the core criminal justice process. For example:

- Crime prevention programs work with police and community groups to try to prevent crimes from happening in the first place.



- Youth Justice Committees work with police and probation to provide alternative ways of working with young offenders, to reduce the likelihood of repeat offences and to help youth get back on a healthy path.
- Alternative measures and other restorative justice approaches aim to foster healing and "restoring" individuals and communities affected by crime. Restorative justice processes may operate parallel to or in addition to the core criminal justice process.
- Victim Services provide information, support and referral services for victims of crime throughout the core criminal justice process.

The next sections of this attachment provide more explanation about the players in the core criminal justice process (police, Crown prosecutor, courts and corrections), as well as information about the programs that support

this core process -- many of whom work with FCSS in their communities.

2. Police

a. RCMP and municipal or First Nation police

In Alberta, 63 municipalities contract with the federal Solicitor General to provide police services through the Royal Canadian Mounted Police (RCMP) and three contract with the province for municipal policing. The RCMP Provincial Police Service is provided through an agreement between the federal and provincial government from 104 detachments.

In eight municipalities, policing is provided by Municipal Police Services. Five First Nation Police Services are provided through tripartite agreements between First Nations and the federal and provincial governments.

Though RCMP serves most Alberta communities, more than half the *people* of

Alberta live in a community served by a municipal police service. That is because larger population centres such as Calgary, Edmonton and several other cities have their own municipal police services.

Since the majority of FCSS programs operate in rural municipalities, they are more likely to be served by the RCMP than by a municipal police service.

b. Role of police

The police are usually the first part of the criminal justice system to become involved when a crime is reported. Police services are responsible for enforcing federal, provincial and municipal laws within their jurisdiction.

The roles of police are:

- Protect the public;
- Assist the community in preventing crime;
- Maintain public peace and order;
- Investigate crimes;
- Collect evidence;
- Apprehend suspected offenders;
- Lay charges.

When police receive a report or complaint, they usually respond by attending the scene to investigate. Where the police determine that a possible criminal offence has taken place, they investigate the incident and collect any available physical evidence.

They may interview the victims and other witnesses to determine whether there is sufficient evidence to lay a charge. Sometimes police consult a Crown prosecutor (see below) in determining whether to lay a charge and what charge to lay.

As well as investigating crimes and laying charges, police services are often involved in a variety of community services, including crime prevention, education programs, assisting in locating missing persons, dealing with lost property, traffic control, accident investigation and linking victims of crime to victim assistance.

In addition to the uniformed members of the various police services, some municipal police

services and the RCMP also have resources dedicated specifically to serious crime, drug enforcement, intelligence gathering, organized crime, and forensic work. These dedicated resources support and enhance the level of service the police provide to the communities they serve.

In Alberta, municipal and First Nation police services and the RCMP have policies intended to support community-based policing.

Community-based policing addresses community concerns by allowing community input into policing decisions. It puts police officers in a more proactive role, as close to the community as possible.

c. FCSS and police

Some FCSS programs have little or no contact with police. During this project, FCSS representatives who reported contact with police described five types of activity:

- Attending the same interagency meetings (in communities where police attend such meetings);
- Educational programs involving children and youth;
- Crime prevention activities;
- Taking part in committees working on community responses to issues such as domestic violence that have criminal and social aspects;
- Disaster services planning.

A few FCSS representatives are represented on a municipal police commission or a community advisory committee that works with the municipal police or local RCMP detachment. Those FCSS representatives who have this opportunity report that it is valuable:

- FCSS learns about community issues they might not otherwise know about;
- Police hear about community concerns and resources that could benefit their work;
- Both FCSS and police have the opportunity to influence community-wide attitudes and knowledge that could help make the community safer.

An observation of FCSS representatives is that the nature of the relationship between police and the community (including FCSS) is dependent on the interests of the FCSS program, and the style and priorities of the police service and individual police officers.

Patterns in different communities include:

- In some communities, the police service as a whole promotes cooperative activities with the community.
- In some communities, a few officers work closely with parts of the community (e.g. schools, youth groups, municipal councils) and these designated officers provide links or liaison to the rest of the police service as appropriate.
- In some communities, one or more police officers connect with some aspects of the community, more or less on their own (for example, on their days off), without sanction or support from the rest of the police service.
- In a few communities, a close working relationship between police and community has ended when the Staff Sergeant or other senior officer changed.

3. The lawyers: Crown prosecutor and defence lawyer

a. Lawyers in the criminal justice system

The Canadian criminal justice system is an adversarial system. When a conflict arises between a citizen and the state, the conflict is resolved according to a fixed set of rules of procedure and evidence.

The rules are complex and detailed. Without access to lawyers with specific training to function within the justice system, both the victim and the accused could be at a serious disadvantage.

A lawyer may represent a person in a civil matter or act as defence counsel in a criminal matter. Persons who are arrested or detained have a constitutional right to speak to a lawyer.

The Law Society of Alberta regulates lawyers. Lawyers have a duty to ensure that all legal issues bearing on a case are fully explored and properly adjudicated.

b. Role of the Crown prosecutor

Criminal offences are considered to be crimes against the state. Therefore, the state employs lawyers called Crown prosecutors or Crown counsel to prosecute the case against an accused person.

Alberta Justice hires lawyers called Crown prosecutors to prosecute offences under the *Criminal Code* and the *Youth Criminal Justice Act (YCJA)* in court. These Crown prosecutors also prosecute provincial legislation such as motor vehicle offences.

The federal Minister of Justice also hires lawyers called Crown prosecutor or Crown counsel to prosecute offences under federal legislation other than the *Criminal Code* and *Youth Criminal Justice Act*. An example is the *Controlled Drugs and Substances Act*. Federal and provincial Crown counsel have similar duties and responsibilities.

A Crown prosecutor has two main functions:

- Determine what charges should be prosecuted; and
- Prepare and present evidence in court in order to prosecute the accused person.
- **Determine charges to be laid**

When a Crown prosecutor receives notification that a charge has been laid by police, the Crown has several choices about what action to take next. For example:

- The Crown may approve additional or different charges.
- If the offence is a hybrid offence (explained earlier in this attachment), the Crown has a choice about whether to proceed by way of summary conviction or by indictment.
- The Crown may exercise discretion and decide to refer the offender to an

alternative measures program (discussed later in this attachment).

- The Crown prosecutor may proceed with the case against the accused if the Crown prosecutor forms the opinion that there is a reasonable likelihood of conviction and it is in the public interest to proceed.

- **Prepare and present evidence in court**

In Canadian law, the accused is innocent until proven guilty. Therefore, the burden of proof is on the Crown prosecutor. It is the responsibility of the Crown prosecutor to prove *beyond a reasonable doubt* that the accused committed the offence charged. The accused person does not have to prove innocence.

Sometimes victims of crime (or those who help them) expect the Crown prosecutor to act as an advocate or lawyer for the victim. This is not the role of a Crown prosecutor. From the perspective of a Crown prosecutor, contact between a Crown prosecutor and a victim is solely to prepare and present evidence in Court.

- **Other activities of Crown prosecutors**

Alberta Crown prosecutors are also engaged in a number of initiatives intended to keep serious criminal cases on the front burner of the criminal justice system, while finding alternatives in cases where the public may be better served by using an alternate process.

Some of these initiatives are described in Attachment 5 of this report, "FCSS and Crown prosecutors."

- c. **Defence lawyers**

Defence counsel are officers of the court, and, as with all lawyers, are bound by the Law Society's code of ethics. Defence counsel must act in his or her client's best interest and take instructions from the client (subject to the code of ethics).

The accused person's right to legal counsel is guaranteed under the *Canadian Charter of Rights and Freedoms*. In cases where the accused comes to court without a defence lawyer it is the responsibility of the judge to ensure there is a fair trial. For an accused who cannot afford his or her own lawyer, Legal Aid may be available. (See information later in this attachment.)

The role of the defence counsel is to ensure that the accused receives a fair trial. .

The duties of the defence counsel include:

- To test rigorously the evidence put forward by the Crown;
- To act for and take instruction from the accused;
- To bring to the attention of the court any instances where the accused person's rights have been violated;
- To challenge any laws that may conflict with the constitution; and
- To make submissions on sentencing to best reflect the interests of the client.

In order to defend clients effectively, defence counsel must be aware of the details with respect to the Crown's case. The Supreme Court of Canada has ruled that the defence counsel must be provided with complete particulars of the alleged offence and other relevant materials required to prepare an adequate defence (known as "disclosure").

- d. **An adversarial system**

Criminal justice is an "adversarial system." The Crown prosecutor presents evidence and the defence counsel's job is to challenge it. Therefore each must argue the opposing view – and yet the public may see the Crown and defence lawyers chatting amicably together outside the courtroom.

It is useful to understand that:

- Both Crown and defence lawyers are professionals and officers of the court;
- Both are working toward the same goals of justice and fairness; and
- Both are doing their job to the best of their ability.

e. FCSS and the lawyers

- **FCSS and Crown prosecutors --**
Approximately one-tenth (11%) of FCSS respondents in this project said they have contact with a Crown prosecutor. The type of contact includes:
 - Involvement with the same interagency meetings or community committees;
 - Assisting FCSS clients in their contact with a Crown prosecutor.

A small number of FCSS representatives have invited Crown prosecutors to participate in community education, or have attended Victim Awareness training hosted by a Crown prosecutor's office.

- **FCSS and defence lawyers --** This project did not ask FCSS respondents if they have contact with defence lawyers. A few FCSS respondents reported that they sometimes refer people to Legal Aid (see information later in this attachment).

4. Courts

a. Role of the court

Courts in Canada serve two distinct functions:
Trial or hearing function -- to conduct trials or hearings related to criminal or civil matters; and
Appeal function -- to hear appeals of decisions from lower courts.

b. Levels of court

The province administers three courts in Alberta: The Court of Appeal of Alberta; the Court of Queen's Bench of Alberta; and the Provincial Court of Alberta. Other courts also administer laws in Alberta, including the Federal Court of Canada, Trial and Appeal Divisions. The decisions of a number of boards and tribunals in Alberta may be appealed to the courts.

Courts are structured in a hierarchy. Lower courts must follow the decisions of higher courts.

- **The Supreme Court of Canada** is the highest court in Canada. It hears appeals from the appeal courts of each province and territory, as well as the federal court of appeal.

- **The Court of Appeal of Alberta** is the highest appeal court in the province.

The Chief Justice of Alberta and twelve other justices preside over this court. In addition, there is one part-time justice. The federal government appoints these justices. Justices of the Court of Appeal are appointed to their position until they are age 75.

The Court of Appeal of Alberta sits in Edmonton and Calgary only.

The Court of Appeal can hear most civil and criminal appeals, and can also hear applications and appeals respecting certain judgments, orders, and decisions of the other courts.

The Canadian Judicial Council deals with complaints regarding a justice of the Court of Appeal.

- **The Court of Queen's Bench of Alberta** consists of the Chief Justice, the Associate Chief Justice, and 61 other justices appointed by the federal government. There are also 19 part time justices. Court of Queen's Bench justices are appointed to their position until they are age 75.

The Court of Queen's Bench sits on a regular basis in 11 locations and sits on certain specified days in two other locations.

The Court of Queen's Bench is a superior court of civil and criminal jurisdiction. It holds jury trials for both criminal and civil matters and it can hear civil trials for damages, regardless of the amount. It also handles matters such as divorces, adoptions, foreclosures and bankruptcies, in addition to matters relating to wills and estates.

Applications under the *Dependent Adults Act* are also made in the Court of Queen's Bench.

The Canadian Judicial Council deals with complaints regarding a justice of the Court of Queen's Bench.

- **The Provincial Court of Alberta** includes a Chief Provincial Judge, nine assistant chief judges, 99 judges, and 22 part time judges.

The Provincial Court of Alberta sits permanently in 23 locations throughout Alberta, and sits on certain specified days in 52 other locations.

Provincial Court has four divisions:

- Criminal Division generally deals with criminal offences;
- Family Division handles most *Child Welfare Act* matters and certain custody and maintenance disputes;
- Youth Division hears matters under the *Youth Criminal Justice Act* (Canada); and
- Civil Division handles civil claims where the amount claimed does not exceed \$ 25,000.

All provincial court judges may hear any of the foregoing matters.

The provincial government appoints judges of the Provincial Court of Alberta. In Alberta, provincial court judges are currently appointed to their position until they are 70 years of age.

Complaints about a provincial court judge are dealt with by the Chief Judge who may determine that no further action need be taken, reprimand the judge, take corrective measures, or refer the matter to the Judicial Council for review.¹

¹ The Judicial Council is composed of a judge of the Court of Appeal, a judge of the Court of Queen's Bench, a judge of the Provincial Court of Alberta, a member of the Law Society, and two persons appointed by the Alberta Minister of Justice.

- **The Federal Court of Canada** handles matters relating to intellectual property; civil litigation involving First Nations, Metis and Inuit; federal Crown litigation; federal Crown judicial reviews; and maritime legislation.

c. Criminal court processes

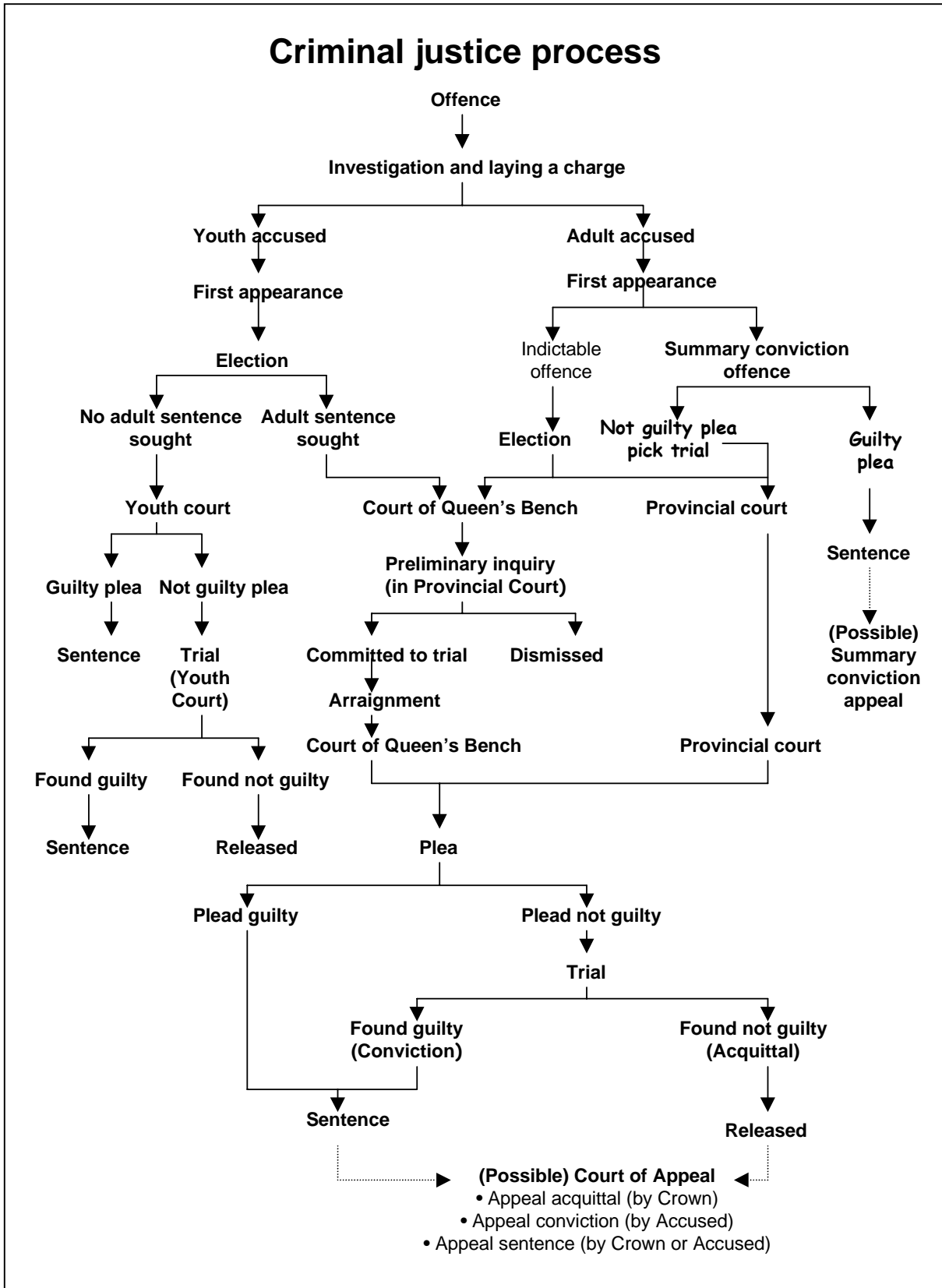
The diagram on the next page illustrates the process that happens in adult criminal court, including first appearance, preliminary hearing (if any), arraignment, trial, verdict and sentencing.

- **First Appearance** -- The charge is formally read to the accused in provincial court. The judge asks the accused if she understands the charge and whether she pleads guilty or not guilty.

If the accused pleads not guilty and it is a serious offence, he can **elect** (choose) that the case be heard in Provincial Court by a judge, or in a Court of Queen's Bench before either a judge alone, or a judge and jury. If the accused chooses Court of Queen's Bench, there may be a preliminary hearing.

If the accused pleads guilty, the judge may sentence the accused immediately or set a date for a sentencing hearing.

- **Preliminary hearing** -- The purpose of a Preliminary Hearing is for a judge to decide if there is enough evidence to send the case to trial. The Crown prosecutor outlines the case to the judge and may call witnesses to give evidence. The defence does not have to present any evidence at the preliminary hearing.
- **Arraignment** -- If the decision at the preliminary hearing is to proceed to trial, a brief court appearance called an arraignment is held, to set the date of the trial.
- **Trial** -- During a trial, all the evidence is presented to a judge alone, or to a judge and jury, to determine if the accused is found guilty or not guilty.



The trial proceeds as follows:

1. The Crown prosecutor calls witnesses for the prosecution. The Crown prosecutor "examines" them (i.e., asks them questions) that enable them to explain what they witnessed about the offence.
2. The defence lawyer has the opportunity to "cross examine" Crown witnesses. That means the defence lawyer asks questions that attempt to challenge or bring into question whether the evidence presented by the Crown witnesses really proves beyond reasonable doubt that the accused is guilty.
3. The defence lawyer may call witnesses for the defence. The defence lawyer "examines" these witnesses so they can present evidence that brings into question whether the accused is guilty. (As noted earlier, the defence does not have to prove innocence. Rather, the Crown must present evidence to prove beyond reasonable doubt that the accused is guilty.)
4. The Crown prosecutor may cross-examine the defence witnesses, that is, ask questions that may challenge or bring into question the evidence presented by the defence witnesses.
5. When all witnesses have been heard, the Crown prosecutor and defence lawyer present summary statements.

After this process, the judge or jury may take hours, days or much longer to reach a verdict (decision of guilty or not guilty).

Sentencing hearing -- The judge determines the sentence for the **offender** (an accused person who has been found guilty). Goals of sentencing include protecting society, deterring the offender and others from committing crimes, and rehabilitating (reforming) the offender.

- **Appeal hearing** -- The defence or the Crown prosecutor may **appeal** (challenge) either the verdict or the sentence. The appeal hearing involves judges, Crown prosecutor and defence lawyers and is usually limited to a review of the law and of documents. It is unusual for witnesses to be called to give evidence at an appeal hearing.

d. A note about court and family law

Matters of family law are usually part of civil rather than criminal justice. At present, matters of family law are handled in two levels of court:

- Matters related to divorce and adoption are handled in the Court of Queen's Bench.
- Matters related to the *Child Welfare Act* and certain custody and maintenance matters are handled in Provincial Court.

A recent Task Force Report recommended that the Alberta government consider the creation of a "Unified Family Court" where all matters related to family law would be handled. This change may happen at some point in the future.

e. FCSS and court

FCSS has little direct contact with Court, but as a community resource, FCSS may find it useful to be familiar with court processes.

- If the FCSS program is involved with a Youth Justice Committee, there may be activity after a young offender is found guilty and before sentencing.
- If FCSS has connections with people involved in family law matters, FCSS may make referrals to Family Mediation Services or Parenting After Separation courses (see information later in this Attachment). As well, FCSS may refer people to the Family Law Information Centres located at Courthouses in Calgary and Edmonton (contact information is on the table of contents page of this attachment).

5. Corrections

a. Role of Corrections

Once an offender has been convicted and sentenced, the corrections system takes over primary responsibility. The courts have responsibility to sentence offenders, and corrections have responsibility to manage convicted offenders.

Different offenders are supervised by federal or provincial corrections systems. In general, the Correctional Service of Canada supervises adult offenders sentenced to two years or more. Alberta Solicitor General supervises adult offenders sentenced to less than two years, and all young offenders.

b. Community corrections (Probation)

Offenders may serve part or all of their sentence in the community rather than in prison, depending on the nature and conditions attached to the sentence. Offenders serving sentences in the community are always under the supervision of provincial or federal corrections systems.

Attachment 7 called "FCSS and Probation" outlines the circumstances in which an offender may serve part of a sentence in the community, and the role of Probation in supervising offenders in the community.

c. Institutional corrections

Convicted offenders serving sentences of two years or more usually serve their sentences in federal institutions and are supervised by Correctional Services Canada.

Convicted offenders serving sentences of up to two years less one day usually serve their sentences in provincial facilities and are supervised by Alberta Solicitor General.

d. Parole

Parole is the conditional release from prison of an offender before the end of the sentence. The person continues serving the sentence outside prison under the supervision of a federal parole officer. The offender on parole must obey specific conditions of parole or will

be sent back to prison. Parole does not apply to young offenders.

- **Parole hearings:** At the one-third point of the sentence, offenders are eligible to apply for full parole. At one-sixth of the sentence, or six months prior to the one-third, whichever is greater, offenders can apply for day parole.

A federally appointed **parole board** reviews inmates' applications for conditional release and grants or denies them parole.

- **Statutory release:** If an offender has served two-thirds of the sentence within a correctional institution, the offender will normally be released into the community under the supervision of a parole officer. This is a legislated right.

In some cases Correctional Service of Canada applies to the Parole Board that the offender serve the full sentence in an institution, because of risk to the public if the offender is released.

e. FCSS and Corrections

Within the Corrections part of criminal justice, FCSS programs are most likely to have contact with Probation Officers of Alberta Solicitor General.

- In this project, four-fifths (80%) of Probation respondents report that they have heard of FCSS, and about two-thirds (63%) report that someone in their Probation office has contact with an FCSS program.
- Three-quarters (75%) of FCSS survey respondents say they have heard of Probation in their community. Less than half (44%) of FCSS respondents report having contact with Probation.

Respondents report that the most common forms of contact between FCSS and Probation are:

- Participation in some of the same community committees;
- Arranging for community service opportunities for offenders; and
- Joint case planning in regard to shared clients of Probation and FCSS.

D. JUSTICE SYSTEM INITIATIVES TO SUPPORT THE CORE OF CRIMINAL JUSTICE

1. Crime prevention

One way of supporting the core of criminal justice is to prevent crimes from happening at all. A provincial initiative and local activities are aimed at preventing crime.

a. A provincial initiative

Alberta Solicitor General is responsible for administration of the *Police Act* that calls for development and promotion of crime prevention programs.

The Public Security Division of Alberta Solicitor General encourages police services to work with community groups and to view community-based crime prevention activities as an important adjunct to investigation and law enforcement duties.

Attachment 3 called "FCSS and crime prevention" provides more information about province-wide crime prevention initiatives.

b. Local crime prevention

Local FCSS programs may work with community crime prevention committees or associations or crime prevention coordinators.

- **Community Crime Prevention Committees** and Associations are groups of volunteers who provide a link between the justice system (mainly police services) and the community at large.

They work to prevent crime by promoting traditional crime prevention strategies, such as home and business security practices, neighborhood watch, rural crime watch and crime prevention through environmental design.

More and more, Crime Prevention through Social Development has become acknowledged as a method to address underlying issues of youth alienation, poverty, abuse and early intervention in crime prevention. Several provincial crime prevention associations hold annual conferences to share information and network.

Like FCSS, local crime prevention committees and associations determine local priorities and decide what actions they want to take. Crime prevention committees and associations nearly always work with local RCMP detachments or municipal police services.

- **Crime Prevention Coordinators** are specially designated police officers who specialize in crime prevention and are part of a municipal police service or RCMP detachment.

c. FCSS and crime prevention

Among survey respondents in this project, a greater proportion of crime prevention stakeholders have heard of FCSS, than the proportion of FCSS representatives who have heard of Crime Prevention activities in their communities.

- Three-quarters (75%) of crime prevention respondents have heard of FCSS, and 60% report they have some contact with FCSS.
- On the other hand, less than half (44%) of FCSS respondents have heard of a crime prevention committee, and just over one-quarter (28%) have heard of a crime prevention coordinator.

Just over one-quarter (28%) of FCSS respondents report having contact with a crime prevention committee

The most frequently identified ways that crime prevention stakeholders and FCSS work together are:

- FCSS is represented on a crime prevention committee;
- FCSS works with crime prevention stakeholders to help arrange crime prevention projects;
- FCSS sometimes provides funds to help with specific crime prevention activities;
- Crime prevention helps FCSS learn about community needs.

2. Restorative justice, alternative measures and youth justice

a. Restorative justice: concept and philosophy

As has already been mentioned, criminal justice is focussed on the fact that a crime has been committed against *society*. The focus of the core criminal justice process is on the offender:

- Whether there is sufficient evidence to lay charges against an accused person, and prove that the accused person is guilty of the crime;
- If the accused person is found guilty of the crime, determining the best way to protect society and, if possible, rehabilitate the offender.

In contrast, the underlying concepts behind restorative justice are based on the premise that when a crime is committed, three primary stakeholders are concerned:

- The victim;
- The offender; and
- The respective communities of people who care about them -- the victim's and offender's family, friends and loved ones.

In restorative justice, a criminal offence is viewed as more than a crime against society. It is also viewed as an experience between individuals, in the midst of a community.

Each of these stakeholders represents a "circle of need."

- For the victim, the need for reparation;
- For the offender, the need for responsibility and reintegration;

- For the communities of care, the need for reconciliation.

The intent of restorative justice is to promote healing and strengthen the social bonds that are the foundation of our communities. A restorative justice process may help participants find resolution and closure, allowing them to move forward with their lives.

b. Alberta Community Justice Policy

In 1996, the Alberta government launched the provincial serious and violent crime initiative. This initiative continues to be part of the focus and business plan of Alberta Justice and Attorney General and Alberta Solicitor General.

The serious and violent crime initiative has:

- Resulted in early identification of serious, violent and habitual offenders;
- Increased the amount of time that these offenders spend in custody;
- Served to alert communities of the presence of individuals who may pose a risk of significant harm; and
- Increased the use of diversion for less serious non-violent offenders.

Within this context, Alberta's Community Justice Policy:

- Complements the serious and violent crime initiative by providing more options within the justice system;
- Provides more opportunities for victims, should they choose, to be directly involved in the justice process; and
- Provides more options for offenders to take responsibility for their actions.

Alberta's Community Justice Policy supports the implementation of restorative justice processes, and states that restorative justice processes:

- Are based on a philosophy that views crime as an act against individuals, families and communities, as well as against society.

- Require voluntary involvement of the victim, offender, families and the community in a process that involves dialogue and reconciliation.
- Require the offender to accept responsibility for his or her actions by repairing, as much as possible, the harm caused and by dealing with issues attributable to the wrongdoing.
- Can be implemented at any point in the criminal justice process (i.e., pre-charge, post-charge, pre-sentence, post-sentence).

Restorative justice does not replace the criminal justice system. It is possible that, while a criminal justice matter proceeds, restorative justice processes can occur as a parallel process.

The restorative justice process, with its focus on the needs of the individuals directly involved in the crime, may help to heal emotional wounds and restore the community.

The criminal justice process, with its focus on the needs of society as a whole, can continue to identify and deal with offenders, to protect society and assist in rehabilitating the offender.

c. **Examples of restorative justice processes**

The following are examples of restorative justice processes that are sometimes carried out in Alberta.

- **Facilitated processes such as "community justice forums" or "sentencing circles"** -- These processes involve the voluntary participation of victims, offenders and their communities of care. The processes are carefully structured and are facilitated by one or more persons who are considered neutral.

Steps in such processes usually include:

- The people involved saying how they have been affected by the crime;
- The people involved talking of how reparation and healing can happen;

- The people involved helping to determine how the offender can take responsibility and assist with reparation and healing.

- **Alternative measures** -- Alternative Measures Programs for adult and young offenders are used as an alternative to court proceedings for people alleged to have committed minor offences.

The goals of these programs are to prevent the individual from obtaining a criminal record, prevent future criminal behaviour, promote community involvement and foster community awareness through participation.

On average, 814 adults and 859 young offenders in Alberta were supervised in the Alternative Measures Program each month in 2000-01.

- **Youth Justice Committees** -- Youth justice committees are groups of volunteers working in partnership with Alberta's justice system to deal with young offenders in their communities.

Youth justice committees are authorized by the *Youth Criminal Justice Act* and most commonly work with youth at three phases of the criminal justice process:

- **Police Diversionary Programs** -- Under certain specified conditions, police may refer a young person to a Youth Justice Committee rather than laying a charge.
- **Pre-sentencing** -- A Court may ask a Youth Justice Committee to meet with a young offender and other stakeholders, and then to give advice to the Court about sentencing.
- **Alternative Measures** -- Many Youth Justice Committees assist in the administration of the Alternative Measures programs for first and second time young offenders.

Youth Justice Committees are intended to:

- Allow citizens to work out differences between young offenders, victims and community members;
- Provide support for young offenders;
- Foster community-based resolutions to youth crime;
- Provide young offenders with an alternative to the formal court process and the possibility of time in custody;
- Resolve legal conflicts through alternative measures, community-service work, and meeting with victims and community members; and
- Provide sentencing advice to the youth court.

These intentions are compatible with the philosophy and principles of restorative justice.

To be considered "restorative," a process must be measured against the principles of restorative justice. For example, community service that is related to the offence and its reparation could be considered "restorative." On the other hand, community service that is unrelated to the offence and that is delivered as a punishment would not be considered "restorative."

f. FCSS and restorative justice

FCSS programs have a philosophical connection to restorative justice, in that both FCSS and restorative justice have goals related to the well being of community.

The most direct FCSS connection to restorative justice is that some FCSS programs are involved with Probation and Youth Justice or Community Justice Committees. The most common form of contact between them involves FCSS helping to arrange community service opportunities for offenders. (As mentioned earlier, community service may be "restorative" in nature, depending on why and how it is carried out.)

As a matter of interest, FCSS programs may wish to seek out additional information about restorative justice processes available to people in their community.

3. Aboriginal justice

a. First Nations and Métis People

Canada's *Constitution Act* of 1982 defines Aboriginal people as including Indian, Metis and Inuit people.

Individuals who are members of a Band in Alberta are referred to as First Nation people. Most Bands also prefer to be referred to as First Nations. There are 46 First Nations in Alberta with many different cultures and languages. First Nations have a special relationship with the federal government by virtue of the Treaties.

The Metis are an Aboriginal people of mixed Aboriginal and European ancestry. According to the 2001 Census, there are 66,055 Metis residents in Alberta. Some individuals of Metis descent reside in one of eight Metis Settlements in Alberta. The majority of Metis residents live in townships and cities throughout the province.

Metis people have a different basis for their relationship with the federal government and consequently, with the provincial government. These relationships are in a continual process of evolution and definition, often involving landmark decisions and rulings through the courts.

Justice for First Nation and Metis people is a concept that embodies aspects other than just the criminal justice system and the involvement of Aboriginal people in that system. Such aspects include, for example, First Nation people seeking, through the courts, resolution of issues arising from Treaty rights, land claims and environmental concerns.

Various national and provincial studies (most recently the *Report of the Royal Commission on Aboriginal Peoples*) have identified the failure of the justice system to meet the needs of Aboriginal people.

For example, the 1991 *Justice on Trial "Report of the Task Force on the Criminal Justice System and Its Impact on the Indian*

and Metis People of Alberta noted that, ". . . the impact of the criminal justice system on Aboriginal people can be measured by the disproportionate number of people in our correctional institutions. Aboriginal people are often on the receiving end of what appears to be a foreign system of justice delivered, in large measure, by non-Aboriginals."

Aboriginal people represent about 6% of the population of Alberta, but are over-represented in all aspects of the criminal justice system.

For example, in 2001-2002, Aboriginal people represented 35% of the total adult-sentenced admissions to Alberta provincial correctional centres and 33% of the total young offender admissions to Alberta Young Offenders Centres.

b. Aboriginal Justice Initiative

New directions are slowly evolving in how to deal with justice issues that affect Aboriginal people.

In Alberta, the Aboriginal Justice Initiatives works closely with the various divisions of Alberta Justice and Attorney General, Alberta Solicitor General and with Aboriginal communities and organizations towards the development of community-based Aboriginal justice programs.

For further information, the Aboriginal Justice Initiatives Unit can be reached at 780-422-2779.

Some community-based Aboriginal justice initiatives include the following:

- A community supervision program for Aboriginal offenders provides supervision and counseling to Aboriginal persons with probation, temporary absence, pre-trial or fine option status.

The program is funded by the Alberta Solicitor General through formal agreements with Aboriginal agencies and commissions covering a total of 11 First Nations. They are:

- Kainai Community Corrections Society

- Yellowhead Tribal Community Corrections Society
- Tsuu T'ina/Stoney Corrections Society
- Siksika Justice Commission

The agreements include the delivery of a range of community-based programs including crime prevention, probation, court worker and Elder programs and a minimum security community correctional centre on the Blood Reserve.

- Aboriginal Youth Justice Committees operate in 30 Aboriginal communities throughout the province of Alberta. These Youth Justice Committees offer an alternative to the formal court process and an opportunity for communities to participate in the youth justice system;
- The Aboriginal Liaison Crown Prosecutor's Program has designated one Aboriginal Liaison Crown Prosecutor at each Crown Prosecutors office in Alberta.

The role of the Liaison is to develop relationships with local Aboriginal communities, work with communities to identify local justice needs, participate in the development of community-based Aboriginal justice initiatives and to act as a resource to other Crown prosecutors throughout the province.

- Aboriginal Minimum Security Camps funded by the Alberta Solicitor General include the Metis Nation of Alberta Wilderness Camp minimum security facility operated by the Metis Nation of Alberta, and the Westcastle minimum security camp operated by Native Counselling Service of Alberta.

Both programs accommodate male offenders with programs emphasizing Aboriginal culture, substance abuse, life skills and employment skills;

- The Kochee Mena group home in Edmonton is operated by Native Counselling Services of Alberta. The facility is an open-custody group home for Aboriginal young offenders.

- First Nation police services provide services to thirteen First Nation communities in Alberta. They are the Blood Tribe Police Service, the Lesser Slave Lake Regional Police Service, the Louis Bull Police Service, the North Peace Tribal Police Service and the Tsuu T'ina Nation Police Service.

Aboriginal communities also use the Aboriginal Special Constable Program to hire special constables to enforce band bylaws, selected provincial statutes and sections of the *Indian Act*.

- Aboriginal Crime Prevention Coordinators work with communities, community service agencies and local police to identify crime patterns and causal factors.

The Alberta Solicitor General provides crime prevention funding to the following societies, councils and administrations:

- Kainai Community Corrections Society;
- Lesser Slave Lake Indian Regional Police Council;
- Tallcree Tribal Government;
- Tsuu T'ina Nation/Stoney Corrections Society;
- Yellowhead Tribal Community Corrections Society; and
- Metis Settlements General Council.

c. FCSS and Aboriginal justice

No First Nation in Alberta has a formal Family and Community Support Services program through the *Family and Community Support Services Act and Regulation*.

However, a number of First Nations have programs they call "Family and Community Services" and some of these programs are involved with community justice processes.

During this project, no information was received that indicated FCSS programs have a connection with Aboriginal justice within a First Nation community.

Aboriginal people are more mobile than other Canadians. There is a growing trend of Aboriginal people moving from reserves and settlements to other rural and urban areas. This will likely have an impact on FCSS programs and should be taken into consideration in planning and implementation.

Some Youth Justice Committees such as Slave Lake, Bonnyville and Valleyview have a high percentage of Aboriginal people involved both as volunteers of the committees and as youth who come before the committee.

Other committees such as the Edmonton Aboriginal Justice Committee operate within a centre. Local FCSS offices may choose to partner with these communities or become involved in some way.

All eight of Alberta's Metis Settlements have FCSS programs, and some of these programs are involved with community justice processes such as crime prevention.

4. Victim Services

a. Victims in the criminal justice system

Victims of crime are persons who have suffered a loss or injury as a result of the criminal act of another person. The Victim Services Program is unique within the criminal justice system, because it focuses on victims of crime, rather than offenders.

The *Victims of Crime Act* is the legal basis for victim service in Alberta. This *Act*:

- States principles for treatment of victims of crime;
- States what type of information a victim of crime is entitled to receive;
- States that money from victim surcharges collected in Alberta will be contributed to the Victims of Crime Fund and used for the benefit of victims of crime;
- Establishes the provincial Victims of Crime Program Committee to assist in allocating funds from the Victims of Crime Fund; and

- Establishes that a person injured as a result of a crime (or dependents of a victim who died as a result of a crime) may apply for financial benefits.

b. Police based Victim Services

More than 100 police-based Victim Service Units are located in about 70 Victim Service programs across Alberta. More than 85% of the people of Alberta live in a community that has access to police-based Victim Services.

Victim Service Units are mandated to provide information, support and referral services to victims of crime during the time they are involved with the criminal justice system.

Victim Service Units also provide information, support and referral for people impacted by non-criminal traumatic events in which police are involved. Such events could include, for example, motor vehicle crashes, sudden deaths or natural disasters.

A high proportion of the assistance provided by Victim Service Units is provided by trained volunteer Victim Advocates. Victim Service Coordinators manage the programs, supervise volunteers and provide links between the Victim Services Unit and police, community and other stakeholders. Most Victim Service Units have a volunteer board.

A portion of funding for Victim Services Units comes from the Victims of Crime Fund. Victim Service Units are also expected to obtain other sources of funding to cover the cost of operating their programs.

c. FCSS and Victim Services

Of all aspects of the justice system that were considered during this project, Victim Services is the area most likely to have a connection with FCSS.

Almost all FCSS and Victim Services survey respondents reported that they have heard of one another in their community. More than four-fifths (83%) of Victim Services respondents report they have contact with FCSS, and about three-quarters (74%) of

FCSS respondents report they have contact with Victim Services.

The most frequently identified forms of contact between FCSS and Victim Services are:

- FCSS provides funds for specific Victim Services activities such as volunteer training;
- Victim Services helps FCSS learn about community needs;
- FCSS and Victim Services are on some of the same community committees; and
- FCSS helps the community become aware of needs identified by Victim Services.

E. OTHER JUSTICE RELATED PROGRAMS OF INTEREST TO FCSS

1. Family Mediation Services

a. Mediation and Family Court Counsellor Services

As a support service to those involved with Provincial Court (Family and Youth Division) and the Court of Queen's Bench, mediation services are available in several Alberta locations. Mediators can assist parents who are separating to work out matters that affect their children.

In Edmonton and Calgary, Family Court Counsellors are attached to Family and Youth Division of Provincial Court. Court Counsellors are also located in Court Houses in Medicine Hat, Lethbridge, Red Deer and Camrose.

Over time, the number of locations that have mediators and Family Court Counsellors is expected to increase.

b. Parenting After Separation

A Parenting After Separation Program, which was jointly developed by Alberta Children's Services, the Court of Queen's Bench and Alberta Justice, is delivered in all judicial districts in the province.

The objective of the program is to provide information about the legal, emotional and financial implications of separation; children's reactions to their parents' separation; and use of mediation to resolve disputes.

c. FCSS and Family Mediation

Nearly half (47%) of FCSS representatives who completed a survey for this project say they have heard of Family Mediation Services. However, less than one-fifth (17%) of FCSS respondents report that they actually have contact with Family Mediation Services.

Some FCSS programs help to inform the community or refer people to Family Mediation Services. A very small number of FCSS respondents say they have helped to provide a *Parenting After Separation* program in their community.

2. Maintenance enforcement

The Alberta Maintenance Enforcement Program is authorized by the Alberta *Maintenance Enforcement Act* to collect child and spousal maintenance granted by the courts. The Maintenance Enforcement Program can also enforce certain types of maintenance agreements.

Once an order or agreement has been registered with the Maintenance Enforcement Program, maintenance payments that the debtor (payor) would normally remit directly to the creditor (recipient) are sent to Maintenance Enforcement. The Maintenance Enforcement Program then forwards the payment to the creditor once the funds have cleared through a trust account.

3. Legal Aid

The Legal Aid Society of Alberta provides lawyers to persons who cannot afford to pay for them from their own resources. Legal Aid makes assistance available free of charge to all persons who request it in most criminal courts of first appearance.

For other legal aid, a person must be financially eligible and have the type of legal problem that the Legal Aid Society is allowed to cover. Persons who receive legal aid are required to repay unless it would cause severe hardship.

In addition, persons requiring legal help may be able to obtain other forms of assistance or information from organizations such as Student Legal Services or Native Courtworkers.

F. FCSS AND THE JUSTICE SYSTEM

1. Ways that FCSS now works with some facets of the justice system

Seven ways that some FCSS programs now work with aspects of the justice system are:

- a. **Being part of the same community committees:** Most commonly, FCSS is part of an interagency group that may also include justice system representatives. Some FCSS and justice system representatives are part of community committees that focus on a particular community social issue that involves the justice system (e.g., youth and drugs; family violence).
- b. **Learning about community social needs** identified by people in the justice system.
- c. **Helping the community become aware** of social needs identified by people in the justice system.
- d. **Helping to get a particular justice system project going;** then letting it operate on its own (e.g., in some communities, FCSS helped crime prevention or youth justice committees to get off the ground).
- e. **Cooperating in specific events** or initiatives (e.g., crime prevention, co-sponsoring community education events, family violence prevention strategies, etc.)

f. **Making referrals, and/or working together regarding specific clients** (e.g., Victim Services, Probation, Family Mediation, Youth Justice Committees).

g. **Providing funds** for specific activities (e.g., crime prevention programs, Victim Services volunteer training).

2. What FCSS has to understand in order to work with justice system representatives

a. Focus on criminal justice mandate

The most important thing for FCSS to understand about working with justice system representatives is that their focus and responsibility is their justice system mandate:

- To investigate crime and prosecute people who commit crimes;
- To protect the public from criminal behavior; and
- Where possible, to rehabilitate offenders and prevent future criminal offences.

Community involvement of justice system people must be justified in terms of how it helps to fulfill the justice system mandate.

A second thing for FCSS to understand about working with justice system representatives is that their focus and responsibility is mostly related to individuals -- offenders or victims of crime -- while they are involved with the justice system.

Individual justice system representatives may see a connection between the community and individual offenders or victims, or between social issues and criminal behavior. However, the specific job responsibility relates to individuals. Community involvement must be justified in terms of responsibility towards those individuals.

b. Pressed for time

FCSS respondents during this project talked of how difficult it may be for justice system representatives to be involved in cooperative community processes, because of lack of time and resources. Many FCSS people perceive

justice system people to have minimal resources in relation to their responsibility.

c. It may be a "system" but the parts are not necessarily connected

In interviews during this project, it became obvious that different parts of the justice system do not necessarily have contact with one another.

- Justice system representatives who have a mandated reason to work together do know about one another -- For example: crime prevention and police, Victim Services and police, police and Crown, Probation and Youth Justice Committees, etc.
- Justice system representatives who do not have a mandated reason to work together may not be familiar with one another -- for example, Probation and crime prevention, Victim Services and Youth Justice Committees may have no contact at all.

d. Opportunities and optimism

Within the justice system in Alberta, many new initiatives are underway to improve the system. Some of these initiatives are a result of public comments during the justice summit. Other initiatives have come about because people within the system see ways to make it better, and push forward ideas for improvement.

FCSS representatives may find it valuable to "check in" with justice system representatives in their community, to learn what new things are happening.

3. And finally

The majority of FCSS programs in Alberta have some contact with at least one aspect of the justice system. The benefits to FCSS are:

- FCSS can learn about community needs that it might not otherwise discover.
- Through work with the justice system, FCSS may connect to members of the
- community they would not have contact with in any other way.

- Justice system issues are community issues. People in contact with the justice system are a part of the community. What happens within the justice system is both a cause and a reflection of the quality of life (positive or negative) in the community. That makes the justice system relevant to FCSS.
- With its broader mandate, FCSS has the opportunity to build on processes and initiatives within the justice system, and help to make them even more beneficial to the community.

Nearly 250 justice system and FCSS representatives took part in this project to explore how FCSS and the justice system can

work together. Of those respondents who now work with one another, some talked of barriers and frustrations. However, a high proportion spoke highly of the value of working together. They believe the community benefits greatly from their cooperation.

One other benefit was sometimes stated explicitly, and other times was obvious from people's comments. A (perhaps unanticipated) benefit of FCSS working together with people in the justice system is that it is often personally enjoyable.

Attachment 2: A guided tour of FCSS (for justice system people)

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Contact information about FCSS in your municipality¹ or Metis Settlement is available from:

- Prevention and Community Support Unit, Alberta Children's Services
Phone 780-415-8151 (Call toll free 310-0000 and ask for 780-415-8151), fax 780-415-5841,
website www.child.gov.ab.ca (go to "FCSS" and then "publications") OR
- Family and Community Support Services Association of Alberta (FCSSAA),
Phone 780-415-4791, Fax 780-415-4793, E-mail fcssaa@telusplanet.net.

¹ Municipality = city, town, village, summer village, county, municipal district, improvement district or special area.

Attachment 2: A guided tour of FCSS (for justice system people)

A. WHAT IS IN THIS ATTACHMENT

This attachment about the Family and Community Support Services (FCSS) program is written from the perspective of what may be useful for a justice system representative to understand about FCSS.

The first sections of this attachment contains factual information about FCSS:

- The legalities and mandate of FCSS;
- Patterns of how FCSS operates in different communities;
- Some ways that FCSS programs now work with the justice system.

The last section includes interpretative comments about FCSS:

- Six things you have to understand if you're going to work with FCSS
- Why working with FCSS might be worth the time it takes
- Hints for connecting with FCSS

B. LEGALITIES AND MANDATE OF FCSS

1. What FCSS is

Family and Community Support Services (FCSS) is an 80/20 funding partnership between the provincial government and municipalities or Metis Settlements who choose to enter into an FCSS agreement with the Province of Alberta. Family and Community Support Services programs operate in nearly all Alberta municipalities and all eight Metis Settlements.

Three foundation principles of FCSS are "local decision making," "prevention" and "volunteerism."

Under FCSS, communities design and deliver social programs that are preventive in nature

to promote and enhance well being among individuals, families and communities. The programs depend on community resources, often involving volunteers in management and delivery.

2. Local decision making

One of the original intentions of the FCSS program was that it be a vehicle for communities to respond to local social issues that could not be well served by province-wide or mandated services. FCSS, by design, has the freedom to develop unique responses that fit local conditions, values, and styles.

Following from this, one of the key principles of the FCSS program is local autonomy in setting priorities and allocating resources. FCSS emphasizes local decision making for programming, based on the belief that communities have the desire, energy and resources to build on their ability to deal with whatever affects them.

Each municipality or Metis settlement determines how the FCSS dollars they receive should be allocated to best meet the needs of their community.

Municipalities who choose to participate in FCSS also decide how their FCSS program will be organized, and what role it will play in the community. For example:

- Some FCSS programs include only one municipality -- one city, town, village, county or Metis settlement. Other FCSS programs include several municipalities, for example, a county or municipal district and the cities, towns and villages within its boundaries. It is a municipal choice whether to operate FCSS jointly with other municipalities, or as an individual municipality.

- Some FCSS programs primarily encourage citizens to be aware and involved in social issues, and may provide funds for local community groups or agencies to respond to particular social concerns. Other FCSS programs directly provide FCSS-operated services or programs in response to community needs.

3. FCSS mandate

a. What the mandate is

The FCSS program is governed by *the Family and Community Support Services Act and Conditional Agreement Regulation*. Unlike some of the legislation that governs justice system programs, the FCSS Act and Regulation does not specify what local FCSS programs must do. Rather, the FCSS Act defines the boundaries within which FCSS programs must operate.

FCSS funds may only be used for activities or services that fit within the FCSS Regulation, which states:

FCSS programs or services must:

- Be of a preventive nature that enhances the social well-being of individuals and families through promotion of intervention strategies provided at the earliest opportunity;

and

- Do one or more of:
 - Help people develop independence, strengthen coping skills and become more resistant to crisis;
 - Help people develop an awareness of social needs;
 - Help people develop skills which enhance constructive relationships;
 - Help people and communities to assume responsibility for decisions and actions that affect them;
 - Provide supports that help sustain people as active participants in the community.

FCSS services must not:

- Be primarily recreational in nature;
- Offer direct financial assistance to an individual or family, including but not limited to the provision of food, clothing and/or shelter;
- Be primarily rehabilitative in nature; or
- Duplicate services ordinarily provided by a government or government agency.

b. Types of services

The *Family and Community Support Services (FCSS) Handbook* published by Alberta Children's Services states that the following are services that a Family and Community Support Services Program may offer in the community.

Assessing the needs of the community is the responsibility of the municipality or Metis settlement. Therefore, this list is intended as a guideline only. FCSS may offer:

- i. Services that promote the social development of children and their families, including:
 - Parent-child development activities,
 - Temporary or occasional parent relief services, and
 - Support services for young school age children;
- ii. Services that enrich and strengthen family life by developing skills in people to function more effectively within their own environment, including:
 - Parenting and family life education and development programs,
 - Marriage enrichment,
 - Retirement planning,
 - Programs for single adults and single parents,
 - Courses designed to enhance self-awareness and personal growth,
 - Individual, family and group counselling services that are educational and not treatment oriented, and
 - Youth development services;

- iii. Services that enhance the quality of life of the retired and semi-retired, including:
 - o Home support services,
 - o Education and information services,
 - o Outreach and coordination services, and
 - o Self-help socialization activities;
- iv. Services designed to promote, encourage and support volunteer work in the community, including
 - o Recruitment, training and placement services,
 - o Resources to support volunteers, and
 - o Coordination of volunteer services;
- v. Services designed to inform the public of available services, including
 - o Information and referral services,
 - o Community information directories,
 - o Newcomer services, and
 - o Interagency coordination.

c. What this means for justice system people who want to work with FCSS

A justice system representative who would like to work with FCSS will find it easier if local FCSS representatives can see that the justice service or project fits within the FCSS mandate:

- *Local people are comfortable that this is "preventive"*

Some FCSS programs do not perceive involvement with programs that assist victims or offenders of crime to be preventive. On the other hand, other FCSS programs have no difficulty describing their involvement with facets of the justice system in ways that fit the definition of "preventive."

A justice system representative who wishes to work with FCSS and/or seek local FCSS funding will need to work with local FCSS representatives to ensure they are comfortable that the proposed ways of working together fit within the local concept of "prevention."

- *Does at least one of the things an FCSS program "must" do:*

Those FCSS programs that are now involved with some aspect of the justice system can explain how their involvement accomplishes one or more of the FCSS outcomes (see previous page).

A justice system representative may find it helpful to explain how a proposed involvement accomplishes one or more of these intended FCSS outcomes.

- *Is not perceived as doing any of the things FCSS must not do.*

A common concern among FCSS programs would be that a particular activity connected with the justice system might be primarily rehabilitative in nature, or might duplicate services provided by a government or government agency.

Sometimes FCSS is concerned that an activity ought to be provided by a government. In these cases, a local FCSS program may be reluctant to be involved lest FCSS involvement would allow the government to abdicate what FCSS perceives as government's responsibility.

A justice system representative may find it helpful to show that the proposed involvement by FCSS is neither rehabilitative nor a duplication of a government service.

- *Types of services fit within the FCSS mandate*

Justice system programs or initiatives that sound a lot like those described in the *FCSS Handbook* are easier for FCSS to support.

4. How FCSS is funded

a. Provincial funding formula

The province provides funds to each FCSS program based on two concepts:

- A funding model based on population of each participating municipality or Metis

settlement, adjusted for the median income levels of each municipality or Metis settlement; and

- 80%-20% division of funding.

The province contributes 80% of the program cost of local FCSS programs and services, or the maximum FCSS grant, whichever is less.

Here is how it works:

- At the beginning of each year, the province forwards an agreement to the local municipality. The agreement states that the province is willing to provide up to a maximum of a certain number of dollars for the provision of municipal FCSS services and programs, providing that:
 - The municipality or Metis settlement agrees to contribute at least 20% of the cost of FCSS programs and services, and
 - The municipality or Metis settlement agrees to operate within the *FCSS Act and Conditional Agreement Regulation*.The municipality or Metis settlement must sign and return this agreement.
- At the end of the year, the municipality or Metis settlement submits Annual FCSS Program Reports and financial reports as required by the *FCSS Conditional Agreement Regulation*.
 - If the municipality has contributed more than a 20% share in relation to the province's maximum per capita grant, the province will contribute the maximum grant, which will be less than 80% of the net cost of the local FCSS programs.
 - If the municipality has contributed less than a 20% share in relation to the province's maximum grant, the province will provide its 80% matching share of the 20% contribution of local FCSS programs, which will be less than the maximum provincial grant that would have been available.

b. What the FCSS funding formula means for justice system representatives

There are three ways the FCSS funding formula could affect justice system representatives who are considering a working relationship with a local FCSS program:

- FCSS funds must be used only for purposes defined in the *FCSS Act and Conditional Agreement Regulation* (see earlier section).
- The local portion of FCSS funds comes from municipal operating budgets, so municipal councils may be very interested in how these funds are allocated. Depending on the interests and perspectives of local councillors, this could be good news or not good news for those seeking FCSS funds.
- FCSS programs serving small populations receive a small FCSS grant from the province. They may have little staff time or money to contribute to working with aspects of the justice system.

5. FCSS programs in the province

a. Number, size and structure

As of early 2003, there were more than 190 FCSS programs in Alberta. They are diverse in size, structure and local organization.

- Size
 - More than four-fifths of FCSS programs (81%) serve less than 10,000 population.
 - Slightly more than one-tenth (12%) of FCSS programs serve populations of 10,000 to 20,000.
 - The two FCSS programs serving the largest populations are of course those in Calgary and Edmonton.
 - The remaining 4% of FCSS programs serve populations of 20,000 to 90,000.
- Structure
 - 86% of FCSS programs operate in a single municipality or Metis settlement.

- 14% of FCSS programs are multi-municipality programs.
- Local organization and name
 - Some single-municipality FCSS programs are part of a municipal Community Services or Social Planning department.
 - Some FCSS programs have a local name that is different than "Family and Community Support Services." Examples include "Community Services," "Social Planning," or "Support Services" departments.

b. What this diversity means for justice system representatives

- If the justice system program serves a region, there may be a number of FCSS programs within it. The justice system program will likely have to develop a separate relationship with each FCSS program.
- The larger the FCSS program, the more likely that an FCSS staff person or service has a natural affinity for working together with some aspect of the justice system. (The exception is the City of Edmonton, which does not work directly with other social agencies, but rather allocates funds to community agencies that may be partners of justice system programs.)
- The smaller the FCSS program, the less likely that it will have staff time to participate or funds to contribute to any facet of the justice system.

6. Patterns of how FCSS programs operate

a. Six common FCSS roles

Within the legal mandate of the *FCSS Act and Conditional Agreement Regulation*, local FCSS programs may choose to play one or more of the following roles in their communities:

Community development role -- FCSS acts as "social conscience" and "facilitator" in

the community. FCSS community development activities could include:

- Publicizing local social needs informally -- in conversations, at municipal council meetings, etc.
- Hosting or initiating community awareness or education events.
- Pulling together meetings of people who may have an interest in a common social issue; encouraging them to plan responses.

Coordinating role -- FCSS often helps to coordinate community responses to a particular issue or opportunity.

Referral role -- FCSS makes the community aware of resources and services that may be available to citizens, and refers some citizens to various other agencies.

Service provider role -- FCSS provides services and programs directly, in response to identified community needs. Examples of services provided directly by some FCSS programs include:

- Family support or counselling services.
- Family-school liaison projects (often hosted jointly with other agencies).
- Youth projects.
- Projects that support seniors in their homes, or help seniors remain active in the community.

Funder role -- FCSS provides funds to community groups or agencies to provide services considered to be within the FCSS mandate.

- *On-going operating funds* -- Some FCSS programs provide funds every year to support the operation of particular on-going community services (e.g. youth or senior programs provided by community organizations).

In some cases, these services were initiated or developed by FCSS, and then "let go" to become their own autonomous organizations.

Sometimes FCSS programs are concerned when projects or services continue to need on-going funds after they have been established.

- *One-time project funds* -- FCSS programs sometimes provide funds to support a particular community event, or a portion of some other organization's activities (e.g. volunteer training), on a one-time-only case-by-case basis.

Delegator role -- A few (mostly rural) municipalities allocate all of their FCSS funds to another municipality or agency to provide particular services for its residents

b. How different FCSS roles could affect justice system representatives

• **If an FCSS program acts primarily in a "community developer" role** --

- A representative of some aspect of the justice system (Crime Prevention, Police, Victim Services, Probation, Youth Justice) may participate with FCSS and other community agencies to encourage the community to address a particular social issue (e.g. youth crime, drug abuse, family violence).
- A representative of the justice system could make FCSS aware of community needs seen by the justice system. FCSS could in turn help the community become more responsive to these needs.

• **If an FCSS program acts in a "coordinating" role**

- A justice system representative may find it helpful to discuss possible ways that FCSS could help to coordinate community wide or inter-agency involvement in activities that help the justice system.

• **If an FCSS program acts in a "referral" role** --

- A justice system representative may want to make sure the FCSS program is familiar with the services or resources it has available.
- FCSS may be able to help arrange community service opportunities for offenders (relevant for Probation, Youth Justice Committees).

• **If an FCSS program provides direct services and programs** --

- An FCSS service may be of value to clients of a justice system program (e.g. Victim Services, Probation).
- An FCSS program may collaborate with some aspect of the justice system to initiate particular activities (e.g. Crime Prevention event, Victim Services training).
- FCSS may be involved as a partner in case conferences with common clients (e.g., Probation).
- FCSS may be able to assist in arranging for community service opportunities for offenders (relevant for Probation and Youth Justice).

• **If an FCSS program sometimes provides funding to non-FCSS organizations** --

- Most FCSS programs are more likely to provide project funds for a specific event or activity, than to make on-going funds available for program operation.
- In order to agree to provide funding, a local FCSS program will need to:
 - Ensure that the request for funds fits within the FCSS mandate;
 - View this particular item as a community priority (in the context of all the community needs the FCSS program is aware of);
 - Have funds available to commit to this particular item.

• **If a municipality allocates all its FCSS funds to some other municipality or**

agency, it is unlikely to have a mechanism for cooperating with any aspect of the justice system.

C. HOW SOME FCSS PROGRAMS NOW WORK WITH THE JUSTICE SYSTEM

1. Seven ways that some FCSS programs now work with aspects of the justice system

a. Being part of the same community committees:

Most commonly, FCSS is part of an interagency group that may also include justice system representatives.

Some FCSS and justice system representatives are part of community committees that focus on a particular community social issue (e.g., youth and drugs; family violence).

b. Learning about community social needs identified by people in the justice system.

c. Helping the community become aware of social needs identified by people in the justice system.

FCSS has connections to the municipal power structure, and can give justice system representatives an avenue to help local elected representatives and the municipal administration become more aware of social issues seen by representatives of the justice system.

Many FCSS programs see part of their responsibility as helping the community to become more aware of social issues. They routinely use local media, community events, presentations, brochures, and informal discussions as methods to raise community awareness and encourage people to become involved.

d. Helping to get a particular justice system project going; then letting it operate on its own (e.g., in some communities, FCSS helped crime

prevention, victim services or youth justice committees to get off the ground).

e. Cooperating in specific events or initiatives (e.g., crime prevention, co-sponsoring community education events, family violence prevention strategies, etc.)

f. Making referrals, and/or working together regarding specific clients (e.g., Victim Services, Probation, Family Mediation, Youth Justice Committee)

g. Providing funds for specific activities (e.g., crime prevention, Victim Services)

2. Characteristics of FCSS programs that currently work with aspects of the justice system

This project has identified that FCSS programs are more likely to be involved with some aspect of the justice system when one or more of the following conditions are present:

a. Someone within the FCSS program perceives that justice system issues are also community issues.

b. The FCSS program looks at the social needs of the community in general (not just particular issues or specific services).

c. The FCSS program is big enough to have one or more full time staff persons, with time and interest in working together with representatives of the justice system.

d. The FCSS program provides or funds services to individuals and families -- for example, counselling services, family-school liaison workers, or support for families experiencing family violence.

These FCSS programs are more likely to encounter individuals involved with the justice system. They therefore have reasons to cooperate with the justice system in regard to specific clients, and can also observe patterns of social issues within the community, as revealed by people in contact with the justice system.

e. The justice system program is able to devote staff or volunteer time to attend

interagency meetings and be involved in cooperative community projects. In these cases, FCSS is more likely to be in the same place at the same time, which increases the odds of seeing opportunities to work together.

D. SUGGESTIONS FOR A JUSTICE SYSTEM REPRESENTATIVE CONSIDERING WHETHER TO PURSUE AN FCSS CONNECTION

1. Six things you have to understand if you're going to work with FCSS

- a. **The province created FCSS but each FCSS program is a creature of the municipality** (or municipalities). Therefore, whatever an FCSS program chooses to be involved in must be acceptable to the municipal council(s) and administration(s).

The benefit is that FCSS may be able to provide justice system representatives with a link to municipal leaders, and help municipal leaders to perceive justice system issues as community issues.

The caution is that some municipal councils may be reluctant for their FCSS program to be involved in justice system areas which the councillors perceive to be the province's responsibility.

- b. **Yes, you really will have to develop a separate relationship with each FCSS program in your area.**

Some facets of the justice system (e.g., RCMP detachments, Victim Services, Family Mediation, probation, youth justice) serve geographic areas that include more than one FCSS program.

Because each FCSS program is a creature of a particular municipality (or municipalities), no FCSS program can make decisions or agreements that are binding on another FCSS program.

That means, even if you work closely with one FCSS program, you will still have to start from the beginning with each other FCSS program, and you may end up with a different working relationship with each FCSS program in your area.

Some Victim Service programs find this situation especially challenging. They have different funding support and different expectations from different municipalities in their region, and yet the Victim Services program has the same provincial mandate to serve victims of crime equally throughout their service area.

This is one of those "the way it is" issues. Neither the Victim Services program nor the municipalities nor even the provincial government has the power to ensure consistency between FCSS programs in their relationship with a particular non-municipal agency. (In fact, as explained earlier, FCSS was actually created to be a vehicle for unique local responses to similar issues.)

In some parts of the province, neighboring FCSS programs do communicate and cooperate with one another. They are open to developing informal arrangements to develop similar working relationships with agencies (justice system or others) that serve more than one FCSS program.

- c. **Each FCSS program has its own perception of what is "preventive."**

Because of provincial funding requirements, FCSS programs must be able to demonstrate that FCSS funds are allocated for preventive services.

However, the local interpretation of "prevention" varies from one community to another. What's more, the perception in a particular FCSS program may change if the FCSS staff or municipal elected representatives change.

Therefore, what seems an appropriate FCSS involvement with justice in one community may not seem appropriate in another community.

Given all of this, a justice system representative is better off to talk about "community needs" and "social issues" rather than about "prevention" when approaching FCSS for financial support.

- d. **FCSS programs often perceive themselves as the "community developer"** and "coordinating body" and "social conscience" in their community. Those are traditional FCSS roles.

Sometimes, when others are doing "community development" activities (e.g., engaging citizens to become interested in and contribute volunteer time to crime prevention or victims of crime or young offenders), it may not feel like community development to FCSS unless FCSS is involved.

On the other hand, most FCSS programs have a wealth of connections and knowledge of resources that can be of value to a justice system person who wants to involve citizens in some initiative.

A justice system representative may therefore find it useful to let FCSS know of justice system activities that involve citizens.

- e. **FCSS may be worried about being dumped on.** A common theme that emerged during this project is concern by municipalities and FCSS programs that the province may download expectations onto the community that are more than the community or municipality can support.

If you are a justice system representative who would like some sort of assistance from FCSS, you may encounter FCSS people who are worried that:

- You will want more than FCSS can provide (more time, more money,

more services for your clients, more commitment);

- You will want FCSS to do things it sees as outside its mandate -- specifically, outside the FCSS program's concept of "prevention;"
- You will want a long term commitment for funding;
- You will want FCSS to carry some of your (under-resourced justice system) load.

Based on some of the survey and interview responses of justice system representatives during this project, these four things may be exactly what you want!

Underlying these FCSS concerns may be fears that:

- The province may be trying to push FCSS or municipalities into roles they do not want;
- If you (accompanied by local citizens) ask for more than FCSS is willing or able to support, and FCSS is put in the position of having to say "no," this will offend local citizens whose good will is important to FCSS.

A justice system representative may need to alleviate FCSS concerns -- at least in regard to the specific form of FCSS assistance being requested -- in order to work together productively.

- f. **If you receive FCSS money, you will have to submit a report.**

FCSS programs are required to provide both narrative and financial reports of how funds have been used. In turn, local FCSS programs require such reports from community projects that receive FCSS funds.

2. **Ten reasons why working with FCSS might be worth the time it takes**

Given all the above cautions, you may wonder why a justice system representative would want to work with FCSS. The reasons listed

below are based on what justice system representatives said in surveys and interviews during this project.

- a. Justice system representatives can give FCSS programs access to information about social needs and issues that FCSS might not otherwise encounter. This increased FCSS awareness may in itself be a benefit to the justice system.
- b. FCSS can help justice system representatives have contact with community leaders who may be in a position to help the community perceive that justice system issues are also community issues.
- c. Together, justice system representatives and FCSS can help the community become more aware and involved in community issues observed by those in the justice system.
- d. FCSS and justice system representatives can make referrals to one another's programs and services, thus making assistance more accessible to more people in the community.
- e. By cooperating on training and education activities, both justice system and FCSS programs can have access to more and better resources than either one could have on its own. This cooperation also helps link justice system staff and volunteers to others in the community.
- f. In communities where FCSS makes space available for visiting justice system workers to meet clients or hold training, this sharing of space and facilities often leads to seeing opportunities for other cooperation.
- g. In communities where FCSS offers direct services, some of these services may be of value to people who are in contact with the justice system (offenders or victims of crime).
- h. In communities where FCSS sometimes makes funds available to local agencies, FCSS funds may make some justice

system activities possible that would not otherwise be available.

- i. In communities where FCSS services share clients with facets of the justice system (Victim Services, Probation), case conferences and joint case planning are perceived to be extremely valuable by FCSS and justice representatives.
- j. Finally, from the tone of interview and survey comments, many justice system and FCSS representatives have high regard for one another, and, on a personal note, enjoy working together.

3. Five suggestions for connecting with local FCSS programs

- a. **Attend interagency meetings** as often as you can. Interagency groups are a primary vehicle through which FCSS programs stay in touch with other community agencies.
- b. **Find out if the FCSS program(s) in your area have the characteristics of FCSS programs most likely to work together with the justice system.**
 - Is the FCSS program large enough to have at least one full time staff person?
 - Does the FCSS program perceive its role as increasing community awareness of social issues?
 - Does the FCSS program initiate processes to engage citizens in responding to social issues?
 - Does the FCSS program help to coordinate activities between community agencies?
 - Does the FCSS program help people become aware of community resources, or make referrals to other agencies?
 - Does the FCSS program offer direct services to individuals or families? Could any of those services be of

value to victims or offenders of crime that you work with?

- o Does the FCSS program sometimes provide funds to local organizations?

The more "yes" answers there are to the above questions, the greater the likelihood that justice system programs can work together productively with the local FCSS program.

c. **Find the name of a specific FCSS staff person and arrange to meet in person.**

In smaller FCSS programs, the FCSS Director is usually the best person to contact.

In larger FCSS programs, especially those which offer direct community services, particular staff persons (e.g. family school liaison officer, youth worker, family violence prevention coordinator) may be receptive to working with the justice system.

Even in larger FCSS programs that provide direct services to individuals or families, it may be helpful to contact the FCSS Director as well as staff of particular FCSS services. The Director may have suggestions for working together that a service staff person might not be aware of.

This research project reinforced what many people already know. If you want to explore possibilities for working together, nothing is better than personal contact.

d. **Be familiar with the FCSS mandate** (see section B.3 of this document).

Make your points based on the FCSS role to help the community address social needs in the community, and how what

you want is similar to the types of services described earlier in this attachment.

Don't try to show how your ideas are "preventive" because there are too many interpretations of what "prevention" is.

- e. **Be aware of the possibility that local FCSS representatives may be cautious** about working together with the justice system (see section D.1.5 of this document). Be prepared to alleviate anxiety and show benefits to FCSS and to the community.

4. And finally

About 250 justice system and FCSS representatives took part in this project to explore how FCSS and the justice system can work together.

Nearly all the people who now work together spoke highly of the value to one another and to the community. They believe the benefits to the community are worth every minute and every dollar of investment.

In some communities there are barriers and frustrations that are sometimes very difficult to work through. Three major barriers are lack of information or understanding about one another's agencies, FCSS concerns about being asked to provide more support than seems reasonable, and lack of time and resources for justice system people to be involved in the community..

Perhaps the more important learning from this project is that, when FCSS and the justice system do find ways to work together, many people benefit. Based on comments from most of those who took part in this project and work together now, when it is good, it is very very good.

Attachment 3: FCSS and CRIME PREVENTION

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To find the Crime Prevention Coordinator in your community:

- Check with your local RCMP detachment or municipal or First Nation police service. If organized Crime Prevention activities are taking place, police will know about them; or
- Contact Prevention Programs, Alberta Solicitor General, at 780-427-3457 (call 310-0000 toll-free and ask for 780-427-3457).

Attachment 3: FCSS and CRIME PREVENTION

A. COMMUNITY CRIME PREVENTION

1. A provincial strategy

Alberta Solicitor General is responsible for administration of the *Police Act* that calls for development and promotion of Crime Prevention programs. The Public Security Division of the Department, in a co-ordinating role, encourages police services to work in harmony with community groups and to view community-based crime prevention activities as a viable and essential adjunct to investigation and law enforcement duties.

In 1999, the Minister of Justice, President of the Alberta Community Crime Prevention Association (ACCPA) and police representative announced an enhancement to crime prevention, *A Focus on Crime Prevention – A Strategy for Alberta*. The provincial strategy aimed to get communities and other government partners more actively involved in developing and delivering crime prevention programs and initiatives.

The *Strategy* focuses on crime prevention initiatives that address criminal justice system-related projects and programs. The provincial strategy includes the following components:

- Expansion of Aboriginal Crime Prevention Program on reserve and in Metis settlement areas;
- Support for provincial Crime Prevention organizations;
- Increased public awareness around the issue of safe communities;
- Enhanced resource materials for use by community level agencies and services;
- Introduction of a new *Community Crime Prevention Grant* (CCP) Program;
- Introduction of a models of best practice program to support or allow for replication of programs that have been identified as

either provincial in scope or serve as models of excellence in crime prevention.

The provincial government's focus on criminal justice related projects and programs is complementary to the federal government's National Crime Prevention Strategy, many aspects of which focus on addressing the root causes of crime.

Alberta Solicitor General co-administers the Alberta Joint Management Committee of the National Crime Prevention Strategy's Community Mobilization Program. (Many FCSS programs have been part of community committees that accessed Community Mobilization funds approved through the Alberta Joint Management Committee.)

2. Accomplishments and milestones of the provincial crime prevention strategy

- **Expansion of Aboriginal Crime Prevention Program** -- Aboriginal Crime Prevention Programs were expanded to 16 reserves throughout the province. In partnership with the National Crime Prevention Strategy and the province, eight Metis Settlements were included through an agreement with Metis Settlement General Council and Region 18 Metis Settlement Child and Family Services Authority.
- **Support for provincial Crime Prevention organizations** -- Four provincial Crime Prevention associations that are specifically identified under the *Crime Prevention Strategy* include:
 - Alberta Community Crime Prevention Association (ACCPA)
 - Alberta Association of School Resource Officers (AASRO)
 - Alberta Provincial Rural Crime Watch Association (APRCWA)

- Heads Up Fraud Prevention Association

Establishment of provincial service agreements with the four largest crime prevention entities created opportunities to connect the organizations to each other, as well as share knowledge with established Committees with membership from organizations such as Alberta Urban Municipalities Association (AUMA) and Alberta Association of Municipal Districts and Counties (AAMD&C).

A provincial service agreement with Alberta Community Crime Prevention Association (ACCPA) calls for the organization to act as a central resource in sharing information on evidence-based crime prevention programs.

- **Increased public awareness around the issue of safe communities --**
 - An enhanced public awareness campaign built upon Alberta Crime Prevention Week by encouraging Albertans to get involved in preventing crime in their communities. A new visual identity was launched — a signpost with theme, *Crime prevention — it's in your neighbourhood*.
 - Community safety and crime prevention efforts were promoted through recognition and high profile celebratory events, like the Minister's Crime Prevention Awards and Alberta Crime Prevention Week.
 - Municipal governments were encouraged to incorporate crime prevention and community safety in their mission statements, municipal plans, policing priorities and by-laws.
 - In order to engage and provide meaningful involvement of the municipal sector, Alberta Solicitor General requested the involvement of the Alberta Urban Municipalities Association (AUMA) and the Alberta Association of Municipal Districts and

Counties (AAMD&C) on the Joint Management Committee of the National Crime Prevention Strategy's Community Mobilization Program. (The Joint Management Committee is co-administered by Alberta Solicitor General.)

- **Enhanced resource materials for use by community level agencies and services:** Updated resource materials in family violence, personal safety, business security and children's safety were produced.
- **Introduction of a new *Community Crime Prevention Grant (CCPG) Program:***
 - Project development guidelines were provided to community groups wishing to develop proposals. Under the Program, almost 200 community-level projects received funding throughout 2000 & 2001.
 - As part of the CCPG Program, suggested evaluation methods were provided through the *Step by Step* document, as well as through establishment of an evaluation template.
 - Early in 2002, as part of budget restraint, discretionary funding previously available for the Community Crime Prevention Grant Fund was eliminated.
- **Introduction of a models of best practice program** to support or allow for replication of programs that have been identified as either provincial in scope or serve as models of excellence in crime prevention --
 - 11% of total funding allocated under the Community Crime Prevention Grant Program was to "models of best practice" programs and initiatives.
 - Examples include the Wise Owls seniors' fraud program and support for provincial training conferences for the Alberta Association of School

Resource Officers (AASRO) and the Alberta Citizens on Patrol Association (ACOPA).

- This program was eliminated as part of the 2002 budget reduction.

3. Community Crime Prevention stakeholders

At the local level, FCSS programs may work with community Crime Prevention Committees or associations or Crime Prevention Coordinators.

- **Community Crime Prevention Committees** and Associations are groups of volunteers who provide a link between the justice system (mainly police services) and the community at large.

They work to prevent crime by promoting traditional crime prevention strategies, such as home and business security practices, neighbourhood watch and crime prevention through environmental design.

More and more, Crime Prevention through Social Development has become increasingly acknowledged by Committees and Associations as a method to address issues of youth alienation, poverty, abuse and early intervention in crime prevention. Many crime prevention associations hold annual conferences to share information and network.

Like FCSS, local Crime Prevention Committees and associations determine local priorities and decide what actions they want to take. Crime prevention committees and associations nearly always work with local RCMP detachments or municipal police services.

- **Crime Prevention Coordinators** are specially designated police members who specialize in crime prevention and are part of a municipal police service or RCMP detachment.
- **First Nation Crime Prevention Coordinators** -- Alberta Solicitor General supports crime prevention positions to

develop and administer a wide range of crime prevention programs on member reserves. These positions are community based and community directed, developing local initiatives, particularly for youth, in the areas of recreation, employment and education.

With regard to crime prevention funding and the DARE (Drug Abuse Resistance Education) Program originated in the U.S. in 1983, a cross-ministry approach to program funding has taken place.

The Deputy Ministers of the Alberta Children and Youth Initiative (ACYI) partnering ministries recommend departments not fund DARE pending the findings of an evaluation study.

Research indicates overall that while DARE is a popular program with some initial benefits in student's self-esteem and anti-drug attitudes, it is not effective in reducing actual drug use over the long term.

Alberta is participating on a pan-Canadian study of the DARE program led by the National Crime Prevention Centre. The current proposal for the federal study includes a literature review component and a program evaluation component that will involve several Alberta schools. This project is tentatively scheduled for completion in 2006.

B. HOW CRIME PREVENTION AND FCSS NOW WORK TOGETHER

In June 2002, a survey about FCSS was sent to 98 Community Crime Prevention stakeholders, of whom 20 responded (a response rate of 20%). Of the 20 who returned a survey, 13 also participated in a telephone interview.

Also in June 2002, a survey about FCSS working together with the justice system was sent to 194 Family and Community Support Services (FCSS) representatives, of whom 87 returned a survey (a response rate of 45%). Of those who returned a survey, 35 FCSS representatives also participated in an interview.

Contact reported between FCSS and community Crime Prevention stakeholders	
<p>Reported by FCSS representatives:</p> <p>FCSS and Crime Prevention Committee</p> <ul style="list-style-type: none"> • FCSS has heard of Crime Prevention Committee 44% • FCSS has contact with Crime Prevention Cttee... 28% • Most common types of contact: FCSS on Crime Prevention Committee; Crime Prevention tells FCSS community needs; FCSS provides some funds <p>FCSS and Crime Prevention Coordinator</p> <ul style="list-style-type: none"> • FCSS has heard of Crime Prevention Coord. 28% • FCSS has contact with Crime Prevention Coord. 17% • Most common type of contact: Crime Prevention Coordinator tells FCSS community needs 	<p>Reported by Crime Prevention stakeholders (Crime Prevention Committees and Coordinators):</p> <ul style="list-style-type: none"> • Crime Prevention has heard of FCSS..... 75% • Crime Prevention has contact with FCSS..... 60% • Most common type of contact: FCSS on Crime Prevention Committee; FCSS helps arrange events to raise public awareness; FCSS provides some funds

Locations and names (if known) of Crime Prevention and FCSS respondents are included in Attachment 10 of this report. The following information is summarized from surveys and interviews with both Community Crime Prevention stakeholders and FCSS representatives.

1. Contact between Crime Prevention and FCSS

A greater proportion of Crime Prevention stakeholders have heard of FCSS, than the proportion of FCSS representatives who have heard of Crime Prevention Committees and Coordinators in their communities.

Three-quarters (75%) of Crime Prevention survey respondents have heard of FCSS, and 60% report they have some contact with FCSS. On the other hand, less than half (44%) of FCSS survey respondents have heard of a Crime Prevention Committee, and just over one-quarter (28%) have heard of a Crime Prevention Coordinator.

Just over one-quarter (28%) of FCSS respondents report having contact with a Crime Prevention Committee and less than one-fifth (17%) report having contact with a Crime Prevention Coordinator.

During interviews, many FCSS representatives were not aware of a Crime Prevention Committee or coordinator in their community. However, when asked if they had heard of Crime Prevention programs such as Wise Owls, Rural Crime Watch, or Citizens on Patrol, FCSS representatives said they had heard of these, though often were not in direct contact with them.

A number of FCSS representatives said they were in contact with police representatives in various community activities, but did not know if these officers were designated Crime Prevention Coordinators.

2. Ways that Crime Prevention and FCSS now work together

As shown in the chart on the next page, the three most frequently identified ways that Crime Prevention stakeholders say they work with FCSS are:

- 35% report that FCSS is represented on a Crime Prevention Committee.
- 35% report that FCSS helps to arrange Crime Prevention activities or events.
- 30% report that FCSS provides funds to help with specific Crime Prevention activities or events.

How Crime Prevention and FCSS report working together			
Ways of working together	Reported by FCSS re Crime Prev. Committee	Reported by FCSS re Crime Prev. Coordinator	Reported by Crime Prevention stakeholders
• FCSS is represented on a Crime Prevention Committee	15%	5%	35%
	second most frequent response		most frequent response (tied)
• FCSS helps to arrange activities or events to raise public awareness about Crime Prevention.	11%		35%
			most frequent response (tied)
• FCSS provides funds to assist in Crime Prevention activities or events	13%	3%	30%
	third most frequent response		second most frequent response
• The Crime Prevention Coordinator/committee helps FCSS become aware of community needs	15%	8%	25%
	most frequent response		third most frequent response (tied)
• FCSS helps to address underlying sources of crime in our community	9%	7%	25%
			third most frequent response (tied)
• FCSS helps the community become aware of needs identified by Crime Prevention	11%	6%	20%
• FCSS helped to get a Crime Prevention Coordinator or committee established in our community	10%	1%	15%
• FCSS provides funds to help with cost of Crime Prevention operation/coordinator	8%	2%	5%
• Other (specified by respondents)	<ul style="list-style-type: none"> • Crime Prevention Coordinator helps to review requests for FCSS funding re Block Watch and Block Parent • FCSS funds agencies or volunteer training that may be used by Crime Prevention • FCSS staff time and facility made available • Work with police who may not be Crime Prevention Coordinator 	<ul style="list-style-type: none"> • FCSS houses Alberta Block Parent office • Crime prevention seniors worker brings out issues such as elder abuse, fraud, etc. • Crime prevention coordinator works closely with Social Development • FCSS has asked about funding from police service 	

The three most frequently identified ways that FCSS respondents report working with Crime Prevention are:

- 15% report that FCSS learns about community needs from a Crime Prevention Committee. 8% report they learn about community needs from a Crime Prevention Coordinator.

- 15% report that FCSS is represented on a Crime Prevention Committee. 5% report that FCSS is on a committee with a Crime Prevention Coordinator.
- 13% report that FCSS provides funds for specific Crime Prevention activities.

C. AREAS FOR INCREASED UNDERSTANDING

1. Understanding Crime Prevention

a. What FCSS respondents would like to know about Crime Prevention

Several respondents said they already understand local Crime Prevention, because they have contact. Of those who wanted more information, what they wanted to learn was:

- Crime Prevention Committee mandate, program, outcome measures, funding
- How to cooperate; Crime Prevention opportunities for partnership ("Our main focus may be different but our core business is the same -- to determine root causes and why activities take place.")
- One person asked, "Why are these volunteer programs not funded federally?"

b. What Crime Prevention respondents would like FCSS to understand about Crime Prevention

Crime Prevention respondents want FCSS to understand some of the same things FCSS respondents wanted to understand:

- Crime prevention programs, what they do and how they operate (sample comment: "That as COP (Citizens on Patrol) members, we are out there regularly, week days now, as well as weekends, patrolling within a 100 km. radius.")
- If there are opportunities for partnership.

Crime Prevention respondents would also like FCSS representatives to know:

- Approach to Crime Prevention is through social development, addressing root causes of crime (Note: Not all local Crime Prevention programs use a social development approach).
- Crime prevention willingness to cooperate on matters of common interest (sample comment: "That we are willing to actively assist FCSS in any Crime Prevention initiatives relative to youth and seniors (both high risk) groups.")

2. Understanding FCSS

a. What Crime Prevention respondents would like to know about FCSS

A number of Crime Prevention respondents said they had no knowledge of FCSS. However, once they heard about a specific activity, they recognized that this local activity was a form of FCSS.

A number of respondents wanted basic information about FCSS, and a few had other comments. They would like to know:

- FCSS goal, programs, contact persons and outreach activities.
- Exactly what mandate and approach within Crime Prevention does FCSS have; how "active" FCSS is in Crime Prevention.
- How FCSS can help (sample comment: "How can it be used in my position as a School Resource Officer?") or work together (sample comment: "Integration of services to deal of 'one mind' with the people who require assistance").

(As a service during this project, the interviewer provided local contact information about FCSS to people who wanted to know this during the interview. The project team was told that several Crime Prevention respondents did in fact contact their local FCSS office after receiving this information.)

b. What FCSS respondents would like Crime Prevention to understand about FCSS

A few FCSS respondents said local Crime Prevention people already understand FCSS. Other respondents wanted Crime Prevention people to understand:

- FCSS mandate and benefits of partnership -- several respondents wanted Crime Prevention stakeholders to understand the broad scope and depth of FCSS programming, and the ways FCSS already helps with Crime Prevention.

- Limits of FCSS mandate and funding criteria. Sample comments:
 - That our role is to support the volunteers not fund their other activities.
 - Our FCSS funding is not automatic and requests must meet provincial criteria and local board approval.
 - The value of partnerships and the need to work together and no expectations that FCSS should lead all projects.
- FCSS philosophy of prevention. Sample comments:
 - The importance of prevention in the social and recreational fields.
 - The philosophy of prevention from a social service perspective, e.g., the importance of bullying programs in schools.
 - Relationship between crime and preventive social programs.
- FCSS willingness to work with Crime Prevention (sample comment: "That we are here too and can facilitate community connections and collaborations.")

D. BRIDGES AND BARRIERS

1. Five factors can help or hinder cooperation

Some FCSS and Crime Prevention survey respondents programs work frequently and positively with one another, and value their working relationships. On the other hand, it was equally common for FCSS and Crime Prevention respondents to know very little about one another, and have few ideas about how or why they could connect.

From the surveys and interviews, five factors were identified that affect the ability of local FCSS and Crime Prevention representatives to work together:

- Opportunities to be in the same place at the same time;
- Knowledge of one another's mandate and activities;
- Common commitment to prevention;

- Common interest in particular community groups (most commonly, youth, seniors);
- Attitude of police department regarding Crime Prevention and relationships with community.
- **Opportunities to be in the same place at the same time** -- People who have reasons to be in the same place at the same time are more likely to learn about one another, and to see opportunities for cooperation.

FCSS programs tend to use interagency meetings as a vehicle to get to know and work with people from other community agencies. When a Crime Prevention representative such as a police officer is able to attend interagency meetings, collaboration is more likely.

Most Crime Prevention Committees are operated by volunteers who may not be able to get to interagency meetings held during daytime week-day hours. This may reduce the ease of initiating Crime Prevention cooperation with FCSS or with other community agencies.

- **Knowledge of one another's mandate and activities** -- In general, FCSS representatives don't feel they have enough information about Crime Prevention groups -- who they are and what they do. Consequently, FCSS representatives don't have a clear vision of how they could work together.

Local community groups active in Crime Prevention (e.g., Rural Crime Watch, Neighbourhood Watch, C.O.P.S., Block Parents, Wise Owl, etc.) aren't perceived by FCSS as part of "justice." FCSS may work with and even help fund these groups, but don't see them as an avenue into working with the justice system.

(Interestingly, a few Crime Prevention respondents also wondered about the extent to which they were considered part of the justice system.)

Crime prevention stakeholders also most frequently identified lack of information

about one another as a barrier to working together. Once they heard a bit more about FCSS, Crime Prevention respondents sometimes recognized that they did in fact have some contact with FCSS, but hadn't identified "helping with the DARE or Wise Owl program" as an FCSS activity.

Similarly, once Crime Prevention respondents learned a bit more about the FCSS mandate, they could often see possibilities for future cooperation.

- **Common commitment to prevention** -- Within the justice system, two approaches to crime prevention tend to be traditional crime prevention activities that make criminal acts more difficult to commit (sometimes referred to as "opportunity reduction" or "target-hardening" approaches) and "crime prevention through social development (CPSD)."

FCSS tends to be more comfortable with crime prevention through social development, and some FCSS representatives wondered if justice system representatives know that many FCSS programs do much of this already.

Crime prevention and FCSS programs may also come at "crime prevention through social development" from a different perspective.

The crime prevention people interviewed tended to have a focus on prevention with a goal to reduce criminal activity (both from a traditional and social development agenda) while FCSS people tend to have a focus on prevention and strengthening community (with a goal not only to reduce crime but also to increase community wellness factors).

- **Common interest in particular community groups** -- Based on interview comments from both FCSS and Crime Prevention stakeholders, in general crime prevention initiatives related to youth are more likely to be of interest to FCSS programs. For example, School Resource Officers or DARE programs often get

FCSS support or may sit on some common committees. More cooperation is likely if an initiative is youth-focused.

A second group of interest to both crime prevention and FCSS stakeholders is seniors. Common interest in these groups may create interest in cooperation.

Based on interviews with Crime Prevention Coordinators, police-based crime prevention work often operates in isolation of FCSS or community-wide partnering, but seems to work group-by-group (e.g., schools, senior centres, youth centres). FCSS involvement or interest in one of these groups could increase the possibility of cooperation.

Further to the above, Crime Prevention officers seem to organize Crime Prevention Week activities with minimal FCSS contribution, although they may work with the support of specific other groups for specific parts of the week-long activities. On the other hand, community presentations on specific topics given by Crime Prevention officers are organized with FCSS support, often in conjunction with a hosting group like senior centres.

- **Attitude of police department** -- Many FCSS representatives perceive that RCMP or municipal police services set the tone, either to foster or inhibit community involvement. Working together is greatly assisted when police allocate resources to commit time to community liaison. When police make community involvement a priority, for example through community policing, there are stronger relationships between police and other justice groups, and between police/justice groups and FCSS and other community groups.

2. Other comments

a. From Crime Prevention stakeholders

- A number of Crime Prevention respondents emphasized that they would like to learn more about FCSS, and would take action to find out more.
- Several respondents said the public requires greater awareness of FCSS and what it has to offer. A few asked that FCSS meet with the Crime Prevention groups to introduce FCSS.
- A number of respondents reinforced the potential benefit of working together. (Sample comment: "I believe it is important to establish these partnerships and share resources and ideas.")
- One person said, "I don't believe FCSS can offer any greater assistance. However, I do believe what may be needed is a greater concern and involvement by the local national police service (RCMP). Perhaps a more proactive approach in this area would offer great support."
- One person said, "I would like FCSS to do grant requests for Crime Prevention programs in consultation with myself, due to their expertise in this area."
- One person said, "It's more than just money. It is an attitude that solving root problems of crime is impossible to achieve on First Nation communities. Any Crime Prevention initiative is positive."

b. From FCSS respondents

- Successes -- The most frequent "other comment" by FCSS respondents was about the positive working relationship they now enjoy with Crime Prevention stakeholders. Some FCSS respondents added notes about additional ways that FCSS works with Crime Prevention.
- Future potential -- Several FCSS respondents commented on the potential for future cooperation, now that they had learned a bit more about community

Crime Prevention activities. Sample comment: "Partnering and supporting agencies is extremely important, especially in a rural setting where boundaries are often vague and where we must compete against larger centres for funds."

- More accessible -- A few FCSS respondents wished Crime Prevention representatives were more involved with activities that FCSS is involved in. Sample comment: "Encourage Crime Prevention Committee to be more accessible and active with FCSS (i.e. meetings, etc.)."
- Concern about expectations -- One FCSS respondent said, "I have concerns that justice will perceive Crime Prevention as our responsibility."
- One FCSS respondent said, "RCMP should have specific training for Crime Prevention Coordinators."

E. OPPORTUNITIES

In order to enhance additional cooperation between FCSS and Crime Prevention, the following actions would be helpful:

- Both FCSS and Crime Prevention could take initiative to ask for information about one another's mandate, goals and activities, and to provide information about their own program.
- Once basic information is exchanged, a discussion about philosophies of Crime Prevention, and how FCSS and Crime Prevention could reinforce or complement one another's approaches, would be useful.
- As well, learning about mutual interest in particular sub-groups in the community (e.g., youth, seniors) could lead to areas of cooperation.
- FCSS could arrange for some interagency and other multi-agency gatherings to take the form of breakfast, lunch or evening meetings at times when Crime Prevention volunteers would be able to attend.

- Crime prevention representatives could assure FCSS programs that they do not expect FCSS to be responsible for carrying out or funding "crime prevention" as a mandate.
- Crime Prevention as an area has several provincial bodies. Their contact people were interested in pursuing partnerships on a provincial level. Specific requests for FCSS presentations at provincial Crime Prevention gatherings have been communicated to provincial FCSS representatives.

F. CRIME PREVENTION AND THE JUSTICE SYSTEM

The survey and interview questions with Crime Prevention representatives were focused on Community Crime Prevention Coordinators and Committees working together with FCSS.

However, a number of Crime Prevention stakeholders also wanted to talk about their relationship with the justice system. Their comments were summarized and passed on to representatives of Alberta Solicitor General who work most closely with Crime Prevention partners and stakeholders

Attachment 4: FCSS and VICTIM SERVICES

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To contact Victim Services nearest your community:

Check with your local RCMP or municipal police service to learn the nearest Victim Services program, or

Contact Victim Programs, Alberta Solicitor General, phone 780-427-3460 (call toll free by phoning Service Alberta at 310-0000 and asking for 780-427-3460).

Attachment 4: FCSS and VICTIM SERVICES

A. VICTIMS AND THE JUSTICE SYSTEM

1. A different focus

Victims of crime are persons who have suffered a loss or injury as a result of the criminal act of another person. The Victim Services Program is unique within the criminal justice system, because it focuses on victims of crime.

Traditionally, the criminal justice system has been focused on accused persons or offenders¹:

- Police investigate crimes to determine who has committed a particular crime;
- Police and Crown prosecutors lay charges against people for whom there is evidence that they have committed a crime.
- Court processes assess the evidence to determine whether an accused person is found guilty or not guilty.
- If the accused person is found guilty, a Court determines what the offender's sentence will be.
- The Corrections system administers the sentence.

Within criminal justice, a crime (i.e., violation of the *Criminal Code* or other law) is considered primarily to be a crime against the *state*. Individuals within the justice system may recognize that a crime is also against a *person* (the victim of the crime), but the criminal justice system itself has traditionally focused on the offender's crime against the state. The victim has not necessarily been taken into consideration.

¹ A person who is charged with a criminal offence is called an *accused*. A person found guilty of a criminal offence is called an *offender*.

In more recent years, justice systems around the world recognize a responsibility to victims of crime.

- In 1985, the United Nations General Assembly adopted a resolution which contains the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*.
- In 1988, federal and provincial Ministers responsible for criminal justice approved *Canada's Statement of Basic Principles of Justice for Victims of Crime*.
- In 1991, Alberta's *Victims' Programs Assistance Act* was proclaimed, creating a legal basis for victim programs in Alberta.
- In 1997, Alberta's *Victims of Crime Act* was proclaimed. The *Act* replaced the *Victims' Programs Assistance Act* and *Criminal Injuries Compensation Act* and established the authority to collect surcharges of 15% on provincial statute offences.

2. The *Victims of Crime Act*

The *Victims of Crime Act* is the legal basis for victim service in Alberta. This *Act*:

- States principles for treatment of victims of crime;
- States what type of information a victim of crime is entitled to receive;
- States that money from victim surcharges collected in Alberta will be contributed to the Victims of Crime Fund and used for the benefit of victims of crime;
- Establishes the provincial Victims of Crime Programs Committee to assist in allocating funds from the Victims of Crime Fund; and

- Establishes that a person injured as a result of a crime (or dependents of a victim who died as a result of a crime) may apply for financial benefits.

3. Principles regarding treatment of victims of crime

Alberta's *Victims of Crime Act* states the following eight principles:

- Victims should be treated with courtesy and compassion and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement in the criminal justice system.
- Victims should promptly receive financial benefits for injuries they have suffered.
- Information should be made available to victims about their participation in criminal proceedings and scheduling, progress and ultimate disposition.
- Where appropriate, the views and concerns of victims should be considered and appropriate assistance provided throughout the criminal process.
- If the personal interests of victims are affected, the views or concerns of the victims should be brought to the attention of the court, where appropriate and consistent with criminal law and procedures.
- Measures should be taken when necessary to ensure the safety of victims and their families and to protect them from intimidation and retaliation.
- Victims should be informed of available relevant services.
- Victims should report the crime and cooperate with law enforcement authorities.

4. Assistance for victims of crime in Alberta

Alberta has five ways of providing assistance to victims of crime.

- **Police-based victim service** -- This is the victims program most familiar to local FCSS programs. The Victims of Crime Fund makes grants to a network of Victim Service Units operating out of police facilities. Victim Service Units follow up initial police response to a crime or trauma, and provide assistance to victims as their cases proceed through criminal justice (more information below).
- **Grants to other community programs** -- The Victims of Crime Fund also makes grants to community programs that provide specialized services to victims of a particular type of crime. For example, recent grants assisted programs that help victims of sexual assault and domestic violence to obtain information about resources and safety plans, legal assistance in obtaining protection orders, and support as their case moves through the courts.
- **Support for continuously improved victim service** -- Victims of Crime Fund grants are sometimes allocated for projects that enhance victim assistance in Alberta. For example, such grants have made possible development of training videos and other professional development events and materials.
- **Financial Benefits Program for victims of violent crime** -- Under the Financial Benefits Program, people who suffer physical or emotional injury as a result of being victim of a crime in Alberta may be eligible for a one-time financial benefit based on the severity of the injuries sustained.
- **Restitution** -- People who have suffered financial loss as a result of a crime may have the right to seek restitution from the offender. Restitution is a court-ordered

way for the offender to repay the victim for loss suffered.

Victims seeking restitution must complete a Request for Restitution form and submit it to police as soon as possible after the crime. If the accused person is convicted of the crime, restitution may be ordered as part of the sentence. (Note that court-ordered restitution is different than compensation that may be granted through a civil law process.)

- **Victim Impact Statement** -- A victim of crime may write a Victim Impact Statement which expresses in the victim's own words how being a victim of crime has affected the victim and the people close to the victim. The Victim Impact Statement is provided to court and will be considered by the judge at the time the offender is sentenced. A Victim Impact Statement may also be considered by correctional authorities and the National Parole Board.

B. POLICE-BASED VICTIM SERVICES PROGRAMS

1. Purpose and mandate

a. Funded mandate: assistance to victims of crime

In Alberta, police-based Victim Services assist victims of crime to:

Deal with the immediate impact of a crime,
and

Deal with their interaction with the criminal justice system.

To do this, Victim Services Units provide information, support and referral for victims of crime. The Victims of Crime Programs Committee Service Guidelines state that police-based victim services programs must provide the following assistance to victims of crime.

1. Information

- Information about programs and services that are available to assist them.
- Upon request and at the earliest opportunity, information with respect to their case, on:
 - The status of the police investigation and any prosecution that results, if the information does not harm a law enforcement matter, nor harm investigative procedures;
 - The role of the victim and of other persons involved in the prosecution of the offence;
 - Court procedures; and
 - Any opportunity for the victim to make representations to the court on the impact of the offence.

2. Assistance

Services provided during the **criminal investigation** include assistance with:

- The prompt return of property, where possible;
- Completing and forwarding victim impact statements and restitution requests;
- Completing financial benefits applications;
- Obtaining protection orders;
- Locating shelters or safe places; and
- Referrals to other available relevant services (medical, social, psychological or legal).

Services provided during **criminal prosecution and trial** include:

- Information about criminal justice proceedings;
- Courtroom orientation;
- Courtroom assistance.

Services provided **after the case disposition** include:

- Information about the appeals process;
- Information about enforcing restitution and compensation orders; and

- Information about parole and probation.

Note that Victim Services program guidelines are clearly focused on assistance to a victim of crime *during a criminal justice process*.

b. Services to people who are not victims of crime

Victim Services programs also provide information, support and referral for people impacted by non-criminal traumatic events in which police are involved. Such events could include, for example, motor vehicle crashes, sudden deaths or natural disasters.

In rural communities, where Victim Services may be one of the few local agencies, Victim Services may be called upon to assist with all kinds of situations.

2. Victim Services numbers

More than 100 police-based Victim Service Units are located in about 70 Victim Service programs across Alberta. More than 85% of the people of Alberta live in a community that has access to police-based Victim Services.

Information from annual reports indicates that:

- Nearly 40,000 people per year are assisted by police-based Victim Services.
- Of these, about 80% are adults and about 20% are children.
- More than half are victims of violent crime (most commonly domestic violence and sexual assault), and more than one quarter are victims of non-violent criminal offences.

The following types of assistance are provided by Victim Services Units:

- Information is the type of assistance most frequently provided.
- Intervention, including crisis response, practical assistance at a crime scene or notification of next of kin, is the second most common type of assistance provided.
- Referral to other agencies is the third most frequent type of assistance.

- Courtroom support is provided in the smallest proportion of cases.

3. Local structure of Victim Services programs

- **Connection to police service** -- Police-based Victim Services Units operate out of RCMP detachments or municipal police services, and are accountable to the police service. Many rural RCMP detachments and municipal police services designate a specific police officer to act as liaison between police and the Victim Services program.
- **Victim Services Coordinator** -- The core staff person is the Victim Services Coordinator. In most Victim Services Units, the Coordinator is responsible for:
 - Over-all management and administration of the Victim Services program;
 - Recruiting, arranging for training, supervising, scheduling and managing Victim Advocate volunteers who provide much of the direct service;
 - Liaison with the police service;
 - Liaison with other facets of the justice system, and with community agencies and organizations;
 - Financial administration -- The Victim Services Coordinator usually prepares grant applications and often takes the lead in organizing other fundraising to support the program operation.
 - Assistance to victims -- In most Victim Services Units, the Victim Services Coordinator is directly involved in assisting victims of crime or tragedy.

In larger programs, the Victim Services Coordinator may have access to one or more staff persons to help with these tasks, but in most Victim Services Units, the Victim Services Coordinator is the only staff person. A number of (mostly rural) Victim Services Units have a part time Victim Services Coordinator.

According to the *2000-2001 Victims Programs Status Report*, Victim Services Units in that year on average employed 42 full time and 51 part time paid staff.

- **Victim Advocates** -- If the Victim Services Coordinator is the core, Victim Advocates are the backbone of Victim Services. Across the province, trained volunteer Victim Advocates provide much of the information, support and referral services to victims of crime.

Training for Victim Advocates is extensive, and includes such topics as:

- Understanding the criminal justice system, especially as it impacts victims of crime or tragedy; and the responsibilities and limits of the Victim Advocate role within that system;
- Communication and crisis intervention skills;
- Skills in dealing with specific types of crime or tragedy, such as violent crimes; property crimes; sudden death and others;
- Specific issues and skills related to assisting a victim who must participate in a court process;
- Information to assist victims of crime to access justice system resources such as Victim Impact Statements, financial benefits or restitution; and
- Skills in working with diverse kinds of people.

When local Victim Services programs began in the late 1980s, Victim Services in general, and volunteer Victim Advocates in particular, had to earn the respect and trust of often-skeptical police services. By now, with few exceptions, the credibility and competence of Alberta's Victim Services Coordinators and Victim Advocates are widely respected.

- **Local board** -- Nearly all Victim Services Units have a local board. The role of the board varies from one community to another. In general, the expectation is that the board will bring a citizen perspective,

act as governance body to the Victim Services Unit, organize fundraising events and increase community awareness of Victim Services.

- **A note about volunteerism** -- According to the *2000-2001 Victims Programs Status Report*, in that year, approximately 1,506 Victim Advocates and Board members contributed a total of 200,532 volunteer hours. This figure also includes hours volunteered by program staff over and above their paid time.

4. How Victim Services is funded

- **Victims Fund Surcharge** -- Official government funding for Victim Services comes from federal and provincial victim surcharges. Here is how it works:
 - As spelled out in the *Victims of Crime Act*, money from victim surcharges collected in Alberta is contributed to the Victims of Crime Fund and used for the benefit of victims of crime.
 - In addition to federal surcharges collected, Alberta provincial surcharges are also contributed to the Victims of Crime Fund.

Groups and organizations that provide services to victims during the criminal justice process are eligible to apply for a Victims of Crime Program grant. The Victims of Crime Program Committee, whose members represent government, police and the community, evaluates applications for funding submitted April 1 and October 1 of each year, and makes recommendations for the allocation of monies.

Based upon the Committee's recommendations the Alberta Solicitor General approves grants from the Victims of Crime Fund.

As well as grants for police-affiliated programs, the Victims of Crime Fund is also the provincial government source of funds for:

- The Financial Benefits Program described earlier;
- Province-wide initiatives related to victims of crime (e.g. special training projects);
- Grants to specialized programs that help prepare victims for court, assist victims of sexual assault and domestic violence and assist child victims and victims who live with disabilities;
- Provincial administration costs related to Victims Programs.

- **Funding formula based on local crime volume** -- The funding formula for grants to police-based Victim Services Units is based on the local crime volume. Victim Services Units in areas of the province with higher crime volumes receive higher per capita grants than Victim Services Units in areas of the province with lower crime volumes.

Some rural areas have a lower crime volume than Alberta at large. In comparison to Victim Services Units in cities, Victim Service Units in rural areas are more likely to be called upon to assist in diverse situations that are not necessarily related to criminal offences.

- **Expectation of local fundraising** -- Like FCSS, the provincial program grant for Victim Services Units is less than the actual operating costs. Like FCSS, the provincial expectation is that communities will demonstrate their support for Victim Services Units by providing some financial support.

Unlike FCSS, there is no formula for province-community cost-sharing, nor is there any obligation for municipalities to contribute to Victim Services Units. Many FCSS programs receive requests to provide funding for some aspects of Victim Services programming (more information below).

C. HOW VICTIM SERVICES AND FCSS NOW WORK TOGETHER

In June 2002, a survey about FCSS was sent to 97 Victim Services Coordinators, of whom 59 responded (a response rate of 61%). Of the 59 who returned a survey, 31 people representing 32 Victim Services Units also participated in a telephone interview.

Also in June 2002, a survey about FCSS working together with the justice system was sent to 194 Family and Community Support Services (FCSS) representatives, of whom 87 returned a survey (a response rate of 45%). Of those who returned a survey, 35 people also participated in an interview.

Locations and names (if known) of Victim Services and FCSS respondents are included in Attachment 10 of this report. The following information is summarized from surveys and interviews with both Victim Services and FCSS representatives.

1. Contact between Victim Services and FCSS

Of all aspects of the justice system that were considered during this project, Victim Services is the area most likely to have a connection with FCSS.

Almost all FCSS and Victim Services programs that returned a survey reported that they have heard of one another in their community.

More than four-fifths (83%) of Victim Services respondents report they have contact with FCSS, and about three-quarters (74%) of FCSS respondents report they have contact with Victim Services.

Contact reported between FCSS and Victim Services	
<p>FCSS and Victim Services</p> <ul style="list-style-type: none"> • FCSS has heard of Victim Services97% • FCSS has contact with Victim Services.....74% • Most common types of contact reported: FCSS provides some funds for specific items; Victim Services tells FCSS community needs; FCSS helps community become aware of needs 	<p>Victim Services and FCSS</p> <ul style="list-style-type: none"> • Victim Services has heard of FCSS..... 95% • Victim Services has contact with FCSS 83% • Most common type of contact reported: On same community committees; FCSS provides funds for some specific items; Victim Services tells FCSS about community needs

2. Ways that Victim Services and FCSS now work together

As shown in the chart on the next page, Victim Services respondents reported the following top three ways they work together with FCSS:

- 59% reported that they are on some of the same committees as FCSS.
- 54% reported that FCSS provides funds to assist with specific Victim Services activities such as volunteer training, volunteer recognition, advertising and special equipment.
- 44% reported that Victim Services helps FCSS become aware of community needs.

Smaller proportions of Victim Services respondents reported others ways they work together with FCSS, such as:

- Helping the community become aware of social needs identified by Victim Services;
- Addressing underlying sources of crime;
- FCSS providing some operating funds;
- FCSS and Victim Services exchanging referrals, and cooperating in regard to shared clients; and
- Mutual information exchange.

FCSS respondents reported the following most frequent ways they work together with Victim Services:

- 44% report that FCSS provides funds to assist with specific Victim Services activities such as volunteer training.
- 34% report that Victim Services helps FCSS become aware of community needs.

- 31% report that FCSS helps the community become aware of needs identified by Victim Services.
- 31% report that FCSS and Victim Services are on some of the same community committees such as Interagency, Disaster Services, Family Violence Prevention, associations of volunteer organizations, or FCSS being represented on the Victim Services board.

Smaller proportions of FCSS respondents reported working together in the same ways identified by Victim Services respondents (listed above). One FCSS respondent reported cooperating with Victim Services to coordinate Critical Incident Stress Management services.

D. AREAS FOR INCREASED UNDERSTANDING

1. Understanding Victim Services

a. What Victim Services would like FCSS to understand about Victim Services

Victim Services respondents were asked what they would like FCSS to understand about Victim Services. Here is a summary of their responses:

- *Victim Services need for funding; funding limitations*

Eleven Victim Services survey respondents wished FCSS understood Victim Services funding needs.

How Victim Services and FCSS report working together		
Ways of working together	Reported by FCSS	Reported by Victim Services
<ul style="list-style-type: none"> FCSS is represented on some of the same committees as Victim Services 	31% third most frequent response (tied)	59% most frequent response
<ul style="list-style-type: none"> FCSS provides funds to assist with specific Victim Services activities (e.g. volunteer training) 	44% most frequent response	54% second most frequent response
<ul style="list-style-type: none"> Victim Services helps FCSS become aware of community social needs identified by Victim Services 	34% second most frequent response	44% third most frequent response
<ul style="list-style-type: none"> FCSS helps the community become aware of social needs identified by Victim Services 	31% third most frequent response (tied)	24%
<ul style="list-style-type: none"> FCSS helps to address underlying sources of crime¹ 	see footnote	20%
<ul style="list-style-type: none"> FCSS provides funds to help cover operating costs of the Victim Services program 	13%	17%
<ul style="list-style-type: none"> FCSS helped to get a Victim Services program in our community 	25%	15%
<ul style="list-style-type: none"> FCSS helps to arrange for volunteers to work in the Victim Services program 	18%	7%
<ul style="list-style-type: none"> Other (specified by respondents) 	<ul style="list-style-type: none"> Participation in common committees or task groups: <ul style="list-style-type: none"> Disaster Services Interagency FCSS on Victim Service board Family violence prevention Association of volunteer programs Specific funding examples <ul style="list-style-type: none"> Special projects and resources Help with fundraiser events Mutual information exchange Coordinate Critical Incident Stress Management (CISM) with Victim Services 	<ul style="list-style-type: none"> Referrals to and from FCSS Specific funding examples: <ul style="list-style-type: none"> Training Advertising Volunteer recognition Equipment purchase (paggers) Collaboration re common clients Shared training, e.g. suicide prevention FCSS provides conference room for training Moral support, information exchange

² 9% of FCSS programs reported working with a Crime Prevention Committee to address underlying sources of crime. FCSS programs were not asked whether they addressed underlying sources of crime in general.

8 Victim Services survey respondents wrote comments about Victim Services need for long-term sustainable funding and not just project funds. They wished FCSS would see them as a program important to the community.

One of these respondents said, "Victim Services Units have a very difficult time raising coordinator wages. Volunteer costs are more easily raised in the community. It would be wonderful if FCSS could contribute to coordinator wages."

Another respondent said, "I wish that FCSS could recognize us as one entity without all the territorial boundaries that go with the funding. We operate as a single unit even though we provide service to three RCMP detachments." This respondent works with several different FCSS programs.

- *Mandate and value of Victim Services*

Ten Victim Services respondents wanted FCSS to understand more about the mandate and the value of Victim Services.

Sample comment: "I wish they (FCSS) took time to understand the constraints the legal system has on the Police/Crown ability to lay charges and gain a conviction. They often direct clients to Victim Services or the police believing that charges will automatically be laid. This sometimes sets clients/victims up for failure because they have misguided information about the system and its expectations."

- *Awareness of Victim Services*

Seven Victim Service survey respondents didn't think FCSS was aware of Victim Services.

b. What FCSS would like to understand about Victim Services

FCSS survey respondents were asked what they would like to understand about Victim

Services. Here is a summary of their responses.

- *Program mandate, services*

Eight FCSS survey respondents wanted to know more about Victim Services program and funding guidelines, culture, mandate, the services and how they are provided. Some specific questions included:

- How RCMP and Victim Services staff and volunteers coordinate the response to victims assistance.
- What programs/services they offer and also what is available, i.e., Community Conferencing program.

- *How to access services* -- Two FCSS respondents would like to know when and how to refer people to Victim Services.

- *Funding* -- One FCSS respondent would like to know how the justice system funds Victim Services and another FCSS respondent asked, "Why is this program not funded federally?"

- *Partnerships* -- Two FCSS respondents wanted to know how to partner with Victim Services.

2. Understanding of FCSS

a. What FCSS would like Victim Services to understand about FCSS

FCSS respondents were asked what they would like Victim Services to understand about FCSS. Here is a summary of their responses.

- *Good understanding already* -- Ten FCSS respondents said Victim Services already understands FCSS.

Sample comment: "Our contact and understanding with Victim Services is very positive. Victim Services in our area is under the direction of a past FCSS director."

- *FCSS mandate, program and funding guidelines* -- Six FCSS survey respondents

wished Victim Services understood the limits imposed by FCSS funding guidelines.

Sample comment: " We are not an endless source of income. Our boundaries (areas) are not the same. Money has to be spent in my area."

- *Opportunities to work together* -- Six FCSS survey respondents wished Victim Services understood more about potential areas of cooperation.

Sample comments:

- We need to connect better regarding family violence issues.
- We are here too and can facilitate community connections and collaborations.

b. What Victim Services would like to understand about FCSS

- *FCSS funding and mandate* -- Thirteen Victim Services survey respondents would like to understand more about FCSS funding and mandate. The general tone of comments was that they would like to understand FCSS funding guidelines so they would be better able to access funding if any is available. Sample comments:
 - I'd sure like to learn more about FCSS funding for specific activities or for operating costs.
 - How Victim Services might better access FCSS to help fund/support their mandates.
- *How we can work together* -- Four Victim Services survey respondents would like to know more about how to work together. Two were specifically interested in more "sorting" of local working relationships. Sample comment:
 - We still feel that some services are duplicated and funds perhaps split between two agencies doing the same job.

- *Current working relationship* -- Four Victim Services survey respondents report a good working relationship with FCSS.

Sample comment: " We are fortunate to have a close relationship with our FCSS department."

On the other hand, one Victim Services respondent would like to know "Why they (FCSS) want complete control of our program."

E. BRIDGES AND BARRIERS

1. What helps FCSS and Victim Services to work together

- *The most frequent area of cooperation* -- More than any other justice system area, Victim Services is identified as a justice system program with which FCSS is involved.
- *Many positive working relationships* -- Both FCSS and Victim Services representatives often spoke highly of one another. Across the province, many FCSS and Victim Services programs are familiar with one another and have close working relationships of mutual respect.
- *Cooperation easier with full time staff* -- Close cooperation between FCSS and Victim Services is more likely in situations where both Victim Services and FCSS have full time staff. The primary reasons for this are:
 - Full time staff people are more likely than part time staff to have time to participate in interagency meetings and other multi agency events.
 - Full time staff people are more likely than part time staff to be able to take on or arrange for joint projects that benefit both FCSS and Victim Services.
 - Full time staff are easier to contact during regular working hours.

- *Areas of overlapping interest --* A shared interest in volunteer training and volunteer development is one area of common ground. Though their roles are different, FCSS and Victim Services are often concerned with similar social issues such as domestic violence, sexual assault, community preparation to cope with disasters, etc.

2. What makes working together more difficult

- *Funding issues can and often do create tension between Victim Services and FCSS*

Provincial FCSS guidelines limit funding on the basis that helping to fund Victim Services operational expenses would constitute a duplication, which is contrary to FCSS Regulations. ¹

Since Victim Services representatives know their provincial funding sources may not be enough to cover operational expenses, they do not see that FCSS funds are a duplication.

Different FCSS programs within the same Victim Services geographic area make different contributions and have different expectations of Victim Services. However, Victim Services must provide the same level and type of service to all parts of the area.

Some FCSS programs perceive Victim Services to be under-funded by the justice

system. While FCSS representatives are sympathetic to the pressure on local Victim Services programs, they are concerned that FCSS may be called upon to "pick up the slack."

Some FCSS programs feel pressured by funding requests from Victim Services. Saying "no," particularly in a small community, is difficult.

One Victim Services representative said, "If Alberta (Solicitor General), FCSS and the provincial government could come up with a funding arrangement specific to Victim Service Units in the province it would make it much simpler. (We can only hope.)"

An FCSS representative said, "Victim Services works very well but they need on going funding from the government to maintain continuity."

- *Different boundaries --* Many Victim Services Units operate out of RCMP detachments that serve communities in several different FCSS programs. Victim Services must provide the same level and type of service to citizens throughout their region, even though different municipalities or FCSS programs may have different expectations of them.
- *Crisis intervention --* Some FCSS representatives perceive that Victim Services Units work with individuals in crisis intervention mode, and therefore are outside the FCSS mandate. (However, other FCSS representatives are completely comfortable that collaboration with Victim Services is within the FCSS mandate.)
- *Limited information about one another's mandate --* In some areas of Alberta, lack of information about one another means FCSS and Victim Services representatives miss opportunities for cooperation, or make inappropriate referrals or requests of one another.

³ The *Family and Community Support Services (FCSS) Handbook* states, in Section 5: Allocation of FCSS Funds, in regard to projects eligible and not eligible for FCSS funding:

"RCMP Victim Assistance Program (VAP) -- There is potential for duplication considering that these projects fall within the authority of police services. Funding for VAP staff (i.e. coordinator) is available through other sources and is not considered eligible. FCSS may cost-share volunteer training, public education and advertising expenses."

- *FCSS controlling* -- A few Victim Services representatives commented that FCSS people in their community attempted to control Victim Services, so connections with FCSS were cut back or eliminated.
- *Victim Services isolation* -- A few FCSS representatives commented that Victim Services worked almost exclusively within the police service and did not have much contact with others in the community.

3. Other comments

In addition to comments about the topics above, FCSS and Victim Services representatives commented on a few other issues.

- *Good working relationship* -- When asked if they had other comments, the most frequent response from both FCSS and Victim Services representatives was about their excellent working relationship.

Sample comment: "We have an excellent relationship; our community is very fortunate to have both organizations."

- *Potential for closer working relationship*
Sample comment from Victim Services:
 - I wish all items in #3 (how Victim Services now works with FCSS) could be addressed to better serve the citizens of our community.

Sample comment from FCSS:

- We rarely do work together and we are missing opportunities.

F. IN SUMMARY: FCSS AND VICTIM SERVICES

FCSS programs are more likely to have contact with Victim Services Units than with any other facet of the justice system.

In programs where FCSS and Victim Services collaborate, they tend to speak highly of their working relationship. These are communities where FCSS and Victim Services cooperate

with shared training opportunities, work together on community committees, exchange information and referrals, and sometimes work together to assist shared clients.

When the only contact between FCSS and Victim Services takes the form of Victim Services requests for funding, there may be tension.

Victim Services may not understand FCSS funding restrictions, or may understand but not agree with the funding restrictions. They see the needs of victims as a community social issue, and, since provincial funding may not cover their costs, do not see potential FCSS funding as a duplication.

FCSS may have sympathy for Victim Services need for funds, but feel constrained by FCSS provincial guidelines. As well, FCSS programs may be reluctant to take on funding responsibility they feel belongs with the province.

Since in a small community it is difficult to say "no" to funding requests, some FCSS programs wish Victim Services would stop asking!

Survey and interview comments also indicate there are some conflicts between a few FCSS Directors and Victim Services Coordinators.

G. VICTIM SERVICES AND THE JUSTICE SYSTEM

The survey and interview questions with Victim Services representatives all related to Victim Services working together with FCSS.

However, a number of Victim Services representatives also wanted to talk about their relationship with the justice system. These comments were summarized and passed on to representatives of Alberta Solicitor General who work most closely with Victim Services

ATTACHMENT 5: FCSS and CROWN PROSECUTORS

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To contact the office of a Crown prosecutor:

- The 11 Chief Crown prosecutors offices in Alberta are located in Peace River, Fort McMurray, Grande Prairie, Hinton, Edmonton, Vegreville/St. Paul, Wetaskiwin, Red Deer, Calgary, Lethbridge and Medicine Hat.
- To contact one of these offices, phone 310-0000 toll free and ask to be connected to the Chief Crown prosecutor office closest to you. If it turns out that the office you phone does not serve your community, that office will probably be able to tell you which Chief Crown prosecutor office does serve residents within your FCSS program.
- Alternatively, contact Alberta Justice Criminal Justice Division information line at 780-427-5042 (call 310-0000 toll-free and ask for 780-427-5042) to ask which Crown prosecutor office serves your FCSS community or communities.

Attachment 5: FCSS and CROWN PROSECUTORS



A. ROLE OF THE CROWN PROSECUTOR

1. Where Crown prosecutors fit in the criminal justice process

Criminal offences are considered to be crimes against the state. A Crown prosecutor is a lawyer who is employed to represent the Crown (i.e., the state) before the courts in relation to prosecuting offences.

Alberta Justice hires lawyers called Crown prosecutors to prosecute offences under the *Criminal Code of Canada* and the *Youth Criminal Justice Act (YCJA)* in court. These provincial Crown prosecutors also prosecute offences under provincial legislation such as liquor, health and safety and motor vehicle violations.

The federal Minister of Justice also hires Crown prosecutors to prosecute offences under federal legislation other than the *Criminal Code of Canada* and the *Youth Criminal Justice Act*. An example is the *Controlled Drugs and Substances Act*. Federal and provincial Crown prosecutors have similar duties and responsibilities.

2. Responsibilities of Crown prosecutor

a. Determine charges¹ to be laid

The power to lay a charge is found in the *Criminal Code of Canada*. Most charges in Alberta are laid

¹ "Charge" -- a formal accusation that a person has committed a specific crime.

by the police although ordinary citizens are also able to lay a charge in certain circumstances.

The police may consult with the Crown prosecutor during a major investigation with respect to obtaining wiretaps or search warrants, and other pre-charge issues. While police and other enforcement agencies investigate wrongdoing, it is ultimately the Crown prosecutor who decides what charges will be prosecuted in court.

When a Crown prosecutor is notified that a charge has been laid by police, the Crown has several choices about what action to take next:

- The Crown may approve additional or different charges.
- The Crown may exercise pre-trial discretion and decide that rather than prosecute, the Crown prosecutor will refer the offender to proceed through an alternative measures program.
- The Crown prosecutor may proceed with the case against the accused if the Crown prosecutor forms the opinion that there is a reasonable likelihood of conviction, and that prosecution is in the public interest.

The prosecutor's decisions are governed by the law, including the *Charter of Rights and Freedoms*, and legal tradition, Alberta Justice policy and the Law Society's *Code of Conduct*. This Code applies to all lawyers in Alberta.

b. Present the state's case in court

In Canadian law, the accused is innocent until proven guilty. An accused person does not

have to prove innocence. Rather, the burden of proof rests with the Crown prosecutor.

It is the responsibility of the Crown prosecutor to present evidence in court that will prove beyond a reasonable doubt that the accused person committed the offence with which he or she has been charged.

The Crown prosecutor is not an advocate for the complainant/victim, nor is the Crown prosecutor a lawyer for the victim/complainant or the police.

Pre-court contact (if any) between the Crown prosecutor and a victim/witness relates to preparing the victim/witness to present evidence in court.

c. Other duties of a Crown prosecutor

Other responsibilities of the Crown prosecutor include dealing with defence counsel in terms of disclosure and issue resolution;² interviewing victims and witnesses; general case preparation; and conducting arraignments,³ preliminary inquiries,⁴ trials⁵ and sentencing hearings.⁶

3. Serving 11 geographic areas

There are 11 Chief Crown prosecutors' offices in Alberta, located in:

- Calgary
- Edmonton
- Fort McMurray
- Grande Prairie

² The defence counsel is a lawyer employed by a person against whom criminal charges have been laid ("the accused") to defend the accused person in court. Canadian law requires that evidence to be used by the Crown prosecutor must be disclosed to the accused person's defence lawyer.

³ "Arraignment" -- a brief hearing held shortly after charges are laid, to determine the date of the next court appearance.

⁴ "Preliminary inquiry" -- a court hearing in which the Crown prosecutor presents the evidence and a judge determines if there is sufficient evidence for a case to go to trial.

⁵ "Trial" -- a court hearing to determine whether the accused person is guilty of the charge that was laid.

⁶ "Sentencing hearing" -- If an accused person is found guilty,

- Hinton
- Lethbridge
- Medicine Hat
- Peace River
- Red Deer
- Vegreville / St. Paul
- Wetaskiwin

Each Chief Crown prosecutor office is responsible for carrying out Crown prosecutor responsibilities for criminal cases within its geographic area. There are also numerous circuit points where the court sits on designated days each month.

B. CROWN PROSECUTOR INITIATIVES OF INTEREST TO FCSS

- **Crown prosecutors are encouraged to be aware of community options** -- In regard to restorative and community justice, Crown prosecutors developed a policy about diverting people into alternatives. They have also worked on policies related to alternative measures for young offenders as well as adults.

- **Aboriginal Justice Initiatives** -- Crown prosecutors are involved in numerous justice initiatives in Aboriginal communities, including Aboriginal Youth Justice Committees, specific family violence referrals, and consultation with Elders and victims and First Nations Chiefs and Councils.

There are dedicated Crown prosecutors at the courts in the Alexis, Tsuu T'ina and Siksika First Nations and in Cochrane to address issues from the Stoney Nations. Crown prosecutors also complete specialized Aboriginal awareness training to enhance their understanding of culture, relationships and relevant legal issues.

- **Early Case Resolution** -- This initiative is intended to provide the Crown prosecutor and the defence counsel with an opportunity to address critical issues early in the criminal proceedings.

Crown and Defence counsel meet to determine whether the matter may be resolved or if a trial is required. A joint submission by the Crown Prosecutor and defence counsel occurs when both are able to agree that a particular sentence is supported by the unique circumstances of the case and previous decisions from the courts on similar cases.

If agreement on the appropriate sentencing range cannot be reached, each counsel presents his or her own views on the appropriate sentence to the court. A judge is never bound by a joint submission by counsel.

Since early case resolution was implemented province-wide in March 2002, thousands of police and civilian witness have been saved from attending court and many hours of court time has been saved. This means that court and judge's time that would previously be unused due to last minute cancellations can be used for other matters that are ready to proceed.

- **Domestic Violence** - Alberta Justice made a strong commitment to address domestic violence as a serious criminal matter that is to be prosecuted accordingly. Guidelines to improve bail notification and protection to victims of serious domestic violence, as well as sentencing have been issued to Crown prosecutors. Three domestic violence initiatives are particularly noteworthy:
 - Since 1999, Calgary HomeFront has been providing a coordinated system that links the justice system and community services for family violence victims and offenders. The program was developed to improve the coordination between law enforcement, criminal justice, health services and the social service system.
 - In 2002, Edmonton established a domestic violence court to address the

specific needs of victims of family violence.

- In 1999, Lethbridge formally documented the work of their domestic violence action team. Their mission is to provide a consistent, educated, effective community-based response to violence and abuse in the family. Community cooperation led to a series of protocols documenting mandates of agencies involved in domestic violence interventions, and establishing linkages among the agencies.

- **Better ways to work with young people in court** -- Part of a cross-government initiative for children and youth, the initiative includes, for example:

- Finding best practices
- Child Friendly Courtroom -- In Edmonton, there are child-friendly facilities in the Provincial Court for children who have to testify at criminal trials. Changes to the courtroom prevent the child victim from seeing the accused while testifying, and the courtroom and waiting room are wired for two-way communication.

The judge can ask questions of the child or interrupt proceedings in the waiting room. Crown and defence counsel can also question the child by being present either in the courtroom or in the waiting room. The room has stuffed animals and toys.

- **Victim Awareness Program** -- In communities, Crown prosecutors have sponsored get-togethers of Victim Services, police, community agencies and others.

At these events, participants discussed:

- What victims need
- How to work together
- Education re Crown prosecutor role

- **Fetal Alcohol Syndrome (FAS)** -- Oftentimes, individuals affected by FAS come into conflict with the justice system. A number of Crown prosecutors have taken specialized training regarding FAS to enable more appropriate referrals and recommendations to the court.
- **Restorative Justice** -- Crown prosecutors are involved with Youth Justice Committees, Community Justice Committees, and providing advice to the courts about alternative measures and sentencing alternatives.

C. FCSS AND THE CROWN PROSECUTOR

1. Contact between FCSS and Crown prosecutors

Most FCSS respondents who completed a survey during this project do not have any direct contact with a Crown prosecutor. A total of 11% of FCSS respondents reported that they have had contact with a Crown prosecutor office that deals with citizens who live within their FCSS area.

- 5% of FCSS respondents assist clients of an FCSS service in their contact with a Crown prosecutor's office.
- 5% of FCSS respondents say they have contact with a Crown prosecutor through other community involvement -- for example, sitting together on committees, or liaison through Home Visitation and other special projects
- 2% of FCSS respondents have invited a Crown prosecutor to participate in events sponsored by FCSS.

- 1% of FCSS respondents have attended Victim Impact Training or other event sponsored by a Crown prosecutor's office

- 1% of FCSS respondents report periodic contact with a Crown prosecutor just to discuss working together.

2. Comments about FCSS and Crown prosecutors

A few FCSS respondents made comments related to FCSS working together with Crown prosecutors:

- 3 respondents would like Crown prosecutors to be aware that FCSS exists, would like to work together, could facilitate community connections, and develop more community-based alternative measures programs.
- 3 respondent would like to understand how Crown prosecutors work, so they could encourage Crown prosecutors to have more community contact.

3. In summary

In the past, FCSS had little reason to be in contact with Crown prosecutors.

Based on survey results in this project, only a small minority of FCSS programs have a connection with a Crown prosecutor. Of those who do, it appears that the contact comes about primarily because a particular Crown prosecutor chooses to be involved in multi-agency committees and projects.

With the involvement of Crown prosecutors in new community initiatives, this situation could change. Crown prosecutors may find that FCSS could be a relevant stakeholder in some aspects of developing alternatives to traditional criminal justice processes

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Attachment 6: FCSS and FAMILY MEDIATION SERVICES

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How to contact an office of Family Mediation Services:

To call any of these numbers toll-free, call the Alberta government toll free at 310-0000 and ask for the telephone number you wish to contact.

Family Mediation Services

- Family Mediation Services - Calgary, phone 403-297-6981
- Family Mediation Services - Edmonton, phone 780-427-8343
- Family Mediation Services - Rural - phone 403-340-7187

"Parenting After Separation" courses are delivered in all judicial districts in the province. For more information, contact Court Services Division, Alberta Justice, phone 780-427-4992 or Court Services Strategic Initiatives, phone 780-415-8109 or 780-427-4993.

For information about other court-connected mediation services, contact Alberta Justice Court Services, Strategic Initiatives, phone 780-415-8109 or 780-427-4993.

Attachment 6: FCSS and FAMILY MEDIATION SERVICES

A. FAMILY MEDIATION SERVICES

1. Mediators and Family Court Counsellors

As a support service to those involved with Provincial Court (Family and Youth Division) or the Court of Queen's Bench, mediation services for family law matters are available in several Alberta locations. Mediators can assist parents who are separating to work out matters that affect their children.

In Edmonton and Calgary, Family Court counsellors are attached to family court. Family Court Counsellors are also located in Court Houses in Medicine Hat, Lethbridge, Red Deer and Camrose.

Over time, the number of locations that have mediators and Family Court Counsellors is expected to increase.

2. Parenting After Separation Program

A Parenting After Separation Program, which was jointly developed by Alberta Children's Services, the Court of Queen's Bench and Alberta Justice, is delivered in all judicial districts in the province.

The objective of the program is to provide information about the legal, emotional and financial implications of separation; children's reactions to their parents' separation; and using mediation to resolve disputes.

The program also provides participants with an opportunity to discuss options for custody and access, develop a parenting plan and learn how to maintain their relationship with their children after separation.

3. Other initiatives that may be of interest to FCSS

- Civil mediation provided in Edmonton and Calgary is related to non-family matters in provincial court. Typical cases include landlord/tenant and contract disputes.
- In Civil Claims Division, , one-third of cases are diverted to mediation. There is no charge for the service, which can provide substantial savings for the people involved as well as the system.
- Child Welfare mediation is looking at a minimum intervention model of mediation.
- Provincial Court, Family Division, Edmonton is operating a pilot project in which the unrepresented claimant receives information about the court and the procedures. The claimant then meets with a Caseflow Coordinator to explore how best to resolve the issues.
 - An unrepresented respondent can also attend.
 - Otherwise, cases have adjournments and delays and administrative tasks for the judges.
- Alberta Justice is looking at designing a Unified Family Court. A supervised access model is being considered.

B. FCSS AND FAMILY MEDIATION SERVICES

1. FCSS contact with Family Mediation Services

Nearly half (47%) of FCSS representatives who completed a survey for this project say they have heard of Family Mediation Services. However, less than one-fifth (17%) of FCSS respondents report that they actually have contact with Family Mediation Services.

Among FCSS survey respondents:

- 17% say their FCSS program helps people in the community to become aware of Family Mediation Services.
- 13% report that their FCSS program helps specific individuals to make contact with Family Mediation Services.
- 1% report that their FCSS program is involved in case conferences with Family Mediation Services, in regard to people who are also clients of an FCSS service.
- 1% report that they have hosted a *Parenting After Separation Program*.

2. Comments about FCSS and Family Mediation

- The most common comment about Family Mediation from FCSS respondents was a desire to learn more about what Family Mediation Services does, who it can help, and how local people can access the services.
- Several people in rural communities would like Family Mediation Services and *Parenting After Separation Programs* to be accessible to people in their communities, who find it difficult to get to a city where these services are available.
- Two FCSS respondents said their FCSS program is interested in sponsoring *Parenting After Separation Programs*.
- On the other hand, one person said, " Once again, we do not want to be in a position to take over these responsibilities."
- At a meeting of FCSS Directors in September 2002, one FCSS Director whose program has hosted a *Parenting After Separation Program* said that initially they had difficulty working with Family Mediation Services to arrange for the program. However, the initial frustration was worth it for the benefit to the community now.

Attachment 7: FCSS and PROBATION

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To contact a Probation office:

Call the Alberta Government toll free at 310-0000 and ask for one of the following:

To find out the nearest Adult Probation (Edmonton and Calgary only) or Adult and Youth Probation office (outside Edmonton and Calgary):

- Phone Community Corrections and Release Programs Branch, Alberta Solicitor General, 780-422-5757, OR
- Phone the 310-0000 toll-free and ask for the Community Corrections Office nearest you.

To find the nearest Youth Probation office (Edmonton and Calgary only):

- Phone the Young Offenders Branch, Alberta Solicitor General, 780-422-5019.

Attachment 7: FCSS and PROBATION

A. PROBATION: PART OF COMMUNITY CORRECTIONS

1. Offenders in the community

Convicted offenders may serve part or all of their sentence in the community rather than in prison, depending on the nature and conditions attached to the sentence. Offenders serving sentences in the community are always under the supervision of provincial or federal corrections systems.

Conditions under which an offender or an accused person may be in the community under supervision include:

- **Pre-Trial release** -- The legal procedure by which an accused who is in custody is released until trial, unless Crown can "show cause" why the accused should be detained.
- Temporary Absence supervision – permits carefully selected minimum security, sentenced offenders to be pre-released from correctional centers under supervision for employment, education, treatment, or humanitarian reasons.
- **Conditional sentence** -- A sentence of jail, which the convicted person is allowed to serve in the community by remaining under house arrest or curfew for a period of time and abiding by other strict conditions imposed by the sentencing judge. If the convicted person does not abide by the conditions, the person may be sent to jail.
- **Intermittent sentence** -- A prison term of 90 days or less. An intermittent sentence allows the convicted person to serve the prison term in intervals (for example, on weekends) over a longer period of time.
- **Probation** -- A person who is convicted of an offence is given a sentence that

requires the person to obey certain conditions. Probation can be given in addition to a fine or a jail sentence. The offender on probation will be under supervision. If the offender violates the probation conditions, he or she must return to Court and may receive more serious consequences. Violation of probation conditions can result in a new charge.

- **Parole** -- The conditional release of a person from prison before the end of the sentence. The person continues serving the sentence outside prison but under supervision of a federal parole officer. The released prisoner must obey specific conditions of parole or he or she will be sent back to prison. Parole does not apply to young offenders.
- **Fine Option Program** – offers offenders the opportunity to participate in a community service project in lieu of, or as a supplement to, the cash payment of a fine.

2. Role of Probation

Alberta Solicitor General Correctional Services Division supervises adult offenders in provincial institutions or community programs. **Probation Officers** supervise adult and youth offenders serving all or part of their sentences in the community.

Correctional services for **adult offenders** include:

- Alternative Measures which allows persons alleged to have committed criminal offences to participate in diversionary programs as a means of avoiding the obtaining of a criminal record.
- Supervision of people on peace bonds;

- Supervision of people under bail orders or recognizance orders;
- Institutional pre-trial release of those waiting for trial or sentence;
- Preparation of adult pre-sentence reports requested by judges;
- Community assessments for persons applying for temporary absence from custody in provincial institutions;
- Supervision of people on temporary absence from provincial jails;
- Supervision of people on probation orders peace bonds, or conditional sentence; and
- Enforce conditions of both probation and conditional sentence orders which may include "no contact" and restitution conditions.

Alberta Solicitor General also administers services for **young offenders**, including

- Alternative measures which allows young people alleged to have committed criminal offences to participate in diversionary programs as a means of avoiding the obtaining of a criminal record
- Supervision of young offenders waiting for trial or sentence
- Pre-disposition reports ("Disposition" is a sentence for a young offender.)

3. Probation officers

Approximately 140 probation officers work out of probation offices located in 40 communities in Alberta.

Edmonton and Calgary have probation officers who work only with adult offenders, or only with young offenders.

Outside of Edmonton and Calgary, nearly all probation officers work with both adult and young offenders.

In rural communities, it is not uncommon for a probation officer to have "visiting days" to smaller communities outside of the central probation office or sub-office.

B. FCSS AND PROBATION

1. Contact between FCSS and Probation

In this project, Probation is the area of the justice system that reported the second highest rate of contact with FCSS. (Victim Services had the highest rate of contact with FCSS.)

- Four-fifths (80%) of Probation respondents report that they have heard of FCSS, and about two-thirds (63%) report that someone in their Probation office has contact with an FCSS program.
- Three-quarters (75%) of FCSS survey respondents say they have heard of Probation in their community. Less than half (44%) of FCSS respondents report having contact with Probation.

2. Ways that Probation and FCSS now work together

Both FCSS and Probation report that their most common ways of working together are:

- Participation in some of the same community committees;
- Arranging for community service opportunities for offenders; and
- Joint case planning in regard to shared clients of Probation and FCSS.

The City of Calgary is unique in the province, in actually having a contractual relationship with Alberta Solicitor General to provide some services.

Contact reported between FCSS and Probation	
Reported by FCSS representatives: <ul style="list-style-type: none"> • FCSS has heard of Probation in the community .. 75% • FCSS has contact with Probation..... 45% • Most common types of contact reported: FCSS helps arrange community service opportunities for offenders; same community committees; case planning 	Reported by Probation <ul style="list-style-type: none"> • Probation has heard of FCSS..... 80% • Probation has contact with FCSS 63% • Most common type of contact reported: Same community committees, FCSS helps arrange community service opportunities for offenders, case planning

How Probation and FCSS report working together		
Ways of working together	Reported by FCSS	Reported by Probation
<ul style="list-style-type: none"> • FCSS and Probation are part of some of the same community committees 	25% (second most common response)	43% (most common response)
<ul style="list-style-type: none"> • FCSS helps to make community service opportunities available for youth or adults on probation 	33% (most common response)	35% (second most common response)
<ul style="list-style-type: none"> • FCSS staff and Probation work together regarding specific youth or adults on probation (e.g. part of case planning team) 	18% (third most common response)	33% (third most common response)
<ul style="list-style-type: none"> • Probation helps FCSS become aware of community needs 	16%	25%
<ul style="list-style-type: none"> • FCSS helps the community become aware of community needs identified by Probation 	10%	13%
<ul style="list-style-type: none"> • FCSS works with Probation to address underlying sources of crime within the FCSS area 	10%	13%
<ul style="list-style-type: none"> • FCSS provides office or meeting space for Probation 	6%	15%
<ul style="list-style-type: none"> • Other (specified by respondents) 	<ul style="list-style-type: none"> • 3 FCSS respondents report working together with Probation regarding programs for youth (e.g. School liaison, restorative justice program) • 3 FCSS respondents report they provide counselling services to probation clients • Shared community committees reported include anti-vandalism and Interagency • 1 FCSS respondent reports that Probation arranges community service opportunities through the municipal office, not FCSS • 1 FCSS respondent reports that Probation encourages client "donations" to support some FCSS programs 	<ul style="list-style-type: none"> • 1 Probation respondent said FCSS and Probation are involved in Anger Management and individual counselling programs • 1 Probation respondent reports that FCSS works with them to understand funding criteria and outcome measures • A Calgary youth probation respondent describes a multi-agency Youth Art Project of which Probation and FCSS are partners. • 1 Probation respondent reports that FCSS is mainly a funding agency for local programs and is "not actively involved in the community."

C. AREAS FOR INCREASED UNDERSTANDING

1. Understanding Probation

a. What FCSS respondents would like to know about probation

- 5 FCSS survey respondents said they would like basic information about Probation -- the mandate, role, and potential areas of working together.
- 4 FCSS respondents said they would like to know more about the issues that Probation encounters, and what needs there are for workshops or preventive work.
- 2 FCSS respondents wanted to know how accountability for and of young offenders could be improved.

b. What Probation respondents would like FCSS to understand about Probation

- Probation role and limitations -- 8 Probation survey respondents wanted FCSS to understand the role, focus and limitations of Probation (for example, that conditions of a sentence are court ordered and Probation can only focus on those conditions).
- Probation benefits -- 4 Probation respondents wanted FCSS to understand that Probation is an essential service and services benefit both Probation clients and the community.
- Probation client needs -- 4 Probation respondents would like FCSS to understand that probation clients are criminals and high needs people. Both survey and interview respondents specifically mentioned counselling as a need for Probation clients.
- Opportunities for prevention -- 2 Probation respondents commented that support provided through FCSS programs can assist in preventing youth entering the youth Probation system. One respondent

said, "Continued preventive services for children at risk -- under 12 years -- is of great importance."

2. Understanding FCSS

a. What Probation respondents would like to know about FCSS

- What FCSS can do for Probation clients (10 respondents) -- The most common reply to the question, "What would you like to understand better about FCSS?" was a variation on the theme of "How can they help our clients?" This response was most likely to come from Probation respondents who had little contact with FCSS.
- Basic information -- 6 Probation respondents wanted basic information about FCSS -- its mandate and what services it offers.
- 3 Youth Probation officers wanted to know the tie in between FCSS and Child Protection/Child Welfare services.
- Funding -- 3 Probation Officers wanted to learn more about FCSS funding criteria.

b. What FCSS respondents would like Probation to understand about FCSS

- Opportunities -- 6 FCSS respondents wanted Probation to understand more about the potential opportunities and benefits for working together. Specific opportunities included opportunities to partner; that FCSS could connect Probation to community resources; and that they could do more shared case conferencing and community planning.
- FCSS mandate, approach and procedures - - 6 FCSS respondents would like Probation to better understand the FCSS mandate, philosophy and requirement to be preventive, and some limits on how FCSS can be involved with Probation clients.

- Get to know FCSS and Interagency -- three FCSS respondents would like Probation to get to know FCSS, and two others wished Probation would attend Interagency meetings more frequently.

D. BRIDGES AND BARRIERS

1. Five factors that help Probation and FCSS work together

Both FCSS and Probation respondents identified the following factors that help them work together:

- **Personal relationships**; getting to know each other; low staff turnover (in Probation and in FCSS).
- **Co-location** or close proximity of offices; FCSS sharing office space with visiting Probation Officers.
- **Overlapping mandates and clients**; a willingness to work together as needed to best serve common clients. (FOIP is not seen as a hindrance to working together with specific clients. FOIP either facilitates case consultations, or is neutralized with client consent forms.)
- **FCSS willingness to help Probation locate community service placements** and treatment programs. (A number of Probation people expressed appreciation to FCSS for this service.)
- **Common philosophy and vision** -- One Probation Officer, referring to FCSS, said, "We mirror each other. Whenever we talk about an issue or a problem, we seem to have the same understanding, and so it is easier to share ideas about how to deal with it."

Some Probation Officers expressed gratitude that FCSS has the mandate to bring agencies together on an "as needed" basis to deal with community issues -- a function that Probation does not have the time, mandate or resources to do.

A recurring impression in interviews with FCSS representatives is that, in those FCSS programs that have working relationships with Probation, FCSS people have great respect and admiration for the work that Probation Officers do, and the manner in which they do it. Similarly, in interviews with Probation representatives, the impression was of respect for FCSS.

2. Two major barriers

Both probation and FCSS respondents identified the same two major barriers that hinder them from working together:

- **Inadequate justice resources** were the barrier most frequently mentioned by both Probation and FCSS respondents.

Inadequate resources not only hinder cooperation with FCSS and other community agencies, but creates other difficulties as well. For example, several Probation Officers expressed concern that inadequate resources for justice system initiatives such as alternative measures or Youth Justice Committees may lead to limited success or even create problems.

Several FCSS respondents expressed compassion for the fact that probation officers were obviously carrying a large workload with less than large resources.

Both FCSS and Probation respondents reported that lack of resources creates barriers such as:

- Limited time for Probation officers to take part in networking opportunities such as Interagency meetings.
- Limited time for Probation officers to find out about community resources.
- Limited time to help inform community agencies about ways they could support Probation Officers and their clients.
- Limited funds to help pay for services and programs that would benefit offenders.
- From the perspective of FCSS respondents, lack of justice system

resources makes them uneasy about engaging in partnerships, for fear FCSS will be swamped by overwhelming needs much greater than FCSS can meet.

- **Fragmentation** within the justice system was the second barrier identified by both FCSS and Probation respondents.

Both FCSS and Probation respondents commented that groups within the justice system (e.g., crime prevention, Youth Justice Committees, etc.) appear not to work with one another, nor with other community agencies. From the outside, the justice system appears to be fragmented.

A few respondents commented that any cooperation that does exist seems to be either the result of people knowing each other already, or happens on an ad hoc basis that is left to chance. Piecemeal organization challenges the development of reliable working relationships.

In addition to these two major barriers to cooperation, FCSS directors also identified two other barriers:

- Concerns about whether it is appropriate for FCSS to be directly involved with Probation clients (this centres around perspectives on what is "preventive").
- Regarding community service opportunities, or opportunities to help with restorative activities -- concern about safety and confidentiality issues, that victims of crime and some other community people are fearful of contact with offenders.

3. Other comments

In both surveys and interviews, in addition to specific questions, Probation and FCSS respondents were asked if they had "other comments" about FCSS and Probation working together.

a. From Probation stakeholders

- Good relationship -- At the beginning of interviews, Probation Officers often reported "good working relationships" with FCSS, and expressed gratitude to FCSS for their programs and help with community service placements. At least initially, it seemed that from the Probation Officer perspective, when relationships with FCSS did exist, the relationships were strong, successful and satisfying. From Probation survey respondents, "Good relationship" was also the most common response to the question about "Other comments?"
- As the interviews progressed with Probation representatives, comments began to shift to include things like, "I feel a bit embarrassed that we can't offer more" (in terms of contributing to the cost of treatment or counselling programs). Some expressed frustration with the resource inequity.
- Would like more information -- In surveys, several Probation respondents asked for more information about FCSS. Two said they would appreciate having a presentation about FCSS at a Probation staff meeting.
- Several Probation Officers reported that they weren't sure how "Social Services" (referring to child protection and social assistance) fits into things. There may be some confusion regarding the differences between FCSS and provincial child welfare and income security programs.
- A few Probation survey respondents commented that they had little contact with FCSS.
- One Probation Officer perceived a gap between "Social Services" intervention-protection-support and the FCSS prevention side, with many people falling through this gap. Issues such as housing, transportation and poverty seem not to be

addressed by either intervention or prevention agencies.

b. From FCSS respondents

- Opportunities -- The most common FCSS response to the survey question asking for "Other comments" was a comment about opportunities and potential benefits of working together.
- Good relationship -- The second most common FCSS response to the survey question about "Other comments?" was a statement about how well FCSS and Probation work together.
- Pressures on Probation -- In both surveys and interviews, FCSS respondents often commented on the large workload of Probation officers.
- Cautions about mandate -- Several FCSS respondents expressed cautions about the need for FCSS to stay focussed on prevention.
- Some FCSS representatives made comments that the justice system, and other provincial systems such as Child and Family Services Authorities, were looking to FCSS programs for assistance that stretch the limits of FCSS resources and mandate.

As one FCSS respondent said, "Provincial departments appear to think that they should get free services because FCSS is funded by the province. In our community FCSS is funded by fee for service 45%, provincial funding about 25% and municipal taxes at 30%."

Some FCSS representatives were beginning to feel they were being asked to "work for" rather than "work with" provincial government systems.

This concern is not about Probation specifically, but rather is part of a general uneasiness within the FCSS community.

- Little information or contact with Probation -- A few FCSS respondents commented that they know very little about Probation.

E. IN SUMMARY

A number of representatives from both Probation and FCSS do not know much about one another. For those that do not, the most common things they would like to know about each other are:

- From Probation -- How could FCSS help our clients?
- From FCSS -- What is the Probation mandate, and are there opportunities to work together?

Factors that can help FCSS and Probation work together are similar to those identified by other areas -- opportunities to be in the same time at the same place; and people who perceive mutual interest or compatible mandates and philosophies. The two greatest barriers to working together are lack of resources and perceived fragmentation within the justice system

For Probation and FCSS representatives who do work together, an over-all impression from both surveys and interview is that the working relationships are mutually satisfying. From the comments, both FCSS and Probation believe their working relationships benefit the community. More than that, the comments indicate that, on a personal level, the relationships are mutually enjoyable -- not only productive and worthwhile, but fun.

Attachment 8: FCSS and YOUTH JUSTICE COMMITTEES

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To find out if there is a Youth Justice Committee in your community:

- Contact your local RCMP or municipal police service, or
 - Contact a Probation officer who visits your community;
- (Police and probation both work with Youth Justice Committees.)

or

- Phone the Young Offenders Branch, Alberta Solicitor General, 780-422-5019
(Call 310-0000 toll free and ask for 780-422-5019.)

On-line information about the new *Youth Criminal Justice Act*, is available at
<http://canada.justice.gc.ca/en/dept/pub/ycja/youth.html>

Attachment 8: FCSS and YOUTH JUSTICE COMMITTEES

A. YOUTH JUSTICE COMMITTEES

1. What a Youth Justice Committee is

Youth Justice Committees are groups of volunteers working in partnership with Alberta's justice system to deal with young offenders in their communities. The legal authority of Youth Justice Committees comes from Section 69 of the federal *Young Offender's Act*.

Youth Justice Committees are intended to:

- Allow citizens to work out differences between young offenders, victims and community members;
- Provide support for young offenders;
- Provide community-based resolutions to youth crime;
- Provide young offenders with an alternative to the formal court process and the possibility of time in custody;
- Resolve legal conflicts through alternative measures, community-service work, and meeting with victims and community members; and
- Provide sentencing advice to the youth court.

2. Benefits of a Youth Justice Committee

The following are intended benefits of Youth Justice Committees:

Benefits to young people

- Provides an opportunity to hold young people accountable in the community.
- Ensures young people understand the full consequences of their behaviour on the victim and the community.

- Young people must speak for themselves and cannot depend on a lawyer to present a "best face" portrayal of them and their offence.
- The involvement of community members increases the likelihood that young people will follow through with the direction and be less likely to re-offend.
- Good performance on the sanction imposed can bring praise from members of the committee and can lead to further assistance from community members.
- Matters are dealt with in an expedient manner, increasing the learning process for the young people.

Benefits for victims of crime

- Allows the victims to play an active role in the justice system.
- Through direct contact with the young people, victims are provided a clear opportunity to be heard.

Benefits for families of young offenders

- Encourages family support and responsibility for the young people.
- Allows parents to speak about their concerns and frustrations in dealing with their child.

Benefits to the justice system

- Provides an alternative to the court process for less serious offences.
- Provides the youth court with recommendations which reflect the knowledge and sentiments of the community.
- Can break down barriers between the community and the justice system.

Benefits to the community

- Can increase the community's understanding and appreciation of the justice system.
- Community service work gets done where the community feels it is most needed

3. Principles that guide Youth Justice Committees

The following principles guide the work of Youth Justice Committees:

- Young persons should be held accountable for their criminal behaviour.
- There must be regard for the rights and freedoms of young persons and victims.
- The least intrusive alternatives and restrictions of a young person's freedom must be sought while protecting the community.
- The community has a right and responsibility to participate in the youth justice system. A Youth Justice Committee can provide the opportunity for citizens to be directly involved in reconciling the differences between the young offender, victims and community members.

4. Roles and functions of Youth Justice Committees

Youth Justice Committees have four roles:

- To administer the Alternative Measures Program related to young offenders;
- To advise youth court regarding the sentencing of a young offender;
- To assist with cases referred through police diversionary discretion (explained below);
- To increase public awareness of crime prevention and issues related to youth crime.

a. Administer the Alternative Measures Program

Youth Justice Committees administer the Alternative Measures Program. This involves dealing with first- and second-time young offenders who have committed minor offences and have admitted responsibility.

The *Young Offenders Act* provides legislative authority for the use of voluntary "alternative measures" rather than requiring a youth to appear before youth court.

The objectives for an Alternative Measures Program are:

- To prevent, where feasible, the acquisition of a criminal record
- To prevent the continuation of criminal behaviour
- To promote community involvement and foster community awareness through participation in the Alternative Measures Program. This is facilitated through imposing sanctions that require community service work, victim compensation through personal service and the victim/young offender agreements

b. Sentence advisory

Youth Justice Committees may also receive a sentence advisory. These are referrals from a youth court judge, after guilt has been established, to meet with the young offender and recommend an appropriate disposition. ("Disposition" is the term used for a sentence to a young offender.)

The committee will usually find it appropriate to also meet with the young person's parents and/or other significant others, and the victim of the offence.

Youth Justice Committees provide a legitimate way to look at the broader picture of what is happening in the young offender's life, examining the environment under which the offence was committed, determining current issues with respect to the offender's family,

school attendance, school performance and negative peer influence.

Involving the victim assists the young offender to understand the consequences of the offence. After assessing the circumstances, the Youth Justice Committee makes a recommendation to the youth court judge regarding an appropriate sanction.

c. Police Diversion

Police do not always lay a charge when they have sufficient evidence to do so, nor are they restricted to making a formal referral to an alternative measures program in these circumstances.

In cases where the offence is less serious and after considering all circumstances, police may decide to exercise their discretion not to lay a charge and proceed to caution or warn the offender.

In some circumstances, rather than just warning the youth, police may decide to refer the young person to a Youth Justice Committee. The criteria for referral to a Youth Justice Committee as an alternative to a criminal charge include:

- The young person must accept responsibility for the offence;
- The young person should be a first- or second-time offender who is considered likely to benefit from involvement with a Youth Justice Committee;
- The offence must be eligible for a police discretion referral to a Youth Justice Committee, using the same criteria as for the official Alternative Measures Program (only certain kinds of less serious offences are eligible for police discretion);
- The young person must be willing to meet with the Youth Justice Committee.

The police may refer youth to a Youth Justice Committee for guidance, counselling and/or direction. A Youth Justice Committee's acceptance of a discretionary police referral is itself discretionary. Local arrangements will be made between the police agency and Youth

Justice Committee to guide or determine these arrangements.

When a Youth Justice Committee becomes involved in police diversion, they meet with the young person and act according to arrangements that have been made with police.

Since no charges have been laid, if the young person fails to comply with the Youth Justice Committee direction, no further action can be taken. A police discretion referral does not constitute a young offender record.

d. Public Awareness and Crime Prevention

Many Youth Justice Committees are involved in increasing public awareness about crime prevention. This may include youth crime issues, the effects of youth crime in the community, measures the community can take to reduce youth crime and ways the community can better provide opportunities for its youth.

Youth Justice Committees may also be instrumental in developing crime prevention programs such as Neighbourhood Crime Watch and Block Parents.

5. How citizens form a Youth Justice Committee

Alberta Solicitor General has an 8-step process by which a group of interested citizens can form a Youth Justice Committee.

A number of FCSS people will recognize the process, because they have been part of developing a Youth Justice Committee in their own communities. Even if they have not been directly involved, FCSS people will no doubt see similarities between this process and a traditional community development process.

1. **Form a Steering Committee** -- Interested citizens form a steering committee to determine local interest and support for a Youth Justice Committee and to determine a process for the selection of Youth Justice Committee members.

The Steering Committee needs to work with local police and probation personnel. It is also important to obtain the support of the local judge and Crown prosecutor at the beginning stages of formation.

The steering committee needs to decide:

- The geographical boundaries to be served;
- The role the committee should play (e.g. sentence advisory, alternative measures, police diversion);
- How to inform and obtain support from the community.

Citizen groups can obtain relevant information from the Young Offender Branch of Alberta Solicitor General.

2. **Identify the needs and interests of the community** -- The committee identifies special needs and interests of the particular community. Committee members arrange meetings with different groups in the community to determine issues related to youth, the criminal justice system and the needs of young people.

Based on the information gathered, the steering committee determines how a Youth Justice Committee would best serve their community.

3. **Develop a Constitution** -- The steering committee must develop a constitution outlining the Youth Justice Committee's name, purpose, legal authority, aims and objectives, membership, executive functions, meetings and procedures.
4. **Formalize the Youth Justice Committee and provide training** -- The steering committee must decide who sits on the Youth Justice Committee. The steering committee must also organize an orientation and training session for Youth Justice Committee members.
5. **Apply for designation under the *Young Offenders Act*** -- When the first four steps have been completed, the committee applies to the Young Offender Branch, Alberta Solicitor General for official

designation under Section 69 of the *Young Offenders Act*.

Their application package is reviewed by the officials within Solicitor General department, and forwarded to the Solicitor General (the Minister) for consideration.

6. **Receive formal designation** -- When the Solicitor General formally designates a Youth Justice Committee, the committee is provided with a copy of the Ministerial Order.

Upon being designated, members of the Youth Justice Committee are considered volunteers of the province and are eligible for liability coverage under the provincial risk management program.

7. **Collect data and submit reports** -- Youth Justice Committees are asked to submit to Alberta Solicitor General an annual report, which describes its activities during the year.
8. **Ongoing evaluation** -- Alberta Solicitor General asks that Youth Justice Committees evaluate their process, procedures and functions, and make changes as deemed appropriate.

6. About 90 Youth Justice Committees

Youth Justice Committees are located in more than 90 Alberta communities.

Since Youth Justice Committees are composed entirely of citizen volunteers, they often do not meet in the summer. During that time, functions which might have been carried out by a Youth Justice Committee are handled by a probation officer.

From interview comments during this project, it appears that although many communities are designated as having a Youth Justice Committee, not all the Committees are fully functioning.

When Youth Justice Committees first began in Alberta, they often sought funding from local sources such as FCSS or service clubs. However, Alberta Solicitor General now

provides a small grant to cover some Youth Justice Committee administrative costs.

In some communities, the Youth Justice Committee has expanded to include adult offenders, becoming the Alternative Measures Committee. Some of these committees are involved in community mediation processes as well as traditional Youth Justice Committee work.

7. Coming soon: a new federal Act

A new federal Act called the *Youth Criminal Justice Act* has been passed by the federal government, and will take effect later in 2003. The new Act will replace the existing *Young Offenders Act*.

The intent of the new Act is:

- To divert less serious youth offences away from formal criminal justice processes, so courts and corrections are freed up to focus on more serious criminal cases.
- To increase involvement of communities and other stakeholders in the lives of young offenders at an early stage, to reduce the likelihood of repeat offences.

The thrust of the new Act is two-fold:

- For violent and other serious crimes committed by young offenders, the *Youth Criminal Justice Act* provides for more serious measures than the previous Act.
- For less serious crimes committed by young offenders, the *Youth Criminal Justice Act* emphasizes diversionary and alternative measures.

The *Youth Criminal Justice Act* provides for an expanded role for community. Youth Justice Committee representatives who participated in this project predict expanded responsibilities may be expected of Youth Justice Committees. A few FCSS representatives also commented on the potential impact of the new Act -- both opportunities and challenges for communities.

Two comments were:

- With accommodation for second offenders too, Youth Justice Committees may be working with expanded numbers and types of young offenders.
- Training for Youth Justice Committee, community people and anyone else involved will be a requirement as the new Act is implemented.

B. FCSS AND YOUTH JUSTICE COMMITTEES

1. Contact between FCSS and Youth Justice Committees

From surveys and interviews with both Youth Justice Committee and FCSS representatives, it appears that Youth Justice Committees are somewhat more familiar with FCSS than FCSS is familiar with Youth Justice.

- About four-fifths (82%) of Youth Justice Committee respondents report that they have heard of FCSS, and about one-third (36%) report that their Youth Justice Committee has contact with an FCSS program.
- Somewhat more than half (57%) of FCSS survey respondents say they have heard of a Youth Justice Committee in their community. About one quarter (29%) of FCSS respondents report having contact with a Youth Justice Committee.

The proportion of FCSS programs that have contact with Youth Justice Committees is less than the proportion of FCSS programs in contact with other facets of the justice system such as Victim Services or Probation.

2. Ways that Youth Justice Committees and FCSS now work together

As listed in the chart above, Youth Justice Committee and FCSS respondents have similar but not identical perceptions of how FCSS and Youth Justice Committees work together.

Contact reported between FCSS and Youth Justice Committees	
<p>Reported by FCSS representatives:</p> <ul style="list-style-type: none"> • FCSS has heard of Youth Justice Committee 57% • FCSS has contact with Youth Justice Committee.29% • Most common types of contact reported: FCSS helps Youth Justice Committee arrange community service opportunities for young offenders; FCSS helped Youth Justice Committee get started; FCSS helps arrange Youth Justice Committee volunteers. 	<p>Reported by Youth Justice Committees</p> <ul style="list-style-type: none"> • Youth Justice Committee has heard of FCSS... 82% • Youth Justice Committee contacts FCSS 36% • Most common type of contact reported: Youth Justice Committee informs FCSS of community needs; FCSS helps arrange community service opportunities for young offenders; FCSS helped Youth Justice Committee get started.

How Youth Justice Committees and FCSS report working together		
Ways of working together	Reported by FCSS	Reported by Youth Justice
<ul style="list-style-type: none"> • A Youth Justice Committee tells the FCSS program about community needs 	9% third most common response	23% most common response
<ul style="list-style-type: none"> • FCSS helps to arrange community service opportunities for youth in contact with a Youth Justice Committee 	13% (most common response)	18% second most common response
<ul style="list-style-type: none"> • FCSS helped to get a Youth Justice Committee going in our community 	10% second most common response (tied)	14% third most common response
<ul style="list-style-type: none"> • FCSS helps to arrange for volunteers to work with our Youth Justice Committee 	10% second most common response (tied)	0%
<ul style="list-style-type: none"> • FCSS helps the community become aware of needs identified by a Youth Justice Committee 	6%	9%
<ul style="list-style-type: none"> • FCSS provides funds to assist the Youth Justice Committee's operation. 	6%	5%
<ul style="list-style-type: none"> • Other (specified by respondents) 	<ul style="list-style-type: none"> • FCSS is part of Youth Justice Committee • FCSS assists Youth Justice Committee. Examples: <ul style="list-style-type: none"> - FCSS provides funds for volunteer training - FCSS provides counselling for Youth Justice referrals - FCSS provides meeting space - FCSS includes Youth Justice information in newsletter, public media • FCSS and Youth Justice Committee participate in some of the same community groups 	<ul style="list-style-type: none"> • FCSS helps. Examples: <ul style="list-style-type: none"> - Reception support, secretarial support, office space, office equipment, meeting space provided by FCSS - Staff are supportive and we can receive help in kind if it is needed • Youth Justice is part of FCSS anti-vandalism committee

- Youth Justice Committees most frequently identify their role of telling FCSS about community needs. This was the third most common response among FCSS respondents.
- Youth Justice Committees and FCSS both identify that FCSS helps to arrange community service opportunities for young offenders (second most common response of Youth Justice respondents; most common response among FCSS respondents)
- Both Youth Justice and FCSS respondents identify that FCSS helped to get a Youth Justice Committee going in their community. (third most common response by Youth Justice; second most common response by FCSS).
- FCSS respondents identified that FCSS helps to arrange for volunteers to work with the Youth Justice Committee. No Youth Justice Committee respondents identified this item.
- Both FCSS and Youth Justice respondents identified several other ways that they are in contact with one another. These include:
 - FCSS providing office space or administrative support to a Youth Justice Committee;
 - Participation in some of the same committees.

C. AREAS FOR INCREASED UNDERSTANDING

1. Understanding Youth Justice

a. What FCSS respondents would like to know about Youth Justice Committees

FCSS respondents would like to know:

- Youth Justice Committee mandate, role and funding
- Youth justice processes -- how alternative measures can be carried out; what process Youth Justice Committees go through to

help youth get appropriate help; who makes the decisions as to what a young offender's punishment will be and length of time. (Note: "disposition" or "sentence" is the language used within the justice system. "Punishment" is the word used by in comments by FCSS respondents.)

b. What Youth Justice Committee respondents would like FCSS to understand about them

Youth Justice Committee would like FCSS to understand:

- Value of Youth Justice Committee
 - How Youth Justice Committees are part of the "big picture" and how important the Youth Justice Committee role is in the community.
 - How Youth Justice Committees truly help the youth, and "the positive impressions we make."
 - That Youth Justice Committees are trying to protect their community, while helping young offenders.
- Understanding what the Youth Justice Committee does and does not do. Youth Justice Committees are active volunteers carrying out a program. They are not intended to be policy makers or fund raisers.
- Some Youth Justice Committees would like FCSS to work more as a team:
Sample comments:

Several Youth Justice respondents (usually those who reported little or no contact with FCSS) said they had no idea whether FCSS knew about them, and in turn they did not know whether FCSS even existed in their community.

2. Understanding FCSS

a. What Youth Justice Committee respondents would like to know about FCSS

Youth Justice Committee respondents would like to know:

- FCSS role, mandate, services (the most common response to this question).
- How FCSS and the Youth Justice Committee can fit together.
- Whether there are possibilities for FCSS funding

A few Youth Justice respondents said they had good knowledge and rapport with FCSS.

b. What FCSS respondents would like Youth Justice Committees to understand about FCSS

FCSS respondents would like Youth Justice Committees to understand:

- *FCSS could help* -- Six FCSS respondents said they wish Youth Justice Committees understood that FCSS could help them in their role.
- *Good understanding now* -- Six FCSS respondents reported good communication and understanding between Youth Justice Committee and FCSS.

D. BRIDGES AND BARRIERS

1. Factors that affect working together

Two major factors were identified as affecting whether or not Youth Justice Committees and FCSS work together:

- **Opportunities to be in the same place at the same time; getting to know one another**
 - Youth Justice Committees are made up mainly of volunteers whose Youth Justice Committee responsibilities are not part of their regular employment. The timing and tasks of Youth Justice Committee responsibilities do not easily bring them into contact with FCSS or with activities such as Interagency meetings.
 - When Youth Justice Committee members wear other hats that bring them in contact with other human

services agencies, including FCSS, this helps with the networking that is key to developing partnerships.

- Youth Justice Committees whose members have no other involvement that brings them in contact with human service agencies are less likely to encounter FCSS or other human service agencies.
- Youth Justice Committee volunteers tend to work with the people they know. In small communities this may mean service clubs more than FCSS.

In larger centres, Youth Justice Committees might look to FCSS-produced directories to make sure all the connections are there.

- **Understanding one another's role and mandate**

- Having more information about each other, and better understanding each other's mandates, helps foster partnerships. This first step is still in development or infancy in many communities.
- The Youth Justice and FCSS respondents most likely to say they were familiar with one another's role and mandate were ones in which FCSS had helped as part of the original steering committee that organized a Youth Justice Committee.

2. Opportunities for cooperation

- **Community service opportunities for young offenders**

The area of most interest to Youth Justice Committees is to find community service opportunities for young offenders. They see FCSS as a resource to help them with this.

A number of Youth Justice respondents would appreciate FCSS initiating contact to explain resources available through FCSS, *and* helping the Youth Justice

Committee learn more about other community resources.

- **Development of other community resources for youth** -- Some Youth Justice respondents would like to work with FCSS to increase resources for youth in general.
- **A new Act** -- Some Youth Justice Committees indicated that with the new *Youth Criminal Justice Act* and its stronger emphasis towards more community-based work with young offenders, they expect to work more with FCSS. Youth Justice Committee members don't know if an anticipated increase in responsibilities will be coupled with an increase in support.

3. Other comments

In both surveys and interviews, in addition to specific questions, Youth Justice Committee and FCSS respondents were asked if they had "other comments" about working together.

a. From Youth Justice Committee respondents

- *Better understanding* -- Mainly Youth Justice Committees would like to better understand what FCSS does, and how they might work together to do more for youth in order to prevent youth crime.
- *Would like help in connecting* -- Youth Justice Committees do not have the resources to initiate and nurture contact with FCSS, so would like FCSS to maintain more regular contact with them – particularly since FCSS helped get so many committees “off the ground.”
- *Preventive opportunities* -- Many Youth Justice Committees are interested in contributing to ways to prevent youth crime; and are really interested in identifying and addressing the underlying causes of youth crime. They would appreciate working with FCSS in this area.

- *Inspired* -- Youth Justice Committee members are generally inspired by a desire to assist young people in realizing that they are members of the community, and helping them find their place in that community. Youth Justice Committee members are also inspired by the desire to keep their community safe and relatively unmarred by youth vandalism, etc. Both these sources of inspiration overlap with FCSS interests.

b. From FCSS respondents

- *Not well informed about Youth Justice* -- Most FCSS people who commented about Youth Justice suggested they were not well informed about the work of Youth Justice Committees.
- *Some close working relationships* -- A few FCSS people report that they work closely with a Youth Justice Committee. Some are represented on a Youth Justice Committee; some foster community service opportunities for young offenders; some work with Youth Justice and/or Probation representatives as part of larger community initiatives related to youth.
- *Youth Justice is an asset* -- Several FCSS respondents commented on how valuable the Youth Justice Committee is to the community.
- *Prevention and crisis intervention* -- A few FCSS representatives view Youth Justice Committees as working with individuals in crisis intervention and therefore falling outside the FCSS mandate. In contrast, other FCSS representatives see opportunities for collaboration with Youth Justice and other community groups, as part of larger processes related to fostering the well being of youth within the community.

**E. YOUTH JUSTICE COMMITTEES
AND THE JUSTICE SYSTEM**

During this project, in surveys and interviews with Youth Justice Committee representatives, the focus of questions was about Youth Justice Committees working together with FCSS. However, some Youth Justice Committee

respondents also wanted to make comments about their relationship with the justice system.

These comments were communicated to representatives of Alberta Solicitor General who work most closely with Youth Justice Committee

Attachment 9: HOW THIS PROJECT WAS CARRIED OUT

Set the foundation

Alberta Children's Services initiated this project, as a result of correspondence and meetings between FCSS and justice system representatives. The FCSS Program Advisory Team (a joint management team of the FCSS Association of Alberta, and Alberta Children's Services Prevention and Community Support Unit) sanctioned the project.

An Advisory Committee with two representatives from the provincial FCSS Association, and two representatives of Alberta Children's Services guided the project.

Research the justice system

One of the first steps after an external consulting team was contracted was to meet with provincial justice system representatives to explain the project and invite their participation. The justice system areas were those who had been involved in previous correspondence and meetings with FCSS.

It quickly became apparent that many changes were happening within the justice system, and that more information was needed before the project could begin gathering information from local stakeholders.

The consulting team interviewed provincial representatives, who provided extensive verbal and written background material. This information was supplemented by program and statistical information available on-line at federal and provincial government websites.

Survey and interview FCSS and justice system stakeholders

With a foundation of information about the justice system, the consulting team drafted surveys to be completed by local representatives of FCSS, Crime Prevention,

Victim Services and Youth Justice Committees. Provincial government program representatives reviewed draft surveys.

Surveys were distributed with appropriate cover letters to FCSS programs by the Prevention and Community Support Unit of Alberta Children's Services, and to local justice system stakeholders by the Alberta Solicitor General offices that worked most closely with Crime Prevention, Victim Services and Youth Justice Committees.

The surveys asked:

- What contact local FCSS and justice system representatives had with one another;
- In what ways they worked together;
- What they would like to know about one another; and
- What other comments they had about working together.

Survey recipients were also asked if they were willing to be interviewed.

Local justice system and FCSS stakeholders who took part in interviews were asked about:

- Their experiences of FCSS working together with the justice system;
- What helped working relationships;
- What hindered working relationships;
- Any other comments they wanted to make.

Compiling, analyzing and reporting

Survey and interview information was compiled and analyzed, and themes identified. Summary reports of the results from each program area were provided to their provincial government representatives.

Probation added

In September 2002, the provincial FCSS Directors' Network heard an update and report. The Directors requested that the project be expanded to include information about FCSS working with Probation.

A supplementary survey about Probation was distributed to FCSS programs and Probation Officers. The consulting team conducted further interviews with Probation officers and with FCSS people who work with Probation.

High response rate

With the addition of Probation respondents, and a few more FCSS respondents, the project received surveys from a total of 249 different people (an over-all response rate of 52%) and interviewed 116 local stakeholders. (See chart below.)

Reference material as well as report of findings

The additional information from Probation solidified themes that had begun to emerge

earlier. In consultation with the Advisory Committee, the "main messages" of the report was developed.

One of the early findings was that FCSS and justice system representatives were often not familiar with one another's mandates and services. It was decided that the document produced in this project would provide background reference information as well as a report of findings. Draft background attachments were reviewed by FCSS and justice system representatives.

Finally, the report of findings was written and this too was reviewed by FCSS and justice system representatives.

Distribution

The final document was released at a provincial FCSS Directors Network meeting in March 2003 and is being distributed to justice system stakeholders as well.

Number of respondents in "FCSS working together with the justice system" project				
TYPE OF RESPONDENT	SURVEYS			INTERVIEWS
	Number sent	Number returned	Response rate	
• Community based				
o FCSS	194	108 *	56%	46 *
o Crime Prevention	98	20	20%	13
o Victim Services	97	59	61%	31
o Youth Justice	93	22	24%	13
o Probation	<u>65</u>	<u>41</u>	63%	<u>13</u>
Sub-total community				116
• Provincial justice				<u>9</u>
Total interviews				125
Total surveys	482	252	52%	

* These are the numbers of different FCSS people who returned surveys or took part in an interview. Because of the supplementary survey and interviews about Probation and FCSS, some FCSS respondents returned two surveys and took part in two interviews.

Attachment 10: THE PEOPLE WHO HELPED WITH THIS PROJECT

ADVISORY COMMITTEE

The Advisory Committee who guided this project included:

For the Family and Community Support Services Association of Alberta:

- Karen Bernard, board member Strathcona County FCSS and Vice President of Family and Community Support Services Association of Alberta
- Marg Clark, Director, Gibbons FCSS and Secretary of Family and Community Support Services Association of Alberta

For Alberta

Children's Services:

- Sheryl Fricke, Manager, Prevention and Community Support Unit
- Frances Cearns, Consultant, Office for Prevention of Family Violence

PROVINCIAL GOVERNMENT

The following people were generous in providing extensive background information, and in reviewing draft documents.

As well, Victim Services, Crime Prevention, Probation and Youth Justice representatives distributed surveys to local people in their program areas, and encouraged them to respond to the surveys and take part in interviews.

Alberta Children's Services

From Community Support Branch

- Frances Cearns
- Irene Chamczuk
- Veronica Facundo
- Sheryl Fricke
- Debbie Trachimowich

From Alberta Justice and Attorney General

From Court Services Division

- Edith Delanghe

From Criminal Justice Division, re Crown prosecutors and criminal justice system

- Michelle Collinson
- Judy Mackay
- Peter Teasdale, Q.C.

Alberta Solicitor General

From Aboriginal Justice Initiatives

- Carmen Parent
- Bronwyn Shoush

From Public Security Division, re Crime Prevention

- MichelleAnderson
- Gloria Ohrt
- Miles Partington

From Public Security Division, re Policing and Restorative Justice

- Sharon Anderson

From Public Security Division, re Probation

- Doug Hildreth

From Public Security Division, re Victim Services

- Barbara Pratt
- Carol Sullivan

From Public Security Division, re Youth Justice

- Paulette Rodziewicz

LOCAL PARTICIPANTS

From Family and Community Support Services Programs

(Names are included where known. Not all survey respondents provided their names)

- Athabasca -- Darin Flemmer
- Banff -- Ruth Pryor
- Barons-Eureka-Warner -- Greg Pratt
- Barrhead -- Toni Williams
- Basano -- Kelly Christman
- Beaverlodge -- Karen Gariepy
- Big Lakes -- Sheila Zilinsky
- Black Diamond -- Alison Hancox
- Bon Accord -- Loraine Berry
- Bonnyville -- David Beale
- Breton
- Brooks
- Bruderheim
- Camrose -- Wendy Gregg
- Canmore -- Brenda Caston
- Cardston -- Paul Doig
- Caroline -- Danita Michalsky
- Castor
- Claresholm
- Cochrane -- Susan Flowers
- Consort
- Coronation
- Cremona -- Penny Fox
- Crossfield
- Cypress County
- Delia -- Janna Clark
- Didsbury -- Rhonda Hunter
- Drayton Valley -- Danica Erickson
- Drumheller Valley -- Diana Meller
- East Prairie Metis Settlement -- Joan Haggerty
- Eckville
- Edmonton -- Harry Oswin
- Edson
- Elk Point -- Deanna Easthope
- Flagstaff County -- Gail Watt
- Foothills MD
- Fort Saskatchewan -- Gail Steeves
- Forty Mile Regional FSS -- Ina Baczuk
- Fox Creek -- Kim Palmer
- Gibbons -- Marg Clark
- Grande Prairie City -- Betty Miller
- Grande Prairie County -- Kathleen Turner
- Granum
- Greenview
- Grimshaw -- Tracy Halerewich
- High River
- Hines Creek
- Hinton -- Kathy Rees
- Irricana -- Lorri Emmott
- Jasper -- Kathleen Waxer
- Kneehill Regional -- Shelley Jackson
- Lac La Biche -- Anita Polturak
- Lac Ste Anne County -- Trista Poffenroth
- Lakewood -- Claire Crawford
- Leduc City -- Ted Tymchuk
- Leduc County -- Susan Lenkewich, Christine Burke
- Lethbridge City -- Diane Randell
- Magrath
- Manning
- Marwayne
- Mayerthorpe -- Joanne Johnson
- Millet
- Minburn County
- Mirror -- Connie Brooks
- Morinville -- Joyce Preeper
- Nanton -- Sharon Davis
- Newell County
- Okotoks
- Olds -- Stuart Ray
- Onoway
- Oyen
- Peace River -- Tanya Bell Clark
- Peavine Metis Settlement
- Pincher Creek
- Plamondon
- Provost -- Leslie Steffenhagen
- Red Deer -- Susan Taylor
- Redwater -- Barb Bigelow
- Rimbey -- Peggy Makofka
- Rocky Mountain House -- Harold Northcutt
- Rockyview SE -- Cindy Storozinski
- Saint Paul County -- Linnette Newby
- Saint Paul Town -- Cheryl Snider
- Smoky Lake -- Shirley Lorimer
- Smoky River

- Special Areas (Hanna)
 - Spruce Grove -- Karen Debenham
 - Stettler -- Faye Blakely
 - Swan Hills
 - Thorhild County -- Corinne Arseneault
 - Tofield Riley Beaver -- Connie Herman
 - Two Hills
 - Vegreville
 - Vermilion River County
 - Vermilion Town
 - Viking/Beaver
 - Vulcan
 - Wetaskiwin City
 - Wetaskiwin County
 - Wheatland County -- Sharon Tibeau
 - Whitecourt
 - Wood Buffalo -- Joe Bath
- 6 others who did not specify location

From justice system programs

From Crime Prevention Stakeholders

(Names are included where known. Not all survey respondents provided their names)

- Black Diamond -- Ken McIntosh
- Calgary
- Calgary -- Dwayne Peace
- Calgary -- Sgt. Marty Falkerth
- Calgary SE
- Camrose -- Cst. Keech
- Crowsnest Pass
- Driftpile First Nation -- Joe Gubbels
- East Prairie Metis Settlement -- Joan Haggerty
- Edmonton -- Cst. Terry Jordan
- Edmonton
- Fort Saskatchewan
- Lacombe -- Chief Bill Zens
- Parkland County
- Rocky Mountain House -- Steve Woolwich
- Saint Albert
- Saint Paul & District-- Chief Jim Fell
- Westlock -- Debbie Stashuk
- Wetaskiwin -- Colleen Fjordbotten
- Whitecourt -- Michelle Standish

From Probation offices

(Names are included where known. Not all survey respondents provided their names)

- Airdrie Cochrane -- Ken Hagel
- Brooks -- Sandy
- Calgary -- Daphne Buffett
- Calgary -- Dan Wallburger
- Calgary Central-- Chester Uszacki
- Calgary Forest Lawn/Village Square
- Camrose
- Cold Lake
- Edmonton -- Chuck Freegon
- Edmonton
- Edmonton
- Edmonton
- Edmonton East-- Catherine Douglas
- Edmonton Inner City-- Doug Brady
- Edmonton South
- Edmonton South
- Fort McMurray -- Joanna Patry
- Fort Saskatchewan
- Grande Prairie/Grande Cache/Valleyview
- High Level/Fort Vermilion/LaCrete
- High Prairie -- Dan Brault
- Lac La Biche
- Lloydminster
- Medicine Hat -- Troy Chalifoux
- Okotoks -- Patrick McKnight
- Olds -- Bruce Herzog
- Peace River -- Adrian Zezula
- Pincher Creek/Crowsnest/Fort Macleod
- Raymond
- Rimbey -- Glenn Woollard
- Rocky Mountain House
- Saint Albert -- Kim Sanderson
- Saint Paul
- Sherwood Park -- Tina Dow/Charlene Carrington
- Slave Lake -- Rona Noel
- Stony Plain -- Vivian Yeung
- Vegreville
- Westlock
- Whitecourt -- Marla Skinner
- 2 from locations not identified

From Victim Services

(Names are included where known. Not all survey respondents provided their names)

- Airdrie -- Charlotte Hanslien
- Barrhead
- Bashaw
- Beaverlodge
- Breton
- Brooks -- Debbie Tieg
- Camrose
- Cardium Region/Drayton Valley -- Jean Williams
- Cardium Region/Drayton Valley -- Charlotte Winters
- Cardston -- Cst. Steve Metcalfe
- Coaldale -- Lorri Penner
- Cochrane -- Kristin Stein
- Cold Lake -- Ariane Wasilow
- Crowsnest Pass -- Trevor Hay
- Evansburg -- Nadine Majeau
- Fort Saskatchewan -- Shirley Den Braber
- Forty Mile Count/Bow Island
- Grande Cache -- Janet Jean
- Grande Prairie -- Korie-Lyn Northey
- High Level
- Highway 43/Mayerthorpe/Whitecourt/Fox Creek -- Margaret Thibault
- Hinton -- Cathy Blaker
- Innisfail -- Krista Lyver
- Lac La Biche -- Marlaire Steuart
- Lacombe -- Mark Kenney
- Leduc City/County -- Kim Goodwin
- Lethbridge City -- Laraine Stuart
- Lethbridge Rural
- Manning
- Medicine Hat
- Morinville and District (includes Alexander First Nation) -- Donna McPherson
- Olds and District -- Roberta Hammet
- Pincher Creek -- Edith Becker
- Ponoka -- Marlene Hrycyk
- Raymond Magrath Milk River -- Cindy Knutson
- Red Deer Rural -- Michele Lodewyk
- Redcliff -- Heather Leidel
- Redwater -- Myron Bury
- Rimbey

- Rocky Mountain House -- Mandy Schnell
- Slave Lake/Faust -- Jennifer Bray
- Spirit River
- Saint Paul/Elk Point -- Pauline Burton
- Stettler -- Pat Hamilton
- Stony Plain/Spruce Grove -- Lynne Fowler
- Strathmore/Gleichen
- Swan Hills
- Sylvan Lake -- Krista Lyver
- Taber -- Helen Wentz
- Tofield/Viking/Ryley/Beaver
- Valleyview -- Mary Wilson
- Vegrevillw
- Vulcan County
- Wainwright/Vermilion/Kitscoty
- Westlock -- Sue Dougan
- Wetaskiwin
- Wood Buffalo -- Penny Gageluk
- 2 from locations not specified

From Youth Justice Committees

(Names are included where known. Not all survey respondents provided their names)

- Acme/Linden/Beiseker/Irricana -- Doug Barnard
- Blood Reserve -- Pearl Long Time Squirrel
- Bonnyville
- Calgary -- Denise Blair
- Calgary East (NE) -- Pat Ramsay
- Calgary North Central
- Calgary Properties/Monterey -- Bernie Burbank
- Calgary Southwest -- Corinne Fasol-Tucker
- Claresholm -- Diane McMillan
- Devon -- Helga Van Meurs
- Drayton Valley -- Margie Smith
- Edmonton
- Fort McLeod -- Corinne Conner
- Fort McMurray -- Magda Stouchen
- High River -- Maureen Dawson
- Red Deer -- Katrine Hanson
- St. Albert -- Liz Allchin
- Slave Lake -- Vinna Auger
- Stony Plain -- Lavina Bishop
- Strathcona County -- Doug Berry
- Sylvan Lake/Bentley/Benalty
- Valleyview/Sturgeon Lake -- David Smith