



THE PROJECT TO END
DOMESTIC VIOLENCE

Opening the Door Beyond the Legal System: Understanding the Use of Alternative Justice Approaches to Sexual Violence Prevention and Healing in Canada

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We would like to thank our 16 research participants, not only for being a part of this project, but for the courageous work you do every day in supporting those impacted by sexual violence. Thank you for taking the time to share your wisdom and knowledge. We thank you for your service in creating a more just world. We would also like to acknowledge 4 key experts who provided us with their time to review the research findings and address any gaps we may have missed. This triangulation has led to a stronger, more robust piece of research.

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Acknowledging Indigenous Territory and Peoples

The University of Calgary has made a commitment to reconciliation through its *ii' taa'poh'to'p* or [Together in a Good Way: A Journey of Transformation and Renewal Indigenous Strategy](#). The University of Calgary acknowledges the traditional territories of the people of the Treaty 7 region in Southern Alberta, which includes the Blackfoot Confederacy (comprising the Siksika, Piikani, and Kainai First Nations), as well as the Tsuut'ina First Nation, and the Stoney Nakoda (including the Chiniki, Bearspaw, and Wesley First Nations). The City of Calgary is also home to Métis Nation of Alberta, Region 3. The University of Calgary acknowledges the impact of colonization on Indigenous peoples in Canada and is committed to our collective journey towards reconciliation to create a welcome and inclusive campus that encourages Indigenous ways of knowing, doing, connecting, and being.

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Contents

An important note from the authors	4
1.0 Introduction	6
2.0 Methods	6
2.1 Internet-based searches and key contact connection.....	7
2.2 Literature review.....	8
2.3 Interviews.....	8
2.4 Limitations.....	9
3.0 Section One: Findings from Internet Searches	10
4.0 Section Two: Findings from the Literature Review and Non-Indigenous Practitioners	11
4.1 The need for models outside the criminal legal system to advance accountability, healing, and repair from sexual violence.....	11
4.2 The philosophical and theoretical ideas and beliefs that underlie alternative approaches to justice for survivors of sexual violence.....	13
4.3 The importance of the language we use in this work to support healing and repair.....	15
4.4 Critical principles that guide this approach and practices.....	17
4.5 Required aptitudes, skills, and training for practitioners engaged in this work.....	20
4.6 Best practices and processes to promote justice, accountability, healing, and repair.....	23
4.7 Tensions and barriers that exist for practitioners.....	27
4.8 What is needed to move this work forward?.....	29
4.9 Summary.....	30
5.0 Section Three: Findings from Indigenous Practitioners	31
Background	31
5.1 The use of Natural Laws as a foundation for practice and programming.....	31
5.2. Impacts of colonization and patriarchy need to be acknowledged.....	33
5.3 Supporting cultural healing practices in lieu of Western justice.....	36
5.4 Using a multidimensional approach in practice and programming.....	37
5.5 Support capacity for Indigenous-focused practitioners and programming.....	38
5.6 Summary.....	40
6.0 Section Four: Conclusion and Recommendations	41
Appendix 1: Literature Review Methodology	47
Appendix 2: Interview Guide	49
Appendix 3: Web-Based Search Results	50
References	57

An important note from the authors

We would like to take this opportunity to situate ourselves in relation to this research project and acknowledge the exemplar leaders already engaged in this complex and important work from coast to coast to coast. A big thank you goes to the participants for your courage and leadership in trying to repair harm and justice in the context of sexual violence. Your insights provide a vision on how Canada can lead in this movement for gender and social justice.

To offer some context on who the authors of this report are, we want you, the reader, to know that we identify as feminists and have worked with feminist issues within the anti-violence movement for over two decades. We sit at the intersection of academia, community, and government, and draw on these experiences to inform this report. Within this context, its chief aim is usability. Two of us are White settler females and one is a member of the Métis Nation of Alberta.

Use of Language and Terms

Language and how we articulate our ideas are important. In this project, we have come across a variety of terminology used by practitioners, activists, academics, and governments to express a multitude of terms and concepts surrounding restorative, transformative, and reparative approaches to healing, repair, and justice. After careful consideration, we have selected the term *alternative justice approaches* to encompass the spectrum of approaches and practices that exist within the restorative and transformative continuum that operate *outside* the criminal legal system.

There is also a breadth of terms used to refer to people who have experienced harm and those who have perpetrated harm. Victims or survivors, aggressors or perpetrators, people who experience violence or abuse and people who cause violence or abuse, are just some terminologies found in the literature and used by those we have spoken with. You will see this variation in this report, depending on whether we are referencing findings from the literature or research participants.

In integrating the diversity of terminology, we want to be clear that there is a distinction between conflict, harm, violence, and abuse. Encompassed within the concept of “harm” is the full spectrum of sexual violence, which includes cultural micro-aggressions through to physical expressions of sexual violence and assault.¹ However, we acknowledge that harm through micro-aggressions is not the same as being sexually assaulted or raped. In no way do we want to diminish people’s experiences and do not conflate conflict or harm with violence and abuse in this report.

One term used throughout this report is “Indigenous.” We recognize and respect the great diversity of Indigenous peoples throughout Canada and are aware that the Federal Government has committed to the usage of “First Nations, Inuit, and Métis” to reflect this diversity. We have

opted to use the singular term “Indigenous” to protect the identity of those who have taken part in our interviews.

You will also notice that we use the term *criminal legal system* as opposed to the *criminal justice system*. Our study participants highlighted that the concept of “justice” is often drastically different from the experiences and realities of those seeking it. For this reason, the term criminal legal system is a better way to describe the system of policing, prosecution, courts, and corrections in North America.²

Carceral Feminism, another important concept and term, is used throughout the report. We raise this concept because of the tension of this approach and who it harms (and continues to harm). While we agree and applaud efforts to move gender-based violence out of the private realm and into the public, we also acknowledge the disproportionate harm experienced by Indigenous and equity-deserving groups because of criminal legal policies and the systems that uphold them. We believe the feminist anti-violence movement needs to reassess its relationship with government, including the criminal legal system, child welfare, and police, especially as we move forward with reconciliation, healing, and repair practices.

Acknowledgement of History

We honour that the breadth of alternative justice practices identified in this project is rooted in various Indigenous traditions, Black, and racialized social justice movements. Proper acknowledgement of history is critical and we recognize that, as we move forward, we cannot ignore the origins of the concepts or the decolonizing commitments it requires of us.³ As two White settlers engaged in this research, it is our responsibility to continue to grapple and make meaning of our troubling colonial histories and interrogate our own decolonizing and anti-racist processes to ensure we do not create further harm.

We write this report in the hope of contributing to a national dialogue on how we can better support the use of practices and approaches *outside* the criminal legal system that promote accountability, healing, and repair for those experiencing and those causing harm. We believe this approach is a critical component of preventing and healing from sexual violence and harassment and to advancing gender and social justice.

Finally, we recognize this work is fraught with complexities, may challenge our ideologies, and even our experiences, and we call on you to help re-envision what justice for survivors and people who cause harm can look like moving forward. Efforts to advance alternative approaches must engage and mobilize men and boys in ways that do not reinforce or recreate gendered power inequities, but also challenge our notions of retribution, punishment, and justice. This report is written in the spirit of uniting all people interested in healing, repair, accountability, and justice to stop sexual violence in Canada.

In Solidarity, Lana Wells, Caroline Claussen, Sharon Goulet–Wahpi osaw pihesiw iskwew

1.0 Introduction

Despite the #MeToo movement bringing much needed attention to the pervasiveness of sexual violence and harassment, the reality is this kind of violence remains a significant issue affecting millions of individuals and communities across North America. New models and approaches that support prevention and healing from sexual violence and harassment are desperately needed.

In 2018, Shift: The Project to End Domestic Violence (www.preventdomesticviolence.ca) developed a case for using reparative and transformative approaches to sexual violence. The ensuing report, "[The Case for Reparative and Transformative Justice Approaches to Sexual Violence in Canada: A proposal to pilot and test new approaches](#)"⁴ has outlined the limitations of the current criminal legal system approach to sexual violence, and has reviewed restorative, reparative, and transformative justice approaches as a promising alternative to support healing, repair, and accountability.

In 2021, with support from the Canadian Women's Foundation, Shift continued the research to better understand alternative justice approaches to sexual violence healing and prevention in Canada. By alternative justice approaches, we mean those activities and interventions that are *outside* the criminal legal system, that are victim and survivor-centred, trauma-informed, and promote prevention, accountability, justice, healing, and repair. The research project involved reviewing academic and grey literature and interviewing advocates and practitioners who engage in this work. Through these two data collection methodologies, principles, practices, training, and activities have been identified, along with developing a series of recommendations to continue to grow and support this area of practice.

What follows is a presentation of restorative and transformative justice practices within the Canadian context. To start, we detail the methods used to find organizations and practitioners working across the country in this space, as well as the supporting literature from around the globe. Subsequently, we present the literature review and interview findings in two parts: one centres on non-Indigenous practitioners, the other on Indigenous practitioners. Informed by all learned outcomes, we close this report with recommendations for the Canadian Women's Foundation and other key stakeholders on what is needed to build the field of alternative justice approaches to support accountability, healing, repair, and prevention of sexual violence in Canada.

2.0 Methods

There were two objectives for this research project. The first was to better understand what is required to build a foundation for alternative justice responses to sexual violence healing and prevention in Canada. The second was to gather research evidence and determine the capacities required to provide alternative justice services to people who have been harmed, to those who harm, and to the communities impacted by sexual violence.

These two objectives were fulfilled by answering the following four research questions:

1. Who is currently using alternative justice approaches to sexual violence in Canada?
2. What are the best and promising practices in providing alternative justice approaches to people who have experienced sexual violence, abuse, and/or assault?
3. What does it take for individuals and organizations to provide alternative approaches to people who have experienced sexual violence, abuse, and/or assault?
4. What is needed to build the field of alternative justice approaches in Canada?

We employed three data collection components:

1. An Internet-based search and reaching out to key contacts to develop a repository of names and organizations engaged in this work in Canada. This provided a starting point for the interview recruitment phase.
2. A literature review of best and promising practices in restorative and transformative approaches to justice, with a focus on their use with sexual violence.
3. Interviews with practitioners who work with alternative justice approaches in the area of sexual violence.

2.1 Internet-based searches and key contact connection

We began with efforts to identify who in Canada was currently working on alternative justice approaches. Of specific interest were approaches for survivors of sexual violence outside the criminal legal system and that were focused on reconciliation, restitution, reparative healing, and prevention.

We searched for individuals and organizations using both broad and targeted search strategies. First, we conducted Internet-based searches to identify the names and contact information of individuals and organizations engaged in alternative justice approaches in Canada. To accomplish this, we used search terms such as restorative justice programs (or alternative justice programs, or transformative justice programs) AND sexual violence (or rape, or sexual assault) AND Canada (for a complete list of search terms, see Appendix 1). We searched the first five pages of results, clicked on relevant sites, then clicked on links within that site to find additional organizations and individuals.

After reviewing results from broad searches, we completed more targeted searches. We used terms such as “reserve,” “First Nations Reserve,” “rural,” and “remote” to identify more Indigenous programming, along with organizations outside of urban centres. In addition, we conducted a search using each province or territory name in conjunction with restorative justice terms. Finally, we searched university websites to identify approaches being used on campuses and academic research being conducted in this area of study.

To capture those we might have missed in our internet searches, we developed an email communication to send to a list of 242 contacts from Shift’s relationship work. This communication informed individuals of the project and asked them to provide contact

information for those working in the field of approaches for victims of sexual violence outside the criminal legal system focused on healing, repair, accountability, and justice.

2.2 Literature review

We conducted a scoping review of the literature guided by the question: “What are the best and promising practices in providing alternative, restorative, and/or transformative justice approaches to people who have experienced sexual violence, abuse and/or assault?” See Appendix 1 for a detailed literature review methodology. Briefly, we searched six academic databases in addition to Google Scholar. We also searched the grey literature by conducting Google searches on the topic.

2.3 Interviews

We utilized two different sampling methods—purposive and snowball—for practitioner interviews. We chose purposive sampling as our primary strategy to ensure representation from across Canada, from Indigenous organizations, and from rural and remote geographic communities. Using the names and contact information generated by the initial Internet search, we emailed participants, inviting them to the study.

Fifteen individuals were invited to participate in the study, and twelve individuals responded with interest. Subsequently, one declined to be interviewed and two individuals could not be scheduled within the timeline of the study. During interviews with the remaining thirteen, we asked participants if they knew of others working in this area with whom we should be speaking. Through this process, we were in touch with three additional individuals, for a total of 16 interview participants.

Below is a table outlining the regions, provinces, and contexts in which organizations/participants practice.

Table 1. Participant demographics

Regions	Provinces	Non-Indigenous	Indigenous	Total Participants
Central	Ontario	5 (Urban)		5
	Quebec	1 (Urban)		1
Prairie	Alberta	2 (Urban)	1 (Urban)	3
	Manitoba		2 (Rural and remote)	2
West Coast	British Columbia	1 (Urban)	1 (Urban)	2
Atlantic Provinces	Nova Scotia	2 (Urban)	1 (Rural)	3
TOTAL		11	5	16

We used a general interview guide to conduct interviews (see Appendix 2). Most took place over Zoom and were completed within 60 to 75 minutes. One participant provided written responses via email due to scheduling conflicts and another was interviewed via telephone. Interviews were audio recorded, subsequently transcribed, then sent back to the participants for a final review in a process called member-checking. Four people responded to the member-checking process, clarifying their statements, or adding more details to the transcript for our context.

In recognition of Indigenous histories, social and economic environments, and personal and family experiences with Eurocentric, patriarchal, and colonial systems, an Indigenous specific lens was applied to the interviews of the five Indigenous practitioners in the study. The purpose of conducting and analyzing these interviews separately was twofold: (1) People who reached out to us mentioned that Indigenous communities have a long and unique history of working with these approaches that should not be conflated with Western colonization of these approaches, and (2) the Canadian Women's Foundation had a specific interest in Indigenous, rural, and remote communities and their use of alternative justice approaches. A member of our research team who has extensive experience working with Indigenous organizations and is, herself, a member of the Metis Nation of Alberta, co-conducted these interviews and led the data analysis, write-up, and recommendations presented in Section 3 of this report. While the findings are separated into unique sections, the research was conducted in an integrated and parallel process. For the remaining 11 interviews, we employed a thematic analysis, going through phases of the analytical process as outlined by Braun and Clarke.⁵ Thematic analysis is a research method for identifying, analyzing, and reporting themes in qualitative data. The first and second authors conducted an initial reading of the interview transcripts and took notes on emerging ideas from that reading. We then developed codes based on interesting features in data (e.g., relation to research questions) and key findings from the literature review. Next, we merged codes and themes and discussed these as a means of validation prior to further analysis within the context of the project's aims and objectives. We also reviewed codes and themes with the Indigenous-focused findings to identify any synergies and high-level similarities.

The primary investigator then met with four experts in system and clinical restorative practices to triangulate the data and further the analysis and recommendations emerging from the interviews. Triangulation in qualitative research is a practice that enhances research accuracy and credibility.⁶ It encompasses comparing multiple perspectives, sources, or methods to corroborate the analysis and build credibility of the study. A draft was finalized and sent to the participants for review and feedback as a final triangulation step. We received comments from three participants, and recommendations and content was enhanced, resulting in this final copy. The University of Calgary Conjoint Faculties Research Ethics Board approved this research study.

2.4 Limitations

There are a number of limitations to consider in relation to this research. First, the results in our repository were based on web-searches only. If organizations or individual practitioners are not on the internet through a website, we would not have included them. We acknowledge that

there are likely many more grass-root organizations and practitioners doing this work than what we were able to glean from web searches, which ultimately impacted who we invited to this study and whose voices are captured in this report.

In regard to the literature review, we did not include articles written in any language other than English and acknowledge that we may have missed many pieces of work because of this exclusion criteria. We also did not include articles that focused on restorative justice approaches used with other forms of violence, such as armed conflict or mass murder. Reparative justice and transitional justice are two examples of alternative justice approaches used to move past violence and authoritarianism and ensure that the violence suffered by victims is acknowledged and repaired. Typically, with community reparation, the demand is for some form of compensation for survivors and their families, even generations later. We recognize there is a substantial body of literature in this area. However, we felt that the focus on transitional justice was outside our scope, given the focus of these approaches to securing international criminal justice.

More broadly, our research was focused on understanding on who was doing this work in Canada and how they were doing this work. One thing that emerged, which we do not address, is the meaning behind various terminology that is being used in this field. Conflict, harm, and violence are just some terms used by practitioners. We did not delve into the meanings behind these terms and acknowledge that this requires further research and conversation.

3.0 Section One: Findings from Internet Searches

Using the research terms described in our methods (See Appendix 1), we identified 43 Canadian individuals and organizations involved in some form of alternative justice approach (see Appendix 3 for a list). Below is a summary of the findings from our internet search.

Involvement in alternative approaches

While we identified 43 individuals and/or organizations stating that they worked with alternative approaches, only 26 were clearly working in sexual and domestic violence healing and prevention (based on review of website content). We included all 43 individuals and/or organizations in our repository list because it may be possible that alternative justice approaches might be used and simply not identified on the websites.

Rural, Remote, and Northern

Our Internet searches identified very few groups, organizations, or institutions working in rural, remote, or Northern areas. However, there may be many more doing this work, albeit not promoting their work and/or approach through the Internet (e.g., new pilot projects, clinical practitioners in private practice, etc.). We identified four entities that met our service criteria.

Only one was serving Northern communities. The remaining three were scattered across the country, with one in Saskatchewan, one in Manitoba, and one in Nova Scotia.

Indigenous

We identified five organizations that were focused on alternative justice approaches to sexual violence healing and prevention among Indigenous populations. These organizations focused on issues of violence beyond just sexual violence (Hollow Water, National Aboriginal Circle Against Family Violence, Native Clan Organization, and Pauktuutit Inuit Women of Canada).

4.0 Section Two: Findings from the Literature Review and Non-Indigenous Practitioners

The literature review and interviews with 11 non-Indigenous participants revealed eight broad themes:

1. The need for models outside the criminal legal system to advance accountability, healing, and repair from sexual violence
2. The philosophical beliefs that underlie and impact alternative approaches to justice for survivors of sexual violence
3. The importance of the language we use to support healing and repair
4. The critical principles that guide this approach and practices
5. The required aptitudes, skills, and training for practitioners
6. The best practices and processes to promote justice, accountability, healing, and repair
7. The tensions and barriers that exist for practitioners
8. What is needed to promote and build this field of practice

4.1 The need for models outside the criminal legal system to advance accountability, healing, and repair from sexual violence

Only about 5% of sexual assaults in Canada are ever reported,⁷ and of those that do make it to court, conviction rates are low. Analysis of crimes reported by Canadian police have shown that between 2009 and 2014, only a fraction of those sexual assault cases reported to police have resulted in a criminal conviction.⁸ Victims, advocates, and scholars have voiced concerns that there are many barriers for victims of sexual violence to engage with the current criminal legal system,^{9,10} such as inconsistent and discriminatory police investigations,¹¹ prevalence of rape myths reinforced through biased practices, stereotypes that negatively affect sexual violence claimants experiences in the legal system, and the overall experience of being retraumatized from the judicial system.¹¹

Studies examining sexual violence victims' perspective of the criminal legal system have found that individuals have a desire for recognition, voice, dignity, and outcomes that are beyond punishment.¹² Research has shown that victims want options outside the judicial process and will often choose one if made available.⁹ While the use of alternative justice approaches outside the

legal systems has been debated in the literature, there is evidence of its increased use for sexual violence prevention and healing.¹³ Studies have demonstrated that participants are highly satisfied with alternative justice approaches, even in cases of severe violence.^{4,14-16} The intention is that these approaches allow victims to experience greater control and validation^{9,15,17,18} as well as reduce post-traumatic stress symptoms.^{9,19,20}

Research has also suggested that alternative approaches benefit aggressors, in that they help support offenders' recognition of victims' emotions,^{14,21} repair harms and make amends,^{13,14} and raise the potential for offenders to receive counselling and reduce recidivism. Despite trends towards increased use of non-judicial methods of healing, evidence is still emerging around its use and outcomes.²²

What we heard from participants

Two sub themes emerged from interviews regarding the need for justice options outside the criminal legal system. First, our participants used the language of "criminal legal system" as opposed to "criminal justice system" and were very vocal about how the criminal legal system does not serve survivors of sexual violence. Hence, they advocated for services outside the system:

Upwards of 90% of folks who access our service want to talk to the person who harmed them about what happened and explain the impact. Receive some sort of apology and admission of harm caused and then figure out or hear some ideas around ways that like it wouldn't still happen again in the future...Time and time again we'd come up against the reality that our internal system can't provide that, and certainly the criminal legal system cannot either.

The understanding that the criminal legal system is not only ill-equipped to meet survivors' needs, but perpetuates further harm, was discussed:

The criminal legal system is a site of trauma and harm—who on Earth are we going to send there for justice?

Further to not serving survivors, participants said the system fails the aggressor as well:

...the criminal legal system more broadly harms all people involved in it. It's not just harming survivors, but it's also then just throwing aggressors into a system that is incredibly violent and retraumatizing or traumatizing.

This led to the second sub theme, which was recognition that for sexual violence to end, systems and practitioners need to work with aggressors in a meaningful way, as discussed by one participant with a long history of service in this area:

I started working with folks who caused harm earlier and it shifted how I felt I could show up to the work because it just felt like not engaging with people who caused harm is really an un-useful process.

Many participants recommended there be a move away from language such as “victim” and “perpetrator.” Rather, participants used the language of “person who was harmed” and “person who caused harm.”

Participants were also clear there is a need for alternative justice options focused on working with aggressors. For many participants, the key to prevention is efforts that engage men and those who perpetrate harm to stop gender-based violence. As explained by one practitioner with a long history of conducting men’s groups:

Men’s circles can’t emerge in isolation. They really must be accountable to the people who experience the violence of masculinity. That’s who they must be accountable to. There must be some relational accountability there.

This idea of relational accountability emerged strongly throughout the interviews and is addressed in the next section.

4.2 The philosophical and theoretical ideas and beliefs that underlie alternative approaches to justice for survivors of sexual violence

Alternative justice approaches have a long history of use by a variety of cultures and religions.^{23,24} While alternative justice approaches were developed in North America in the 1970s, the roots are much wider and deeper.²⁴ Indigenous communities in North America and New Zealand have been using versions of these approaches for centuries.^{23,24}

Some scholars have suggested that restorative justice is more of a philosophy that describes a wide variety of practices related to participants, stages of the criminal justice process, when it is used, and what constitutes desirable outcomes.^{13,25,26} Others have pointed to the philosophical limitations of restorative justice. They argue that traditional restorative justice approaches do not go far enough to transform “persons, perspectives, and community.”²⁷ Sullivan and Tifft have suggested that restorative justice needs to extend itself to transformative possibilities, one that considers the social-structural conditions that constrains lives and creates harm.²⁸

Within the past two decades, Black and racialized feminists, and 2SLGBTQ2AAI people have turned to concepts of transformative justice as an alternative to the carceral (prison) response to gender-based violence.^{20,29} Advocates have felt that the shift to ensuring gender-based violence, including sexual violence, has been codified as a criminal-legal issue, has contributed to the growth of the prison industrial complex.²⁰

“Carceral feminism”^{29,30} is a term used to describe the active collaboration of the feminist anti-violence movement with the government and all the legal institutions focused on surveillance, arrest, and incarceration (i.e., police, prosecution, courts, prison system).³⁰ Elizabeth Bernstein, a professor of Women’s Studies and Sociology at Barnard, was the first to use the phrase carceral feminism.³¹ Scholars and advocates have argued that this approach has reinforced the State’s power to punish gender-based violence and has disproportionately harmed Indigenous, poor communities, and communities of colour without keeping victims safe.^{20,29} As a result,

Indigenous, Black, racialized and 2SLGBTQ2AAI communities have looked to other models of justice that are rooted in structural and community change instead of the formalized criminal legal systems.^{29,32,33} In these situations, the focus is on individual and community healing, accountability, and repair while using the healing process to instigate systems (structural) change.²⁷

What we heard from participants

Participants spoke about some of the philosophical and theoretical ideas underlying the carceral system, such as punishment and isolation. Systems of harm (such as the criminal legal system) are focused on rules and regulations; according to one participant, it “ignores the reality of the people who carry the weight of being harmful.” These systems are also grounded in the belief that the State can serve justice. For example, one participant described her move from being a carceral feminist²⁹ to exploring restorative approaches for gender-based violence. Her shift was based on experiences with high-risk domestic violence cases and the realization of the profound harm the State was causing in the lives of families who had experienced domestic violence:

I was what is now known as a carceral feminist or a governance feminist in that believing that the State could protect women in domestic violence situations...I decided to go back to school to do my PhD. I decided to work on this issue of high risk and how it has harmed women in the domestic violence cases. You know, I discovered material on, restorative approaches and restorative justice in domestic violence files.

Many participants discussed how seeing the humanity of the person who caused harm, as opposed to focusing on the law that was broken and the required consequences, is critical to moving toward approaches that provide justice:

We need to see that person like a whole person and understand what sort of needs for them weren't met by our society.

This propensity to recognize the humanity of people who caused harm directly opposes the criminal legal system, where, according to one participant, the approach is to say, “You don't exist here anymore.”

One participant discussed how the underlying philosophy of alternative approaches can differ based on geography, context, and culture. For example, restorative approaches emerged from collective cultures and were then co-opted by practitioners in various geographical and religious contexts around the world, all of which have their own socio-political cultures. According to one participant:

...the way it [restorative justice] grew up in the United States...was influenced particularly in the early days by [name of person] work on victim/offender mediation, which is more of an individualistic model.

The participant explained how, in New Zealand and Australia, restorative justice options were built upon collective culture approaches, which are distinctly different from the individualist approach taken in the United States.

This idea of being culturally responsive is an important consideration to the application of these models, as context matters. Participants agreed worldviews vary. Indigenous worldviews, according to one participant, differ from “colonial settler worldviews.” Based on interview data, it is clear that variation in worldviews shapes the restorative response taken.

4.3 The importance of the language we use in this work to support healing and repair

The literature has noted that the absence of a consistent definition of alternative justice approaches poses challenges, as ambiguity results in difficulties for evaluation and the establishment of best practices.²⁵ However, through the literature search, two primary terms dominated: restorative justice and transformative justice. Other terms found in the literature to describe alternative resolutions to gender-based violence, although far less common, included “kaleidoscope justice” (typically used to refer to the shifting and interrelated aspects of survivor’s justice needs; pg. 205),³⁴ non-punitive accountability, and transformative accountability.^{35,36} Due to their limited use in the literature, we have focused on restorative and transformative.

Restorative justice is often an umbrella term that encompasses approaches focusing on reparations as opposed to punishment and retribution.²⁶ Restorative justice is a relatively novel response in Western cultures, despite having long-standing roots in Indigenous cultures.⁹ It has been taken up by the criminal legal system most often as an alternative approach to juvenile justice,²⁹ but has been practiced and used in other contexts such as schools and workplaces, as well as an independent or complementary method to formalized criminal legal systems (e.g., police, courts, probation, etc.).²⁷

Transformative justice provides a conceptual framework that links sexual violence work with other social justice projects.³⁷ Collective, community-based responses to sexual violence are the focus of transformative justice, as opposed to looking to the criminal legal system.³² This approach seeks to build support and safety for the person harmed, as well as explore how the broader community and societal context was set up to allow this harm to happen.^{33,37} Transformative justice also seeks to understand how systems of harm can be changed so that harm is less likely to happen in the future.³³

There is a degree of overlap between restorative justice and transformative justice. Both forms understand harm not as a violation of law, but as a violation of relationships.²⁰ The emphasis is not on punishing crimes, but on repairing harm that has occurred.³¹ Both alternative approaches seek to decrease the role the State plays in responding to crime (although restorative justice can run in tandem to or as part of the criminal legal system).^{32,38} Furthermore, both approaches work to increase the involvement of personal, familial, and community networks to repair harm caused by violence. While acknowledging and addressing that structural oppression is a key facet of transformative justice, some scholars have pointed to the potential for restorative justice to include conversations about historical, intergenerational, and community trauma to address the role structural oppression plays in interpersonal violence.^{23,39}

Despite these degrees of overlap, however, there are those who have suggested the two forms differ in important ways. First, some literature on restorative justice suggests RJ seeks to restore relationships to what existed *prior to the violence occurring*, thereby providing an opportunity to the survivor, person using violence, and wider community to engage in dialogue about the impact of violence and ways to repair that harm.²⁰ Transformative justice, on the other hand, does not want to restore relationships to what existed prior to the violence occurring, given that unjust social conditions have created the context for that harm to be perpetrated.^{20,37} Transformative justice seeks to transform the relationships and broader social conditions that have allowed for violence to occur in the first place.^{20,37} It is important to note that some foundational RJ thinkers have aligned with these ideals and clarify that a fundamental goal of RJ is to foster movement toward relationships of social equality.²⁴

Second, historically in Canada, restorative justice has tended to be implemented alongside or within the formalized criminal legal system.⁴⁰ This relationship to the criminal legal system remains a central and critical feature that distinguishes the two alternative justice approaches.^{29,32,38} While restorative justice is provided as an alternative or alongside to the criminal legal system, it leaves the system intact without interrogation or transformation.²⁹ Transformative justice, however, is purely community-based, using community organizing and empowerment to dismantle structural oppression and bring the community closer to social and economic justice.^{20,37}

What we heard from participants

There was discussion from several participants about the importance of language in relation to this work. They felt that while there is no “right” way, practitioners wanted to be specific in their language to honor people’s experiences. Participants recognized that using one term over another has implications for how people understand and experience the work:

We had a lot of diverse practitioners and perspectives. When you say restorative, like you mean something specific in our context in Alberta, you’d be talking about a system that operates predominantly within a carceral system or is maybe sort of diversionary but usually only offered post incarceration or simultaneous for incarceration for lots of folks. So you know that might not align with a lot of people’s values and when you say transformative, I think you’re also talking about processes that are seeking to eventually change or transform the nature of relations and challenge the systems.

So language does matter. I mean, I used to like, “Oh I can’t...” but now I’m like if I don’t get some push back, I’m not pushing boundaries...the initial push back that I got was when restorative justice grew out of dissatisfaction with the certain aspects of the criminal justice system...So different places around the world changed the second word, the justice word. So restorative measures, restorative approaches, restorative practices, restorative whatever if you didn’t use the “justice” word.

Many participants spoke about the essential elements within various alternative justice approaches, specifically restorative justice and transformative justice. They recognized the unique starting points and elements that the approaches have. For example:

So when I think of transformative justice, I think about harm that's getting addressed around the coffee table, like in living rooms and kitchens in familial networks, social networks...it's entirely community-based support that has no intersections with any systems, just people.

Language, and the meaning of the chosen language, differed based on geographical context. One individual who had been practicing this work in various locations across the globe discussed the variations in meaning:

I learned that restorative justice in Australia and the way they approach it, think about it, operationalize it, they think about it in a very different way in the United States. How they think about restorative justice and how I think about restorative justice [in Canada] are two different things.

Some participants found other ways to describe the framework of accountability that they were engaged with, such as “community accountability,” according to one participant. This involved examining the key elements of the approach, then using language to encompass that approach. In some cases, however, this too was not without challenges, as reflected by one participant:

I try not to use the language “alternative” because...it's like a political standpoint that I don't, like it isn't, when we use the language of alternative, it creates the notion that like there is like the model and then there's an alternative model...so I think it reiterates this thing that, um, devalues our RJ and TJ [restorative justice and transformative justice] approaches...like alternative because it creates this idea like, “Well, if I can't get this then I guess we'll settle for this.”

Participants were cognizant of the appropriation of restorative and transformative justice approaches, and as a result, were careful about choices of language. As explained by one participant:

We're also mindful of not encroaching, not sort of taking on restorative justice because none of us on the committee doing the work identified as Indigenous.

While language does matter, participants reflected on the challenges of achieving consensus on any one term or description, given people's understanding and philosophical views of alternative justice approaches.

4.4 Critical principles that guide this approach and practices

Currently, there are few established evidence-based practices identified in the literature on using alternative justice options for sexual violence prevention and healing.^{20,25,41,42} What has been found in the literature is that restorative justice requires people who do harm to accept and acknowledge their responsibility in perpetrating that harm.^{9,25,43} Full participation by the offender is another critical principle of restorative justice approaches.^{25,44,45} It means that

offenders must invest themselves in active efforts to repair the damage they have caused, as opposed to accept sanctions or punishment passively.²⁶

Given that the needs of the victim are foundational to a restorative justice approach, a degree of flexibility and responsiveness is required by facilitators in how the process unfolds.^{44,45} What constitutes as justice for one victim may not constitute justice for another.⁴⁶ Despite the potential for flexibility, there are certain principles that underlie any restorative justice approach. They are:

- Safety for all participants (e.g., physical, and emotional)^{45,47}
- Voluntariness (especially on the part of the victim, but also the offender)^{25,45}
- Respecting the rights of all participants (e.g., ensuring no coercion takes part in the process, upholding the right to withdraw from the process at any time, etc.)^{45,47}
- Transparency (i.e., open processes and outcomes)^{9,44,45}
- Empowerment of participants (e.g., through an active participatory process that provides space for all voices to be heard)^{23,26,45}

Research on transformative justice approaches has illuminated several other principles. First, the roots of interpersonal violence are embedded in structural inequalities and harm.^{29,32,38} This means that crime and violence are viewed within a context, where society and the government are viewed as offenders.³⁸ As such, transformative justice approaches seek to understand and change the structural causes that reinforce or support the violence.

Transformative justice approaches also stipulate that everyone has a role to play in holding the person who triggered the harm accountable, and emphasizes local agency, resources, and community contexts.^{29,32,37} Community organizing and empowerment are opportunities to create pathways for healing and structural, transformative change.^{32,37} Other principles identified with transformative justice approaches include:

- Safety and accountability without alienation, punishment, or State/systemic violence (i.e., no policing or incarceration)^{32,37,48}
- Self-determination based in local contexts (i.e., individuals and communities building options for safety and justice)⁴⁸
- Processes for healing and transformative change are equally important outcomes⁴⁸

What we heard from participants

Many alternative justice principles were identified. According to one participant, taking an intersectional “anti-racist, feminist, and trauma-informed” lens when approaching this work is critical, regardless of the approach or model used. Several participants articulated how being trauma-informed was necessary in all aspects of the work, not just with survivors:

We need to be trauma-informed with offenders in addition to survivors of course, and for a lot of offenders there is, sexualized violence offenders, the roots of their criminal actions if you want to call them that, have something meaningful to do with adverse childhood experiences.

Participants were vocal that a guiding principle to this work must be compassion and kindness, primarily because of the recognition that the person who caused harm could also be a survivor of trauma themselves. As explained by this participant:

Because we're not here about retribution and we're not here about harm. We're here about, you know, healing. How do you heal the world? You heal the world by leading with love, kindness, and compassion.

Participants understood the relationality that grounds alternative justice approaches and the layers involved. Relationality is not just about a survivor or aggressor knowing each other or being connected in some way in the community, but, as one participant stated, harm is not “unidirectional and it’s not only between two people.”

According to one participant, being trauma-informed *and* survivor-centred was “the centerpiece” of this work. The quote below illustrates how this principle plays out in alternative justice approaches:

One piece I think that's a huge departure from the criminal legal system is, in restorative justice, our starting place is believing survivors.

This emphasis on being survivor-centred also means that flexibility and customization are necessary, and as such, a one-size-fits-all approach is at odds with the realities of alternative justice approaches. As explained by this participant:

You know, sometimes the survivor will say, “I don't want to see this guy, I don't want to be in the same room with him, I don't want to invest a whole bunch of time in this, but I have this one question, can you go and get me an answer to this question?” And I'll do that and bring the answer back. Or she'll say, “I have a lot of questions and I don't want to see him in the same room at the same time. Could you, but I would love to see into his eyes, I would love to hear the tone of his voice as he struggles to answer my questions. So if he's agreeable, would you video tape him answering these questions, and then I can come back and watch the tape?”... Yeah, we are trying to offer as broad a menu of possibilities as possible. Recognizing that each one of those possibilities, its actual shape will meaningfully be determined by the survivor.

Ultimately, flexibility and customization require meeting people where they are at in each point in time.

In the criminal legal system, punishment and retribution are guiding principles. With alternative justice approaches, however, accountability and healing are the guiding principles. Many participants discussed accountability, both the primacy of it and how it connected to other principles, such as being survivor-centred and meeting people where they are at:

We think of accountability on a spectrum. You know, easy first step, not easy but primary step is just admitting that you did it, then you're showing some understanding of how it impacted others, to caring concern about making things right. Then really involving in almost like a daily plan of making sure harm doesn't happen again. So what we need with the survivor, we want to find out what does accountability look like for her.

Accountability is not just about the person who caused harm. Participants spoke about the need to take accountability as practitioners of alternative justice approaches. This was explained by one participant:

Being able to take accountability is probably the hardest and biggest one. Because you can't possibly run one of these processes if you don't have the capacity to build into it, being able to take feedback about your own work in the process.

4.5 Required aptitudes, skills, and training for practitioners engaged in this work

Regardless of the models or processes used, the literature has suggested that the quality of facilitation in the alternative justice approach has the most direct impact on participants.^{49,50} Despite this acknowledged importance of facilitation, however, there is limited and contradictory research documenting how facilitation skills develop or what constitutes effective training.^{49,51,52} In fact, some scholars have suggested that the role of facilitation has been largely ignored in the alternative justice literature.⁵³

Studies examining practitioners of alternative justice approaches have identified that facilitators can be professionals or volunteers.^{54,55} Research has found that practitioners can be those with or without a therapeutic qualification, where knowledge and experience of sexual violence can range from very limited to more expert (with more expert being the preferred case in sexual violence).⁵⁴ Overall, studies have highlighted that some practitioners have training in sexual violence, but not alternative justice, or some have training in alternative justice, but not sexual violence.⁵⁴

Research has identified that training courses in alternative justice approaches typically involve some basic teaching together with facilitated discussion, role-playing, and other learning modalities (e.g., videos, films, etc.).⁵⁴ Most training is short term and is intended to develop basic or foundational skills, usually involving three to five days of instructions.⁵⁴

Recently, attempts have been made to research and identify best practices in facilitating alternative justice, particularly regarding sexual violence.^{13,54,56} Research has shown that practitioners need a foundation of knowledge about the criminal legal system (e.g., how it works), alternative justice practices in general, as well as what it means to be victim-centred and trauma-informed⁴⁹ from a gender lens.

The literature has also pointed to the core skills needed by practitioners for effective provision of alternative justice. Scholars have suggested that, specifically in cases of sexual violence and harassment, appropriate training is required, as, “we cannot shy away from daring to tread from having the training standards discussion in this sphere of practice” (p. 293).⁵⁴

The following are core skills identified in the literature that practitioners should possess:

- Good communication and personal skills (e.g., active listening, summarizing, and reflecting, awareness and ability to read body language and other non-verbal signals, etc.)^{49,57}
- Creating and maintaining safe environments (e.g., managing power dynamics, using trauma-informed practices, being non-judgmental, managing aggression and hostility, etc.)^{49,57,58}
- Engaging in respectful practices (e.g., treating all stakeholders fairly and without discrimination, maintaining neutrality, demonstrating cultural and diversity awareness)^{57,58}
- Risk and safety assessments (this was noted as being especially important with cases of serious crime, such as sexual violence).^{15,54,55}

Participants need assurances that practitioners are trained to the highest standards and are well-equipped to ensure their safety, psychological and emotional needs.⁵⁴ This skill includes the ability to review information and decide about the risks involved and the safeguards required.⁵⁸

Practitioners of alternative justice in sexual violence cases require additional skills from those mentioned above. Research has suggested they need to have a deep appreciation and knowledge of sexual trauma and its impact, an understanding of offender psychology, and a good working knowledge of the dynamics of sexual offending.^{54,56} Understanding gender and issues of power and control are also core skills specific to cases of gendered violence.⁵⁴ Furthermore, understanding how ideas about gender can also undermine people's ability to assess their own safety is important. Gendered ideas can lead men to feel they do not need protection and/or safety, and women to focus on the welfare of others at the expense of their own wellbeing.⁵⁹

Research in alternative justice facilitation has suggested that one core task of practitioners is making a good assessment of the suitability of a prospective participant.^{49,58} This is aided by advanced interviewing skills.⁵⁴ Spending time understanding the harmed person's needs, support, and resilience, along with the capacity and willingness of the person who perpetrated the harm to take responsibility for their actions, is an important aspect of facilitation.⁴⁹ Practitioners should also spend time assessing language or communication needs and/or difficulties, learning disabilities, historical trauma, and substance abuse and/or mental health issues.⁵⁸

While certain skills have been noted in the literature as critical for practitioners of alternative justice approaches, scholars have also recognized the intangible requirements of good facilitation. One study has identified the "art" and "subtleties" (p.351) of the process that cannot be discounted.⁴⁹ Having the ability to acknowledge the boundaries of one's own comfort and knowledge base, as well as recognizing when to seek help, are soft skills that come with experience over time.⁵⁸

Further to those already mentioned, skills often required by practitioners include:

- The ability to inspire confidence⁵⁷

- The ability to motivate and inspire⁵⁷
- The ability to react flexibly, creatively, and responsively to situations that may occur during the process^{49,58}

Practitioners often need to balance three sets of ethical norms: protection of the community, justice for victims, and offender wellbeing.⁵⁴ Knowing *when* to bring participants together can be just as important of a factor as *how* to bring them together.⁴⁹ Scholars have suggested that specialist training for practitioners of sexual violence and harassment cases needs to be philosophically and ethically rigorous enough to build capacity for engagement in reflexive practice around these ever-present tensions in the work.⁵⁴

What we heard from participants

Participants spoke about the aptitudes and skills necessary for this work. In fact, aptitudes and specific qualities were more often referred to as being essential to alternative justice facilitation than technical skills, as explained by one individual:

We are looking for people with sophisticated thinking, who can sit in grey and yet, you know, hold moral positions and that don't see right or wrong, black- and-white thinkers. People who are warm and strong, people who are optimistic. So we look for values like hope, grace, dignity, and patience.

Being warm, having curiosity and patience, and overall, possessing a high degree of compassion were noted by many participants. Understanding that the work requires meeting people where they are at any point in their journey was also discussed. Given that alternative justice approaches work with both the person who was harmed and the person who did the harm, holding space for compassion on both sides was viewed as important. One participant explained it this way:

If you're going to be working with an aggressor, somebody who has caused harm, you can't be judgmental, you can't be sitting there like you sucked on a lemon, angry judging in the back of your mind. You must come in the space with an open heart and be willing to help them.

Being able to sit in discomfort and reflect on one's own emotional triggers and reactions were noted as critically important personal qualities. A couple of participants felt that alternative justice work was "embodied work." For one individual, there was no way to acquire the skills to do this work without "sitting in the room for a long time" witnessing, observing, and practicing. Participants discussed how facilitators need to have unpacked and/or worked on their own biases, such as internalized racism, misogyny, and historic and intergenerational wounds (i.e., familial, cultural, systems).

Participants pointed to the knowledge and technical skills required to do this work. Reflective or "compassionate" listening was mentioned by many individuals, besides understanding

restorative or transformative justice, and understanding the criminal legal system in whatever jurisdiction a person practiced in.

All individuals pointed to the importance of understanding intersectional gender-based violence and its nuances, as illuminated by the quote below:

So I think to the extent that somebody is, could be a volunteer at our service, but understands why this form of violence is so different and why you know racialized violence is so different than you know, a violence or harm that happens when folks just disagree or can't see each other's side of things.

Aligned with understanding the dynamics of gender-based violence, several participants felt there needed to be someone on the team who could do risk assessments, wellness assessments, and safety planning. As explained by this participant:

My concern around [check-list type of risk assessment] is when we look at you know, if you have someone who has a background of doing IPV [intimate partner violence] work and you work with folks who cause harm the approach is different. The approach is like narrative. So rather than like having a list of questions, it's like engaging in a process where you just keep asking questions and then you pull out cues from the story that you're like, like they're creating.

Interestingly, several participants suggested that understanding the neuroscience of trauma would be useful in alternative justice practices. Staying emotionally regulated during difficult and triggering moments and understanding flight, fight, or freeze responses were all mentioned as valuable.

A couple of individuals mentioned using volunteers as facilitators. In those cases, well-trained volunteers were paired with senior volunteers or staff to facilitate alternative justice processes. When asked further about the use of volunteers versus professional staff, one individual explained:

If we're ever going to do anything meaningful to end violence, we must equip community members and believe that we all are quite capable of this...You don't need a degree for it, you need a bit of support and some understanding and coaching, mentoring these things...I really like the belief that we can all do this if we're well supported.

Regardless of whether professional staff or volunteer staff were used, interview outcomes clearly demonstrated that alternative justice approaches require selective personal attributes, in addition to technical knowledge and skills.

4.6 Best practices and processes to promote justice, accountability, healing, and repair

Preventing and addressing acts of sexual violence and harassment through alternative justice approaches can be grouped into four phases:^{4,60}

- Referral and initial contact^{9,44,45}
- Preparation⁴⁰
- Engagement (called conferencing in specific models)^{9,44,45}
- Post-engagement⁴⁴

The level of work or preparation depends on the severity of the harm. As scholars have pointed out, however, alternative justice phases are guidelines only, and should ultimately be situation-specific to repair harm for all involved.⁹

Referral and initial contact

A proper referral and intake process is imperative to ensuring positive outcomes for the harmed individual(s).^{9,39,40,45,56} With restorative justice approaches, referrals may come from a variety of sources, depending on whether the process is a diversion or probation option through the criminal legal system or an alternative to formal court proceedings.⁶¹ Given that transformative justice approaches are primarily community-based and generally seek to avoid a system considered oppressive, referrals may come in several ways.^{37,38} For example, at Philly Stands Up, a US-based program, individuals may approach a volunteer from the core collective and disclose that they had experienced sexual violence. The volunteers then work on connecting with the person who committed the harm and initiate an accountability process.³⁷

A thorough assessment of the referral is important to ensure suitability and to determine the level of risk and danger.^{39,45} This assessment of risk and danger is typically more robust in cases of sexual violence than required in other types of crimes.¹³ The assessment focuses on whether there are any vulnerabilities to consider (e.g., age, learning difficulties) that might put the victim in a position of further harm.⁵⁶ Understanding power imbalances between victim(s) and offender(s) is an important consideration during this phase.^{45,56}

During this time, assessment of the responsible person is also conducted to ensure they are a good fit with the process.^{9,56} Having the person who caused harm accept responsibility for their actions is a critical part of the intake period.⁹ This offender assessment is an important aspect of the process.⁵⁶

In transformative justice approaches, group and/or community discussion may occur to ensure that collective members are able to take on and address the situation.³⁷ It may be the case that there are components of the situation that volunteers are not equipped to handle, for example, due to potential emotional triggers.³⁷

Preparation period

The length of preparation necessary for successful implementation of alternative justice approaches varies on severity of the harm.^{9,49,59} Part of this process is meeting with the victim and understanding their view of the offense and its impact.⁴⁵ To fully prepare, the harmed person

should also engage in psychological support before the process begins (as well as during and after).⁹ Paying close attention to the wishes of the person harmed is critical. This might include understanding when and where to hold the meetings, whom else might be invited, the suitability of support people and professionals, etc.^{39,45,56} Opportunities to visit the venue where the meeting or conferencing will take place in advance can also be helpful in letting people know exactly what to expect.⁹

Preparation with the person who caused the harm is also important to the process. This includes exploring the person's remorse, their ability to address the harm caused, and be accountable for their actions.⁵⁶ Obtaining an accurate and detailed description of the offense by the person who caused harm highlights their capacity and willingness to take responsibility.⁴⁹ Further considerations, such as the potential for power imbalances and circumstances specific to the harm caused, are also explored during this time.⁵⁶

Preparation also involves consulting the person who perpetrated the harm in the design of the alternative justice approach.^{37,48} This helps create engagement and buy-in with the process.³⁷ Furthermore, preparing together provides an opportunity to model prosocial behaviours, such as clear communication, showing respect, and practicing empathy.³⁷ Working with both those who were harmed and those who caused harm helps them understand both the structure of what will happen (e.g., who will speak first) and what the discussion could include (e.g., exploring how a participant might react when faced with anger).⁵⁰

Logistical requirements, such as timeframes and potential venues, along with any cultural or interpretation needs, are planned during this phase.⁴⁵ There is no set length of time for preparation as each situation is unique.⁵⁶

Engagement between those who experienced harm and those who perpetrated harm

This stage of the alternative justice process will look different depending on the model used and the wishes of the harmed person. For example, in circles of support models (CoSA),* the person who was harmed does not take part in the process. Sometimes, a harmed person may not desire a face-to-face meeting, and instead, a surrogate victim may be used.⁹ In this case, a harmed person of a similar crime speaks to the offender about the crime's impact on their life.⁹

For models where engagement between individuals occurs, a facilitator begins by reviewing the risk management plan and reinforcing the specific processes and rules that guide the conference.⁴⁵ Each person present has the opportunity to speak and share how the instance(s) of misconduct and/or violence has impacted them.⁹ The responsible person's component of the

* The Circles of Support and Accountability (CoSA) model focuses on the safe reintegration of people returning home from incarceration (usually high-risk, high-needs people convicted of a sexual offense). The exact models can differ depending on the location and needs of the jurisdiction, but CoSA models primarily include a group of volunteers who meet with the core member weekly and discuss the various challenges of reentry. See <https://cosa-ottawa.ca/> for more information.

session includes them describing the act they committed in sufficient detail to portray the offence, and after each person speaks, the person who committed harm summarizes what they heard.^{9,56}

During this stage, the harmed person identifies how the person who caused the harm can make amends.⁹ Accountabilities should always be participant-driven, and all participants should agree on how the progress and/or completion of the demands will be assessed and monitored.⁴⁵ These sessions generally conclude with some type of written agreement outlining the commitments and monitoring process.⁹ Regardless of how the engagement session is structured or what model is used, all processes should create space for truth-telling, reflection, and psychological safety.^{9,56}

Post-engagement

This phase is sometimes called “post-conference”⁴⁵ or “accountability and reintegration”⁹ or even more simply, “closing a process.”³⁷ Despite what it is called, several similar processes occur. This phase is about monitoring the accountability agreements and ensuring that both “the letter and the spirit of the demands have been met” (p. 56).³⁷

Debriefing all participants may occur in this phase. Checking-in with both the person who was harmed and the person who caused harm may occur immediately (e.g., the next day), or several weeks after the engagement session(s).⁴⁹ This process ensures participants are settled, and any reactions or lingering emotions are discussed and managed.⁴⁹

In cases of sexual violence and harassment, some scholars have recommended mandatory supervision of the responsible person(s) and counselling.¹⁶ Ensuring significant support for the person harmed post-engagement sessions is critical.⁶⁰

What we heard from participants

Interview participants expanded on many elements found in the literature. They spoke about using group models (such as a peer support model), dialogue services, and letter exchanges. Regardless of the model or process used, practitioners discussed how spending time in the assessment phase is a critical practice:

So the assessment phase is really the biggest part of the way that I navigate these types of situations. That’s a big checking-in, in terms of who is involved...speaking individually with folks to find out are people open to this at all? What do they need, and the interesting thing I can say too is for even just the conversation to check-in, even without getting into the resolution, has been quite a meaningful piece.

Participants were clear that the assessment and preparation phases should take as much time as necessary. As explained by one individual:

I always start with the people affected. Who has been harmed, what are their needs, whose obligation? So you just start there... “Just listen to my story, no one has listened to my story before, here is what I have to say. This is how it affected me and whose

obligation? I think these people are responsible. And if it takes a year for me to be ready for a restorative justice process, give me a year.” So those fundamental questions...they’re important.

Several participants discussed best practices in relation to facilitation, beyond the aptitudes and skills described in the previous section. First, several felt it is important to have facilitators who reflect the clients they work with, as explained by a participant:

When you seek help in the world, you want to see yourself reflected in the people that are helping you. And so that’s the deep understanding that we have.

Other participants referred to this as “lived experience” and how it is important for facilitators to have that lived experience to meet the needs of the population they work with.

The practice of co-facilitation was also discussed by a couple of participants. Not doing this work alone was believed to be an important piece of the process, as explained in the following quote:

We always use a co-facilitating model—you never do the work alone. You’re accountable to each other as facilitators...there’s always a debrief with facilitators after the process.

Spending thoughtful and unhurried time in the early phases of the work, together with ensuring facilitators are reflecting the identities and experiences of the people they serve, are important practices for doing alternative justice approaches. As this work is relational, co-facilitation is believed to be an integral part of the practice to ensure an ethical and accountable process.

4.7 Tensions and barriers that exist for practitioners

Historically, there has been limited support to using alternative justice approaches as responses to sexual violence and harassment.^{9,13,20,62} There are several reasons for hesitancy. In many cases, the offender is most often known to the victim and can be in a trusting position of power,^{19,56} leading to significant issues of betrayal and trust.⁵⁶

Criticism of using alternative justice approaches for sexual violence and harassment includes the potential for revictimization.⁶³ Offenders may use techniques of minimalization, rationalization, and justification to for their offense.¹⁹ Furthermore, there are concerns for the safety of victims, especially in situations where there is a continuing relationship between victim and offender.⁶³ Another significant tension with alternative justice approaches is a lack of consensus on whether these approaches should be available within, alongside, or outside the formal criminal legal system.⁴⁶ Some scholars see its potential to accommodate and support criminal and civil justice. It can do this by creating a continuum of justice that can address the needs of victims, attend to due process rights of offenders, and ensure the community’s desire for accountability of sexual crimes.^{46,64} This potential is not without its challenges given the need to reconcile approaches that are principally based on voluntary admission of wrongdoing with core features of the legal system, such as due process, presumption of innocence until proven guilty, and right against self-incrimination.⁴⁶

What we heard from participants

All participants, to varying degrees of detail, discussed the tensions that exist specifically between the restorative justice sector and the gender-based violence sector regarding alternative justice approaches to sexual violence prevention and healing:

Restorative justice had to sort of earn its credibility in the eyes of the gender-based violence community for anything to happen. I'm tired of that.

One practitioner, who moved from the gender-based violence sector to the restorative justice sector, described how she understood the tension between the two:

I could see why these sectors weren't getting along. I could see the disrespect, so ah, we met first, I let my restorative justice team know that if you can't see feminist values in the work we're doing, that's a problem. You can't see the power and control and oppression and how that relates to violence. That is what the violence against women's sector is asking us to see and notice that these aren't relationship issues.

In the literature, best practice principles outline that with restorative justice approaches, victim, aggressor, and community are all to be viewed as equal participants in the process. The anti-violence sector naturally sees the victim as having to be front-and-centre; anything less is not acceptable and not survivor-centred.

A couple of participants felt there was almost a protectionist essence to survivors in the gender-based violence sector. This need to protect was seen as unhelpful to survivors getting the healing they might need. This was described by one practitioner with experience in the gender-based violence sector:

I think information, helping people access information, helping people work through their bias around it [alternative justice approaches]. More than their bias, they're like, like patronizing need to protect survivors in a way that doesn't actually centre the harm.

Participants reported that, at times, alternative justice approaches get conflated with other types of non-legal solutions to conflict and harm. Mediation is not the same thing as restorative justice, and participants were clear that this conflation was not only misguided, but unethical:

People think mediation is an alternative resolution, the same as restorative justice. I think that's one of my bigger battles. I'm ADR-trained (alternative dispute resolution), I'm a mediator. I don't practice, but I believe in those things, they're great. They are not restorative justice—on an ethical level they are not the same thing... people need to stop adding a line to their human rights office that states "RJ" underneath mediation. Like you know, they're not interchangeable.

A couple of participants talked about the inherent tension around the application of alternative justice approaches to all cases. For example, one interview that included two practitioners from the same organization discussed how they had to focus on who their services were ideally for:

We've had a conversation on, "OK, where is our cutoff? Are we going to be working with sort of serial rapists who were violent and used weapons, for example?" Decided no, we

don't have the capacity and those individuals require a length of time and particular expertise that we don't have.

In discussing the use of transformative justice principles in relation to accepting people back into a community, a participant referred to tensions in a campus setting:

It's a bit harder when we think about university campuses. How do you apply these models that are based in, and challenge cancellation or challenge pushing people out of communities? Because institutions don't really care about giving up on people.

While participants spoke about the tensions regarding the use of alternative justice approaches for sexual violence prevention and healing, they also identified recommendations to move this work forward. This is discussed in the next section.

4.8 What is needed to move this work forward?

The literature has clearly indicated that there is limited evaluative research on the use of alternative justice approaches, not just in Canada, but globally. This limitation affects the ability to identify best and evidence-based practices.^{25,41,42} Furthermore, due to the diversity of programming, it is often difficult to replicate findings. As such, the field is littered with single or small evaluations.²⁵

Evaluations should examine whether the program is appropriately implemented, what features of the approach are most effective, and if there is anything about the program that needs improvement.⁶⁵ McCold has suggested evaluating the following program variables.⁴¹

- Type of intervention
- Purpose of intervention
- Point of intervention
- Conditions of program eligibility
- Cost and time per case
- Facilitation style

What we heard from participants

While the literature has focused on the need for further evaluation and research to move the field forward, practitioners identified several other issues that need to be addressed to build a robust field within Canada.

We repeatedly heard that survivors want alternatives to the criminal legal system, however, there is a lack of funding for these approaches. In some cases, participants specifically pointed to the limited (or no) funding for men's programs, which are believed to be essential for addressing the issue of sexual violence.

...there's a lot of people working in the gender-based violence sector, there was this territorial nature. They feel that if you start giving money to men's programs, what's going to happen to women?

Other participants spoke about capacity issues and needing to ensure there are enough well-trained practitioners to do this work.

In RJ we need to have some good frank conversations about capacity. RJ as it has been articulated since the 1970s or so, has really been defined as very volunteer driven kind of practitioner sort of thing. To ask volunteers to take on this kind of stuff and to get all the training they need, man oh man, that is asking a lot.

Several participants pointed to the need to take care of the people doing this work, given the reality that this job often takes an emotional toll. As described by one participant, this is “highly tender and precious work.” Very often, what brings people to the anti-violence field is a desire to help others based on their own experiences of violence. Ensuring that practitioners have the emotional capacity to take on this role is significant. This is highlighted in the following quote:

I feel so strongly that, as a practitioner, as a facilitator, like I need to bring a full cup to that work. I can't be empty and burnt out to meaningfully support anyone through anything.

Some participants stated for the field to move forward, the criminal legal system needs to support alternative approaches so that survivors can take advantage of these options. This was explained by one practitioner:

We have several survivors who are ready. They want to engage in this process. But the obstacle is the criminal legal system. So the Crown's resistant, defense council, defense council has been amenable, they've been open. The aggressor's right, the men, their lawyers are saying, “Try it.” The people who are refusing to let it go are the Crowns so that's what we navigate.

A couple of participants felt that leadership to move this field forward needs to come from community, as opposed to any system or group of professionals.

I think that we need to take leadership from marginalized and frontline workers. People who come from queer, trans, racialized, Indigenous, disability justice backgrounds. I think that's critical. Like that's where the work comes out of.

4.9 Summary

Overall, these eight themes from both the literature and the participants suggest that there is a profound need for survivors to have options outside the criminal legal system related to healing and repair from sexual violence. While there is still some hesitation in using alternative justice approaches in sexual violence, there is evidence of well-articulated principles and practices to guide these approaches.

Alternative justice approaches require a high degree of knowledge and skill by facilitators, especially in cases of sexual violence. Having a well-developed trauma and gender analysis and an understanding of the dynamics of sexual offending, power, and control were noted as mandatory for working in this area.

Both the literature and participants discussed the tensions that exist between those engaging in alternative justice approaches and those working in the anti-violence sector. Clearly, more opportunities for cross-sectoral discussion are required.

Finally, capacity issues need to be further considered for this work to move forward. Research and evaluation of programs and services that use various staffing models (e.g., volunteers, paid staff, hybrid) would be a useful focus of research and evaluation efforts.

5.0 Section Three: Findings from Indigenous Practitioners

Background

Indigenous histories, social and economic environments, and personal and family experiences with Eurocentric, patriarchal, and colonial systems, such as justice, are unique to other Canadians. As such, an Indigenous-specific lens was applied to understand how Indigenous people conceptualize and interact with sexual violence in their communities through family and community-based programming. We selected interview participants based on their knowledge and application of Indigenous justice programming. Some were identified as best and promising via literature reviews, while others were recommended based on their community reputation in practice. We interviewed five Indigenous practitioners for this report. Several of these practitioners work in programs focused on supporting Indigenous people's experiences of sexual and other violence, while other practitioners serve a broader clientele. Practitioners were located across the country, with one in BC, two in Manitoba, one in Alberta, and one in the Maritimes.

Like the previous section, findings from the literature are followed by findings from Indigenous practitioners. Five broad themes emerged:

1. The use of Natural Laws as a foundation for practice and programming
2. The impacts of colonization and patriarchy need to be acknowledged in the approach
3. The support of cultural healing practices in lieu of Western justice
4. The use of a multidimensional approach in practice and programming
5. The support of capacity-building for Indigenous-focused practitioners and programming

5.1 The use of Natural Laws as a foundation for practice and programming

As an overarching best and promising model, relationality was most often described as the core theory of practice and is otherwise known as Natural Law in English. Natural Laws should not be

considered a synonym for Western justice, which is typically understood as justice for the State as opposed to restoring relationship. The Nehiyew (Cree) *wahkotowin*, and Nitstittapi (Blackfoot) *siim'ohksin* are understood as “kinship—Cree Natural Law of interconnection” and “a relationship with all things.” These concepts are the starting places for people facing sexual and other forms of violence.

Every Indigenous group has their own distinct worldview; the way in which they spiritually and physically position themselves in the world. Common among each group is how “relationship” is understood through the cultural principles of Discipline, Responsibility, Respect, and Accountability. When programs offer opportunities for participants to live authentically, in accordance with the powerful concepts behind these principles, their journey of healing becomes stronger and healthier. Gifted by Piikani First Nation Elder Dr. Reg Crowshoe (2019), these concepts are described as:⁶⁶

- ⇒ **Respect:** For oneself and others; for all living beings; Creator, ancestors; community, family
- ⇒ **Responsibility:** Being responsible to oneself and others to live a good life; to mentor others
- ⇒ **Accountability:** Being actively accountable to oneself, community, and Creator
- ⇒ **Discipline:** Having the understanding, self-control, and stability of heart, mind, and spirit to live a good life for oneself and towards others

Some of the best promising and healing approaches that successfully address violence and trauma among Indigenous people are based in nurturing meaningful recreations of localized Natural Law or relationships, as described above. Sexual violence must be seen as part of a broader array of colonial, sociopolitical, historical, and personal traumas experienced normatively within many Indigenous communities. Among studies regarding successful rehabilitative and crime prevention programs for Indigenous violence, we identified the following ten central principles:

1. Enhancing self-determination⁶⁷
2. Implementing holistic approaches⁶⁸
3. Promoting empowerment rather than dependency⁶⁸
4. Local-level development in consultation with Indigenous communities⁶⁸
5. Culturally specific content⁶⁹
6. Individual healing focus addressing spiritual and cultural loss⁶⁸
7. Engagement of the family⁶⁹
8. Reconnection with homelands and traditional culture⁷⁰
9. Relevance to life experiences of Indigenous people⁷¹
10. Delivery of programs within the community⁷⁰

What we heard from participants

Participants believed that approaches that address “symptoms” and core issues through the conceptual lens of restoring individuals back to balance through active engagement with Natural Laws are most successful. This was reflected by one participant:

The ah, core theory which ah, isn't exactly the most explored theory of the most objective is ah, community building and essentially mimicking community... anything along those lines, I mean there's education, employment you know relationships, things along those lines, we had that in community prior to contact. I believe that the way that we build community is founded in Indigenous morals, values, and our ways of being in terms of if we had to label it from a Western approach it would be human centred ... paper rights versus human rights.

This core theory or construct of Natural Law was also described by one participant as the “mimicking of community prior to contact.” This is achieved through transferring oral knowledge and practice to program participants or relatives. The redefining of program participants and/or clients to “relatives” demonstrates the necessary conceptual shift required when applying Natural Laws. No longer applying the binary labels of staff and clients, the use of oral knowledge can be deployed as a system of education; a way to communicate as relatives to help with the healing through the application of Elder teachings, ceremony, and a personal commitment to relationality. Oral histories can help with healing by passing cultural information from one generation to the next. Oral practice also rebuilds the relationality of Nehiyew (Cree) *wahkotowin* and Nitstitappi (Blackfoot) *siim'ohksin* through the application of creation stories, connections to the land, historical accounts, traditional ecological knowledge, teachings, language, and culture stories, which sit at the core of healthy communities. These stories and accounts have been kept alive through oral traditions for thousands of years; passed from generation to generation without ever being transcribed by local Elders.

Our in-house Elders will show them the proper protocols of a sharing circle and things like that. It's great to see staff stepping up and even doing like full moon ceremonies, like different, different values and things that they themselves find value in. Our staff go on outings with all our relatives, things like that, like they've all gone fishing and everything along those lines, so there's that relationship that doesn't...I haven't seen it in any other correctional type of facility. So I really think that that is the reason why we have the success that we've had. So I really think that that just goes to show that if you're focusing on community building and human-centred and human-oriented things and not necessarily the check boxy things that are, you know, are usually wrong to begin with.

5.2. Impacts of colonization and patriarchy need to be acknowledged

Findings from the literature clearly point to the need for understanding the impacts of colonization.⁷² Colonial policies and mandates have undermined traditional Indigenous methods for maintaining harmony and resolving disputes in the community.⁷³ Under the current criminal legal system, Indigenous people face significant barriers to justice, given the history and legacy of colonialism.⁶⁸ Racism has led to the criminalization of Indigenous people, leading to over-representation in the current criminal legal system.^{68,73} Literature in this area has suggested that

the law has been a tool of colonialism, with courts continuing to wield power and authority over Indigenous people.⁷⁴

The impacts of colonization cannot be underscored enough when looking at intervention and violence prevention programming. Indian Residential Schools, the Sixties Scoop, the Métis Scrip system, and numerous other colonial systems took away personal, familial, and community control, and redefined boundaries in ways that have been harmful and destructive to communities.⁶⁸ Many Indigenous families have been directly or indirectly affected by the legacy of the Indian Residential Schools.

Beginning in 1879, the Canadian government mandated church-run Indian Residential Schools to educate Indigenous children. Explicit policies aimed at cultural suppression and forced assimilation meant that Indigenous children were not allowed to speak their language, engage in their spiritual traditions, or maintain their cultural practices. It wasn't until the 1980s that the widespread sexual abuse of Indigenous children in the schools became publicly known. Indian Residential Schools used parenting models based on punishment, abuse, bullying, and control. Today, Indigenous programming must challenge the history of these violent practices, many of which have become normed in Indigenous communities, perpetuating community violence.

The Government of Canada has issued a formal apology for the Indian Residential Schools system in 2008, which led to the Truth and Reconciliation Commission (TRC)⁷⁵ and public exposure of the neglect, starvation, and harsh physical, emotional, and sexual abuse common in these schools. The final TRC report has also acknowledged that the relationship between Indigenous peoples and the government was deteriorating and needed to be repaired through new and innovative culturally relevant programming, evaluation, and research that empowers and helps to heal Indigenous families.⁶⁸ Many survivors of the schools (including Elders and cultural people) still live with shame, making it hard for them to heal and difficult to start the healing process.

Indigenous victims and perpetrators of sexual violence may avoid Western programs that fail to acknowledge and understand the interconnectedness of Indigenous communities. Histories of normed violence may be better addressed through cultural exposure, ceremony for healing and traditional teachings. Self-forgiveness and healing through spiritual cleansing and ceremony are powerful ways to reduce or even eliminate the shame and self-blaming many apply to their own experiences. Western funders, governments, and systems need to step aside and open the space required to bring back traditional ideologies that were disrupted by colonization in order for perpetrators, victims, and communities fraught with violence to be able to rebuild safe spaces for all.

Indigenous “justice” seeks to repair relationality and balance between the injured parties, as well as unpack historic colonial conditions that continue to underscore the reproductions of violence within Indigenous communities.^{72,73} Justice, as defined by Western standards, is most concerned with the restoration or repayment through sanctions such as “time served” to the State for harm caused. Employed from this understanding, Western justice programming cannot restore balance or address important systemic issues such as poverty, lack of education, and unsafe or

insufficient housing; all factors within Indigenous communities that perpetuate intergenerational violence.⁶⁷

What we heard from participants

Participants spoke about how the philosophical and theoretical ideas underlying the carceral system, such as punishment and isolation, are not working to support prevention and healing of sexual violence as they are steeped in oppressive systems such as patriarchy and colonization. As discussed by one Indigenous practitioner:

We're not actually attending to the dynamics of gender-based violence. We're compartmentalizing, which is a very colonial way of thinking...this isolationist and punishment idea, those things have come out of colonial and judicial systems of existing.

Program interventions need to be geared toward understanding the impacts of Residential Schools, Indian day schools, the Sixties Scoop, societal racism, and “normed violence.” This is explained by one practitioner:

Cuz a lot of times they say, “Oh there's parenting stuff going on,” but really, its residential school experiences, its intergenerational trauma, it's all that stuff, right? It's all that colonization that has affected our communities and uh, like when I used to work with programs when we shifted the focus to start to talk about and, and work around those issues. I believe so because they, one of the principles I guess you say that there was ah, not that they were taught how to be sexually to sexually abuse people, I'm not saying that the residential school really taught them that. There was some, um, how do I say this? I don't know how to answer that. Um, yes, they did put emphasis on the residential school and the Indian day schools even back when they were not a hot topic.

These impacts must also be framed within an understanding of intergenerational trauma. Participants spoke about programs needing to unpack the shame of violence as a normed behaviour, as well as the related challenges in working to reclaim healing practices:

When they talk about restorative justice and culture and traditions, usually the backbone of that is your Elders, right? ... that occurred in there that effects that generation. So it's almost to the point where we must retrain, must help heal our Elders because some of them are still afraid of doing the cultural things because they were told it was not right. His grandfather had told him the culture is bad. See, and it's what, 2022? And we're still getting that. So there's still a lot of work and I know the, the thing out there in this country is like “get over it.” Well, we can't.

Participants talked about how part of the work is supporting individuals with forgiveness, not only of others but of themselves, considering colonialism and intergenerational trauma:

.... victims need to forgive themselves for remaining in the relationship. Instead of being critical of themselves for not ending an abusive relationship, victims need to come to a place where they recognize that they have good reasons for not leaving—that it is understandable based on their personal history, as well as their current situation. Victims also need to forgive themselves for the negative behaviours they may have exhibited in

response to their abuse experiences—everything from alcohol and drug abuse to the harm they caused their children or others. And finally, victims need to forgive themselves for harm they caused themselves.

5.3 Supporting cultural healing practices in lieu of Western justice

The term “cultural safety” is used widely in Indigenous contexts that employ culture as healing. While there are many definitions, cultural safety can be understood as the experience of feeling safe in “systems settings” or Western spaces. Oftentimes, safety is created by integrating Indigenous culture (communications, processes, or staffing) into programs in ways that negate shame and reinforce safe spaces of sharing. The integration and respect for cultural safety is essential to success, as offering spaces that are culturally valid, authentic, and healing to Indigenous people, families, and communities are empowering. The practice of employing translation, parallel meanings, and the use of Natural Laws and creation stories are examples of cultural immersion that have been shown to assist in the establishment of safety.⁶⁸⁻⁷⁰

Scholars have suggested that restorative-type approaches are a more appropriate response for Indigenous people, as the foundation of the approaches are values that include healing, harmony, and balance.⁶⁷ There are challenges to its implementation, however, as it can be difficult to carry out in the criminal legal system and has been subject to public criticism as giving “preferential treatment” to perpetrators.⁷⁶

What we heard from participants

Learning is always socially situated, socially constructed, socially produced, and socially validated within social settings that exist as contextual settings. Healing through reconnection to cultural practices is much the same. Elders teach about culture, tradition, the roles of men and women, respect, and accountability—all contained in Indigenous philosophies and handed down in ceremonies and traditional teachings. For communities with normed experiences of multigenerational violence, the creation of cultural safety is key. Participants spoke of the importance of program relatives’ responsibilities for the creation and maintenance of program safety, as explained below:

We haven’t had a fist fight at our house. We haven’t had anything. The guys are singing Christmas carols so it’s kind of like, are we addressing, say, specifically sexual-based offences so that they don’t reoffend? Not necessarily, but we are mimicking community...

Prior to colonization, land held the creation stories, which helped with healing. Participants remember many of these stories as they are critical to healing and wellbeing. Health is closely associated with a relational attachment to ancestral lands and family, both immediate and extended. This connection to the land as a living entity is still alive in many communities yet cannot be actualized due to the destruction of not only the land but also the loss of cultural affiliation and understanding of Natural Laws that guide Indigenous communities. Land-based activities such as harvesting, education, ceremony, recreation, and culture-based counselling are

all components of this integrative practice⁷⁷ and are understood by participants as a necessary part of Indigenous justice and healing.

For Indigenous peoples' culture, ceremony and spirituality is the essence of who they are, who they belong to, where they come from, how they relate to one another. Culture, ceremony, and spirituality also function as the teachings—teachings of ancestors. Culture permeates all aspects of life and is essential to the overall wellbeing of Indigenous communities and individuals. Cultural teachings are found in traditions, customs, protocols, values, spirituality, ceremonies, language, ways of knowing and being, and connections to the land and the life-sustaining resources of the land. This way of knowing and teaching is active and iterative as compared to most Western forms of education.

5.4 Using a multidimensional approach in practice and programming

Survivors often turn to healing approaches that require an holistic examination of trauma faced; including physical, emotional, mental, and physical interventions. Additionally, family and community healing may be required at the same time to achieve the most impact. Cultural practices, Elders and Natural Laws are good examples of these types of interdisciplinary and nimble responses to support survivors. Researchers have acknowledged the range of successful initiatives within local Indigenous communities that have not necessarily been described as justice-centred but, in fact, have worked from a holistic balance and approach, targeting the situational and contextual issues underlying crime and violence, and have focused on creating support structures and opportunities for community members to heal and repair.⁷⁸

What we heard from participants

Participants stressed that being adaptive is critical to any alternative justice approach. They suggested that a variety of approaches be used, as required by participants, and according to the intervention needed:

I can't say why it was starting to go down, but I'm thinking because the other [Western] program was not going beyond sexual abuse and family violence. They ah, so now we're trying to encompass everything. We deal with the drug addictions, we deal with you know, petty crimes and stuff like that.

Healing, restorative, and transformative justice programs must be cognizant of escalating dangers to both the victims and the community. As one participant stated, “We need to be nimble, but healing must be balanced with community safety.” Programs must be prepared to remove perpetrators who exhibit escalating behaviours to ensure the safety of both victims and other community members. Insufficient funding and a lack of infrastructure and trained staff must also be considered when assessing the risks of perpetrator escalation and the need for Western incarceration and punishment if only to ensure the safety of community.^{67,68,79}

5.5 Support capacity for Indigenous-focused practitioners and programming

Research has suggested that, while alternative justice approaches are widely promoted as a community-based way to transform Indigenous communities, not enough attention has been paid to the capacity of various communities to develop and sustain alternative justice processes and models.⁸⁰ Scholars have asked questions about the amount and sustainability of resources provided to Indigenous communities to design and implement alternative justice approaches.⁷⁹ The question of resources is critical on many levels, especially when considering the use of alternative justice practices in rural or remote communities, where access to crisis centres and other supports are generally limited.⁷⁹ Furthermore, sufficient, and sustainable resourcing must be determined by the preferences of the community. Community leadership is vital and should include community members from different viewpoints.^{70,79}

What we heard from participants

Unequivocally, participants spoke of the need for interventions to focus on long-term success. They felt this would be accomplished through multi-generational funding and senior leadership support. As described by one participant:

We [funders] give people project money and say, "Ok, do something," then the money would be gone right? But our programs... they never stop. There's always a way for someone to train in, you know, people can move up in positions but often like with our programs if they're like 2-year projects and then they stop. Then they [the programs] get more money, and they must start again at square one.

This participant spoke to the lack of program continuity because of both funding cuts, inconsistent funding, and changes to governmental mandates, which impact the funding and priority of this work. Indigenous programs tend to operate on "feast or famine" funding cycles as a reflection of political and electoral orientation. Indigenous programs also face epistemological racism, where funders and governments favour Western approaches to justice versus Indigenous healing models. The result is often piecemeal and intermittent programs that may last 3 to 5 years before being shut down or forced to "fit" into a new funding stream. This epistemological racism makes it difficult to operate the necessary culturally based, intergenerational, and holistic programs required to overcome the normed underpinnings of violence in Indigenous communities. As evidence in one program:

Funding. Funding is huge. And a key and this initial funding for you know... easy access to funds for pilot projects and things that we see working or things that we think would work. It wouldn't just be our relatives who, like you know, have committed offenses or anything at first, our facility would be those that they inflicted trauma upon plus community and everything all in one. Because if we had the funds, we would be able to have extra staff, the security, the accommodations, everything set up because we know what works. It's just like we're forced into these little boxes based off funding, because federal and provincial governments don't believe that getting those three groups of people in the same room is safe or does anything.

Human resources were also discussed by participants as a key program resource that is often jeopardized by funding levels and program length. Interview participants acknowledged how Indigenous facilitators are crucial when working in sexual or other community-based violence programs. Given their often-common experience with program participants, Indigenous staff hold values that resonate with Indigenous belief systems and create a more authentic relationality with the people they work with. This is important when engaging Elders, knowledge keepers, and other critical supports for ceremony, culture, and the teachings of Natural Law. Unfortunately, due to uncertainty in the length of program funding and low wages, many Indigenous staff choose to leave.

Most of our staff are Indigenous, and we have an Indigenous board and Indigenous management. Eventually people leave for better paying jobs because our program is still under-funded, you know, so I can't blame them for that.

Training Indigenous staff to fill healing-restorative justice roles is critical for the program's success, even if staff may not be qualified by Western standards. Again, this speaks to the need to validate programs based on local and cultural standards and needs.

... they might not have the skill set of say a probation officer who is trained in all these provincially mandated programs, but they're very well-versed in their community and their people and they're doing better than the [justice programs delivered by the provinces].

The TRC report⁷⁶ has highlighted that substance use in Indigenous communities may result from trying to cope with traumatic experiences. This can lead to health and social problems, which for many families, span generations. Indigenous communities have been disproportionately affected by the opioid crisis, and the use of opioids and other substances continues to be a serious concern.⁵⁹ This drug crisis was mentioned by participants as a new and overarching threat to complex work.

There're new problems now with the opiates. You know, like it was a problem, maybe down a little bit back in the day, but now it's like you know, so that's part of my job right now too. Is trying to find them education to um, to bring them up to speed to, to focus on that. That's why we must bring in a mental health therapist right now to help ah, that certain part because of meth psychosis going on.

Indigenous communities have been subjected to externally imposed, under-resourced, poorly designed and implemented evaluative practices that have been mismatched to Indigenous community interests. The paradigm of the "other" is not new to Indigenous people. As with all Western processes, evaluative metrics have historically judged Indigenous programs against Western outcomes and fail to reflect how success may appear when using Indigenous approaches.⁸¹ Participants consistently shared the organizational and programming struggle of being forced to fit into Western funding expectations, while simultaneously using Indigenous approaches on the ground.

It's run by, like you know, non-Indigenous organization—[the metrics and what they want the program to achieve] it's all founded in Indigenous beliefs. Our ways of healing are not quite justice, but healing right? So it's ah, just the paradigm shift in indicators that

needs to happen because our ways and what we know needs to occur for people to heal has been proven.

The intentional need to understand the meaning or impacts of these healing practices for program relatives using culturally appropriate indicators sets Indigenous programming approaches apart from programming for other populations. A key point is that the impacts of colonization on Indigenous people in Canada, including individual and collective responses to cumulative historical and present-day traumas, need to be kept top of mind and intentional in programming with and for Indigenous people.⁶⁸ This notion of intentionality was echoed by participants, with a focus on using Indigenous metrics, definitions, and epistemologies whenever possible. As one research participant that is leading a very successful restorative agency explained:

So now it's "the restoration and the rebirth phase." So...I think we're finally there to where it's kind of like, this works. So that's a huge thing of mine is getting what we've done in the last couple of years on paper or some sort of way so that people are you know that they, because knowledge doesn't belong to anyone. It's just kind of like you know if this worked here, go use it wherever because we're all on the same team. I was blown away by our success because all our programs are voluntary.

5.6 Summary

Overall, results suggest that Indigenous practitioners and programs that work with perpetrators and victims of sexual violence do two things: focus on healing from the impacts of colonialization and present-day structural violence, and work in a holistic and interdisciplinary fashion to address colonially normed and community-embedded multigenerational violence. The spectrum of interconnected and intergenerational violence must be highlighted. Indigenous experiences of sexual violence are broad, involve historical, colonial, and present systems violence, as well as intersecting experiences within families and communities. Finally, most, if not all, participants spoke of relationality within a community, its members, the land, and their collective past within Eurocentric and patriarchal colonial systems.

While programs operate restorative or transformative justice programs on paper, in effect, the most successful core theories informing the principles and practices reflect healing practices that educate, transform, repair, and restore individuals, families, and communities from colonial trauma to spaces of balance, pride, and lifelong healing. This is due to the specific epistemologies or worldviews understood within Indigenous communities that favour inclusivity and holism versus rigid understandings of individual and community problems. This fundamental difference suggests a need for funders and governmental bodies to move towards validating Indigenous paradigms of healing as best and promising, distinct from Western models that have failed to move the needle on the high rates of violence in Indigenous communities in all its forms.

6.0 Section Four: Conclusion and Recommendations

Based on the literature and findings from the interviews, alternative justice approaches are well-placed to address the needs of sexual violence survivors, aggressors, and broader community stakeholders. The shortcomings of the criminal legal system were identified, and the potential for alternative justice approaches to support both prevention and healing with victims of sexual violence was discussed. Alternative justice approaches are being used in various locations across Canada, and there is interest from participants to further develop principles, practices, and training to build a robust field of practice.

Findings suggest there are several philosophical standpoints that need to be considered when applying alternative justice approaches to survivors of sexual violence. These include the construct of Natural Law for Indigenous programs, seeing the humanity in people who harm versus using a carceral response to harm, restorative approaches versus transformative approaches, and historical and cultural contexts regarding various approaches, etc. Furthermore, these philosophical standpoints influence the terms, definitions and language used by practitioners to describe their work, for example, restorative justice, reparative justice, transformative justice, non-punitive accountability, and transformative accountability. While practitioners believe language matters, the field uses diverse terminology to refer to the work being done. We found that while there are differences in specific practices, there is more overlap between restorative and transformative justice approaches than there are differences. While each has emerged from different places, there is no “pure” model in Canada.

Several points of tension are noted in the findings, such as those that exist between the restorative justice and feminist anti-violence sector, and the relationship between restorative justice and the criminal legal system. The anti-violence movement historically feels that the restorative justice movement should not engage in these practices with sexual and family violence victims because they do not have a gender analysis or appreciate the dynamics of sexual and domestic violence. Conversely, the restorative justice sector makes efforts over time to learn about these dynamics and feels this work can be done. However, it also recognizes that most practitioners are volunteers with a wide variety of training, resulting in potentially inconsistent practices being used, depending on resources for capacity building.

The appropriation of restorative justice practices from Indigenous communities is an issue for many participants, with many non-Indigenous practitioners being cautious and thoughtful about saying what models they use and why, and the importance of acknowledging this history and not co-opting approaches.

Using alternative justice approaches in various institutional systems (such as post-secondary) is also a point of tension. The need for alternative justice with sexual violence cases to be victim-centred may contrast with institutions that are typically concerned with managing risk, specifically as it relates to reputation management and liability. There may be a need to reform these institutions so that alternative justice approaches can be used to their true extent.

Lastly, study after study has found that sexual violence victims want recognition, voice, dignity, and outcomes that go beyond punishment. Victims want alternatives to the judicial process and will often choose an alternative if one is made available.⁹ This project identifies that leaders, practitioners, and organizations across Canada want to provide this alternative. Unfortunately, as one participant stated, “The spirit of the Nova Scotia provincial moratorium against using restorative justice in offences involving domestic or sexual violence lives on.” For the past twenty years, it has created a dynamic that has prevented restorative justice workers from working with GBV victims across Canada. Several of our research participants suggested that the rationale or purpose of the moratorium are no longer valid. They suggested it is time to create an opportunity for practitioners and funders to better serve victims, offenders and all those involved by re-engaging in conversations and partnerships across sectors and groups who want to provide alternative justice services. There is an opportunity for Canadians to advance this field *together* to better support survivors of sexual violence and prevent people from causing further harm.

The following recommendations to move the field forward are based on findings from this study.

1. Increase funding to build a field of practice that ensures alternative justice approaches outside the criminal legal system are available to sexual violence survivors, aggressors, and the larger community throughout Canada. Prioritize funding with Indigenous and rural/remote communities.

Rationale: Overall, our findings show several issues related to the availability and sustainability of alternative justice approaches to sexual violence outside the criminal legal system in Canada. While there are pockets of work occurring across the country, some regions and areas appear to have less access to alternative justice options and programs than others. Furthermore, findings show that funding is often piecemeal, episodic, and/or short-term. This lack of sustainable and long-term funding acts as a deterrent to building a strong field of practice across the country. This appears to be especially problematic for programming and supports directed towards Indigenous communities.

One best practice identified for the use of alternative justice options for sexual violence healing and repair is ensuring both depth and breadth in the assessment and preparation phases. This means practitioners need to take their time to understand what survivors’ needs are, as well as how they will best meet those needs. This can be labour intensive, with practitioners spending many hours, days, and months upfront before ever proceeding to the engagement phase. Having funding that supports this time-intensive work is critical.

Funding also needs to be directed towards building practitioner capacity if a robust alternative justice field is to be realized. The Canadian Bar Association - British Columbia branch recommends that common standards and training programs be developed and implemented to support high-quality practice.⁸² This standardized training approach could be implemented at the provincial or national level, and could be tied to colleges of social work and/or law.

Alternative justice approaches require facilitators with a wide range of soft skills, such as curiosity, compassion, warmth, empathy, and openness to critical feedback and accountability. Technical skills such as knowledge of the criminal legal system, understanding of gender-based violence and its related dynamics, listening skills, risk and safety assessments, and awareness of trauma and impacts on the brain (neuroscience) are also important. Ensuring that programs have staff who reflect the lived experiences of participants is essential. Where applicable, programs should hire Indigenous local staff, with supports to maintain their health over time and as needed (i.e., vicarious trauma supports, access to ceremony, etc.). Funding should allow for greater staffing, resources, and training of Indigenous workers in sexual violence programs.

Funding for Indigenous-focused alternative justice support and services should not just focus on individual practitioner capacity, but should also build internal community capacity. Specifically, this means:

- Programs should be flexible to accommodate long-term changes, as well as short-term adjustments and crises.
- Programs should be supported by senior leadership, such as Chief and Council, Metis Presidents, or local urban leadership.
- Programs should build internal community capacity through job training and mentorship of previous program participants and youth who aspire to work in healing positions.

In addition to limited funding overall, there appear to be specific challenges with accessing funding for programs with aggressors (e.g., men's groups). Working with those who cause harm is an essential part of addressing sexual violence, which includes ensuring supports and services are available across the sexual violence continuum (e.g., micro-aggressions to more serious acts of sexual violence). Practitioner interviews suggest that stopping sexual violence is not possible if programs only focus on supporting survivors. The challenge is that practitioners in the anti-violence movement do not always have the capacity, nor motivation, to work with aggressors. This can be for a variety of reasons, but sometimes due to practitioners' own histories and experiences with male violence.

Finally, funding needs to support good evaluation of alternative justice approaches to build a robust field with solid practices. Indigenous practitioners point to the challenge in using Western-focused evaluation practices. Developing appropriate Indigenous evaluations and metrics for Indigenous-specific programming is essential.

2. Increase grassroots funding for practitioners and community-groups to do this work outside of the legal system.

Rationale: Funding needs to be directed towards those at the frontlines of alternative justice movements, specifically those community leaders and grassroots organizations that are calling for and pursuing innovative responses to addressing, repairing, and healing from sexual violence. Indigenous and racialized leaders in Canada who are doing this work should be prioritized for funding.

A comprehensive funding model needs to be put in place that allows community-based restorative justice models to accept all referrals from multiple points of the criminal legal system (i.e., police and Crown counsel).⁸³

3. Support the scaling of promising practice models and approaches currently operating in Canada.

Rationale: There are several promising practice models underway across the country. These promising models should be supported to scale up and out, to ensure that more survivors have a broader range of options available to them. Our Internet search highlighted the dearth of alternative justice programs and supports that are available in rural and remote areas. Scaling promising practice models to underserved areas is critical to ensuring survivors can access options beyond those found through the criminal legal system.

Example: WomenatthecentrE: A Transformative Justice Model for Canada

WomenatthecentrE is a non-profit organization in North York, ON, that works to eradicate violence against women, women-identified, gender queer, 2-spirit, and trans-identified people through personal, political, and social advocacy. The organization was created by sexual violence survivors, for sexual violence survivors.

WomenatthecentrE has conducted research that informs the development of their transformative justice model, one that includes aggressor accountability and transformation, and a compassionate, comprehensive, flexible, and rehumanized healing process for survivors. Programming for survivors and aggressors are both based on a 6C Framework: Context, Consequence, Communication, Care, Culture, and Control. The transformative justice model has six phases: (1) Outreach, (2) Referral, (3) Screening, (4) Orientation, (5) Engagement, and (6) Feed Forward.

For more information, visit their website <https://www.womenatthecentre.com/>

4. Ensure alternative justice programs follow promising and best practices regarding guiding principles, processes, and models.

Rationale: There are best practice principles that must be adhered to when using alternative justice approaches, such as anti-oppressive, intersectional, feminist, survivor-centred, and trauma-informed. For Indigenous models, understanding and responding to the impacts of colonialism, Residential Schools, Indian day schools, the Sixties Scoop, intergenerational trauma, and societal racism are critical.

While there are numerous alternative justice models, our findings identify best practices that apply despite the specific model used. Engaging in thorough assessment, ensuring facilitators reflect the clients they are working with, and supporting both survivor and aggressor are noted as best practices in this area. Working within the community is particularly important for Indigenous and transformative justice approaches. For both, engaging with local and grassroots

leaders is critical. For Indigenous programs, engaging with local and respected leaders (male and female Elders), ensuring culture and ceremonies to build relevant healing responses, models and focusing on rebalancing the mental, physical, spiritual, and emotional health of communities was highlighted.

Flexibility is critical. Since the foundation of alternative justice approaches in cases of sexual violence is to be survivor-centred, no two processes will look alike as no two survivors and/or communities are alike. Developing practice principles for these types of approaches will support the use of best practices while simultaneously providing the flexibility that is inherent in this work.

5. Design and implement alternative justice programs that work with Indigenous individuals, families, and communities based on Natural Laws and “whole healing.”

Rationale: Alternative justice programming in and for Indigenous communities is holistic, locally built, and community informed. Additional elements that should be considered for alternative justice approaches include:

- Reflect on the cultural nuances and realities of each community. Universal principles can be shared but must be culturally reinterpreted and contextualized for success.
- Validate and support Indigenous epistemologies of healing within programs that address intergenerational trauma, intergenerational shame, mental health and addictions, culturally based healing models, and land-based healing and infrastructure.
- Minimize Western justice constructs, programs, and corrections institutions as much as possible.
- Focus simultaneously on prevention, service navigation, harm reduction, restorative justice, and transformative justice.
- Create safe and ethical spaces. Ensure safety for victims choosing to use a community-based restorative or transformative justice model.
- Focus holistically on healing all violence within a community, not just sexual violence.
- Work with the nuclear and extended family as required.
- Meet people where they are at and support them in ways that are safe.
- Remove perpetrators who exhibit escalating behaviours, including progressions towards from the community to ensure the safety of both victims and other members of the community.
- Connect with the Indigenous Law Research Unit at the University of Victoria for possible collaborations of research or resurgent model development.

6. Build cross-sector dialogue and the capacity to advance the use of alternative justice approaches across the sexual violence continuum in Canada.

Rationale: Ongoing tensions exist between the anti-violence sector and the alternative justice sector. Historically, concerns have focused on the lack of understanding regarding the nature and dynamics of sexual violence in relation to other types of crimes. However, there has been

increased research showing positive benefits to using alternative justice approaches with survivors of sexual violence. There is a need to bring leaders from both sectors together to advance conversations and work through the concerns and tensions.

To build this dialogue and capacity, we recommend funders invest in a network of practitioners and researchers from both sectors to come together to engage in dialogue and develop a common set of practice principles. Furthermore, we support the Canadian Bar Association's (British Columbia Branch) recommendations to educate players in the criminal legal system as to the benefits of alternative justice approaches to sexual violence healing.⁸²

Final Thoughts

While this research answers many questions, it illuminates many more. Given the array of language used in this field, is it right to distinguish between the various models of practice? Based on this research, there are a lot more similarities than differences. Moving forward, it may be helpful to establish a continuum of models to capture the wide variety that exists and distinguish which works for which forms of violence, abuse and harm. Other questions emerge regarding using these approaches in multiple settings and structures. For example, how well do alternative justice approaches work within institutions based on systems of oppression? Can these institutions be reformed to ensure the viability of these practices?

Finally, the potential of cross-sector dialogue between the anti-violence/gender-based violence sector and alternative justice sector is there. While the concerns of the anti-violence sector are acknowledged (e.g., worried about the lack of gender analysis and limited training of restorative justice workers), this research highlights there are restorative justice practitioners already doing this work in a feminist, survivor-centred, trauma-informed way. Continuing to keep alternative justice options to the margins limits what is available to survivors, aggressors, and the wider community, effectively serving no one well. Hopefully, this research propels the conversation forward, unblocking the door to alternative justice approaches outside of the legal system for sexual violence healing and repair throughout Canada.

Appendix 1: Literature Review Methodology

Purpose:

Search the academic and grey literature to answer the question, “What are the best and promising practices in providing alternative, reparative, and/or transformative justice approaches to people who have experienced sexual violence, abuse and/or assault?”

Search Dates: 2000-2021

Inclusion Criteria:

- Peer-reviewed articles
- Grey literature
- Published in English
- Published between 2000-2021
- Addresses gendered violence (i.e., sexual, intimate partner, domestic, family)
- Addresses alternative forms of justice for gendered violence

Exclusion Criteria:

- Approaches used with other forms of violence, such as gang violence and armed conflict
- Literature not in English

1. Search terms to capture the broader literature

- i. Alternative justice **or** reparative justice **or** transformative justice **or** restorative justice **or** victim-centred justice approaches

AND

- ii. Sexual violence **or** sexual assault **or** rape **or** sexual abuse **or** sexual harassment **or** domestic violence **or** family violence **or** intimate partner violence

AND

- iii. Best practice **or** promising practice **or** emergent practice **or** recommendation **or** guidelines **or** evidence-based practice **or** evidence-informed practice **or** framework

2. Search terms to focus on populations and geographies of interest

- i. Alternative justice **or** reparative justice **or** transformative justice **or** restorative justice **or** victim-centred justice approaches

AND

- ii. Sexual violence **or** sexual assault **or** rape **or** sexual abuse **or** sexual harassment **or** domestic violence **or** family violence **or** intimate partner violence

AND

- iii. Best practice **or** promising practice **or** emergent practice **or** recommendation **or** guidelines **or** evidence-based practice **or** evidence-informed practice **or** framework

AND

- iv. Rural or remote or northern or Indigenous or Native or Aboriginal or First Nations

Search Strategies:

- 1. Academic Databases
 - i. PsycInfo
 - ii. CINAHL
 - iii. SocINDEX
 - iv. Social Work Abstracts
 - v. Academic Search Complete
 - vi. Criminal Justice Abstracts
- 2. Google
 - i. First five pages of Google Scholar
 - ii. First five pages of Google search

When highly relevant articles were found, Google Scholar was searched to see who else cited that article (first five pages of results).

Appendix 2: Interview Guide

Question Guide

Understanding alternative justice approaches that support victims of sexual violence in Canada
Thank you for taking the time to speak with us today. As mentioned in our introductory email, we are conducting a research project to build a foundation for alternative justice approaches to sexual violence healing and prevention in Canada. By alternative justice approaches, we mean those outside of the criminal justice system that are victim-centered and trauma-informed that promote prevention and healing. One of our first tasks is gathering the research evidence and understanding the landscape regarding approaches and services available to victims, perpetrators, and communities across Canada outside of the traditional justice systems. As a result, we are seeking to learn from experts and practitioners the skills, capacities, and resources necessary to do this work.

The interview will take approximately an hour of your time. Do you have any questions before we begin?

Tell me about your program or research. How would you describe it?

1. What (if any) theories guide your work? Would you consider any of them Indigenous? If yes, why is this important?
2. Can you outline the principles that guide your practice? Would you consider any of them Indigenous? If yes, why is this important?
3. Can you outline the principles that guide your approach? Would you consider any of them Indigenous? If yes, why is this important?
4. Can you share the type of practices you employ? For example, the circle of support is a model where volunteers provide support to sex offenders living in community. Would you consider any of them Indigenous? If yes, why is this important?
5. In your opinion, what are the specific qualities, skills, and/or abilities required to do this work?
6. How did you develop these capacities to do this work?
 - a. [if relevant – how do you support staff to do this work?]
7. What do you need to support you and/or your organization to do this work?
8. What challenges and/or barriers are there to doing this work?
9. What recommendations would you make to enhance/build this field in Canada?

Appendix 3: Web-Based Search Results

Results (*Organizations are underlined)

Federal/Provincial Programs

Organization/Group	Program Name	Location	Contact Info
Government of Canada https://www.canada.ca/en/departement-national-defence.html	Restorative Engagement to Address Sexual Misconduct (from National Defense)	Ottawa, ON	Email: info@caf-dndsexualmisconductclassaction.ca
Circles of Support and Accountability (CoSA) Canada https://www.cosacanada.com/	<u>Circles of Support and Accountability (CoSA) Canada</u>	Ottawa, ON	Email: info@cosacanada.com
Ministry of Public Safety and Solicitor General https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/public-safety-solicitor-general	Victim Services and Crime Prevention Division	British Columbia	Phone: (604) 660-5199 Email: victimservices@gov.bc.ca
Yukon Courts https://www.yukoncourts.ca/en/node/1	Domestic Violence Treatment Option Court	Yukon	Whitehorse Phone: (867) 667-8500 Dawson City Phone: (867) 993-5831 Email: victim.services@yukon.ca
Correctional Service of Canada https://www.csc-scc.gc.ca/index-en.shtml	Restorative Opportunities Program	Ottawa, ON	Phone: 1-866-806-2275 Email: restorativejustice@csc-scc.gc.ca
Department of Justice https://novascotia.ca/just/	Individuals: Melissa MacKay (Restorative Justice Coordinator), Audrey Barrett (Director)	Halifax, NS	Melissa MacKay's Phone: Phone: 902-424-5090 Email: Melissa.Mackay2@novascotia.ca Email: Audrey.Barrett@novascotia.ca

Organizations

Organization/Group	Program Name	Location	Contact Info
Mediation & Restorative Justice Centre http://www.mrjc.ca/	Building Safer Ground—A Restorative Process	Edmonton, AB	Phone: (780) 423-0896 Email: info@mrjc.ca
Community Justice Initiatives https://cjiwr.com/	Revive	Kitchener, ON	Phone: (519) 744-6549 Kate Crozier, Directory of Programs katec@cjiwr.com 519-744-6549 x 134
Winnipeg Police Service https://www.winnipeg.ca/police/	Restorative Justice Program	Winnipeg, MB	Phone: (204) 986-5992
Mennonite Central Committee https://mcc.org/	Circles of Support and Accountability	Ontario and Alberta	Phone: (204) 261-6381 (403) 275-6935 Email: canada@mcccanada.ca
The Salvation Army https://sacjswinnipeg.ca/	Choose 2 Change (Domestic Violence)	Winnipeg, MB	Phone: (204) 949-2100
Cercles de soutien et de responsabilité du Québec https://www.cercladesoutien.org/	<u>(Circles of Support and Responsibility)</u>	Quebec	Phone: (514) 609 -6237 Email: adjointe.administrative@cercladesoutien.org
The Micah Mission https://themicahmission.org/	Circles of Support and Accountability	Saskatoon, SK	Phone: (306) 653-3099 Email: info@themicahmission.org
Circles of Support and Accountability (CoSA) Ottawa https://cosa-ottawa.ca/	<u>n/a</u>	Ottawa, ON	Phone: (613) 288-2284 Email: admin@cosa-ottawa.ca
Community Justice Initiative https://www.cjibc.org/	Victim Offender Mediation Program	Langley, BC	Phone: (604) 534-5515 Email: mail@cjibc.org

Justice Options for Women Prince Edward Island https://www.justiceoptions.ca/	<u>No program, but they list a range of projects and initiatives</u>	Prince Edward Island	Phone: N/A Email: N/A
WomenatthecentreE https://www.womenatthecentre.com/	Transformative Accountability & Justice Initiative (TAJI)	Scarborough, ON	Phone: (416) 964-0892 Email: admin@womenatthecentre.com Executive Director nneka@womenatthecentre.com
Restorative Justice Victoria http://www.rjvictoria.com/	Variety of supports for victims, offenders, and family members	Victoria, BC	Phone: (250) 383-5801 Email: office@rjvictoria.com
<u>Restorative Approach</u> https://www.restorativeapproach.ca/	Restorative response to workplace sexual harassment	Halifax, NS	Phone: N/A Email: shila@restorativeapproach.ca
Rittenhouse	Promote structural equality, decolonization, abolitionism, decarceration, decriminalization and transformative justice. To further these principles and objectives, they engage in public education, training, and directed advocacy.	Toronto, ON	Executive Director: Naty Tremblay naty.rittenhouse@gmail.com
North Shore Restorative Justice Society https://www.nsrj.ca/	Restorative Response Program	Vancouver, BC	Phone: 604-969-7462 Email: info@nsrj.ca
Simon Fraser University https://www.sfu.ca/	<u>The Centre for Restorative Justice at SFU</u>	Burnaby, BC	Brenda Morrison (General inquiries): Phone: (778) 782-7627 Email: brendam@sfu.ca

Rural and Remote

Organization/Group	Program Name	Location	Contact Info
Antigonish Women's Resource Centre https://awrcsasa.ca/	Circles of Support and Change: Transferring Successful Rural Indigenous Practices to Other Rural Contexts to Address Gender-Based Violence	Antigonish, NS Communities: Upper Big Tracadie, Sunnyville, Lincolnville, Canso and Area	Phone: (902) 863-6221 Emails: karla@awrcsasa.ca, tara@awrcsasa.ca, tonya@awrcsasa.ca, michelle@awrcsasa.ca, danielle@awrcsasa.ca
Parkland Restorative Justice http://parklandrestorativejustice.com/	Circles of Support and Accountability	Prince Albert, SK	Phone: (360) 763-6224 Email: info@parklandrj.com

First Nation, Metis, and Inuit

Organization/Group	Program Name	Location	Contact Info
Urban Aboriginal Voices Society hoping to partner with the Central Alberta Sexual Assault Centre https://aboriginalvoices.ca/		Red Deer, AB	Phone: (403) 505-4049 Tanya Ward-Schur's email: uavsfacilitator@gmail.com Patricia Arango's email: PArango@casasc.ca
Ma Mawi Wi Chi Itata Centre https://www.mamawi.com/	Spirit of Peace	Winnipeg, MB	Phone: (204) 925-0300 Email: SOPinfo@mamawi.com
Women Against Violence Against Women Rape Crisis Centre https://www.wavaw.ca/	Indigenous Counselling Program *Not an Indigenous organization	Vancouver, BC	Phone: (604) 255-6344 Email: admin@wavaw.ca
Timmins and Area Women in Crisis https://www.tawc.ca/?v=3e8d115eb4b3	Indigenous Programming	Timmins, ON	Phone: (705) 268-8381 Email: info@tawc.ca

Hollow Water First Nation https://www.serdc.mb.ca/communities/hollow-water	<u>Hollow Water Holistic Circle Healing Program for Sexual Violence</u>	<u>Hollow Water, MB</u>	Phone: N/A Email: N/A
Native Clan Organization	<u>The Family Matters Program</u>	<u>Winnipeg, MB</u>	<u>KENDELL JOINER</u> Executive Director kendelljoiner@nativeclan.org <u>BOBBIE HALLETT</u> Program Officer/Case Manager programs@nativeclan.org

Universities and/or Researchers

Organization/Group	Name	Location	Contact Info
St. Mary's University https://www.smu.ca/	Dr. Diane Crocker, Criminology Chair,	Halifax, NS	Phone: (902) 420-5875 Email: diane.crocker@smu.ca
University of Alberta https://www.ualberta.ca/index.html	Dr. Lise Gotell, Professor and Associate Chair (Graduate) of Women's & Gender Studies,	Edmonton, AB	Phone: (780) 492-0326 Email: lise.gotell@ualberta.ca
University of Alberta https://www.ualberta.ca/index.html	Deb Eerkes, Director of Student Conduct & Accountability	Edmonton, AB	Phone: (780) 492-0777 Email: deerkes@ualberta.ca
University of Alberta	Samantha Pearson, Director, University of Alberta Sexual Assault Centre	Edmonton, AB	samanthapearson@ualberta.ca
Dalhousie University https://www.dal.ca/	Human Rights & Equity Services,	Halifax, NS	Coordinator's Phone: (902) 494-6672 Coordinator's Email: HRES@dal.ca
<u>Dalhousie University</u> https://www.dal.ca/	Faculty of Dentistry	Halifax, NS	Phone: N/A Email: jennifer.llewellyn@dal.ca
Ryerson University https://www.ryerson.ca/	Consent Comes First	Toronto, ON	Phone: (416) 979-5000 ext. 553596 Email: osvse@ryerson.ca
<u>University of Waterloo</u> https://uwaterloo.ca/	Sexual Violence & Response Office	Waterloo, ON	Amanda Cook's (Director) Phone: (519) 888 - 4567 ext. 46869

			Email: amanda.cook@uwaterloo.ca Meaghan Ross's (Coordinator) Phone: (519) 888 - 4567 ext. 40025 Email: m23ross@uwaterloo.ca
<u>University of Toronto</u> https://www.utoronto.ca/	Daniel Del Gobbo, Law	Toronto, ON	Phone: N/A Email: N/A
<u>Université de Montréal</u>	Centre Internationale de Criminologie Comparée https://www.cicc-iccc.org/en/	Montreal, QC	Contact: Joanne Wemmers Email: jo- anne.m.wemmers@umontreal.ca

Others

Organization/Group	Name	Location	Contact Info
The John Howard Society of Brandon https://brandonjohnhoward.ca/	Programming Building Healthy Relationships Workshop	Brandon, MB	Phone: (204) 727-1696 Email: office@brandonjohnhoward.ca
John Howard Society of Okanagan & Kootenay https://johnhowardbc.ca/okanagan-kootenay/	S.T.O.P. (Stop Taking it Out on Your Partner)	Okanagan & Kootenay, BC	Phone: (250) 763-1331 ext. 206 Email: michelle.l@jhsok.ca
St. Stephen's Community House https://www.sscto.ca/	Community Mediation	Toronto, ON	Phone: (416) 925-2103 Ext. 1255 Email: info@sscto.ca
National Aboriginal Circle Against Family Violence https://www.nacafv.ca/	<u>Unknown</u>	Kahnawake First Nations Reserve, QB	Phone: (450) 638-2968 Email: nacafv@nacafv.ca

<p>Pauktuutit Inuit Women of Canada</p>	<p>Publication: Meeting Survivors' Needs: Gender-Based Violence Against Inuit Women and the Criminal Justice System</p>	<p>Ottawa, ON</p>	<p>Phone: 1-800-667-0749 Email: rrasian@pautuutit.ca</p>
<p>Farrah Khan and CJ Rowe https://www.couragetoact.ca/</p>	<p>Essential Elements for Non-Punitive Accountability: A Workbook for Understanding Alternative Responses to Campus Gender-Based Violence</p>	<p>Toronto, ON</p>	<p>Phone: N/A Email: N/A</p>

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