

What is Alternative Measures?

Alternative Measures offers those accused of a criminal offence the opportunity to take responsibility for their behaviour and to address the harm that has been committed by voluntarily participating in a program that resolves cases within a community agency or with community participation.

It is a way to address crime in conjunction with the criminal justice system.

It attempts to deal with criminal behaviour in a proactive manner.

It aims to balance the needs of victims, the accused and their communities.

It promotes safety and protection within the community.

Upon review of the RCMP incident report, Crown Council can exercise the following:

1. Choose to issue a letter of warning to the accused and not to proceed;
2. Choose to proceed to court;
3. Choose to divert the accused to Alternative Measures.

The Crown refers all of the selected Indigenous individuals in the Nicola Valley for Alternative Measures to the Nicola Valley Restorative Justice Program.

Nicola Valley Restorative Justice Program

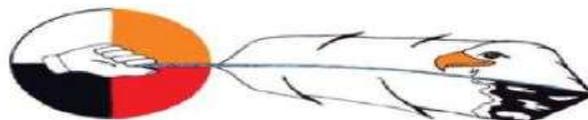
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Nicola Valley Community
Justice Services Society

Alternative Measures

Why Alternative Measures?

Alternative Measure programs not only enhance the efficiency of the criminal courts by ensuring that judicial resources are available to deal with serious offences, they may also improve the quality of the justice system.

In less serious cases, an offender's criminal behaviour can be more rapidly and effectively addressed through Alternative measures than through the traditional court proceedings.

Our program is proactive and encourages healing, restitution, reconciliation and complainant participation in the justice process.

Victims report a high level of satisfaction with most Alternative Measures initiatives.

When can Alternative Measures be used?

It can be used when it is appropriate for the circumstances of the offence, for the offender, the victim, and for the interest of the community and of society as a whole.

The accused has to accept responsibility for the offence.

The legal rights of the person going into alternative measures have been clearly outlined to them.

Where Can I Get More Information?

The Nicola Valley Restorative Justice Program is happy to answer any questions or comments you may have regarding Alternative Measures. For more information, please contact us at (250) 378-5010.

How it Works

- Crown Council reviews the file information on the accused offender.
- Crown Council deems whether or not the accused offender will threaten the safety or tolerance of the community.
- If no threat exists, the file will then be referred to the program.
- The Coordinator then contacts the accused to arrange a time for a screening interview. During this meeting, the Coordinator will explain the Alternative Measures process. If the accused desires, the justice committee, an elder or support person, and/or legal counsel may be present at this interview.
- The circumstances of the alleged offence(s) are then thoroughly discussed, so that the accused offender can make an informed decision whether to accept responsibility for the offence.
- The accused person has the right to dispute the charges and has the right to go to court.
- If the accused accepts responsibility for the offence, the Coordinator will set up a second interview, with the justice committee included, to consult in a healing plan.
- Once a healing plan is drawn up and added to the offender's file, a report is put together and sent to Crown Counsel for approval.
- If approved, the accused offender will have 3 months to complete the plan.

Healing Plans

Our program works closely with the community and the members of the justice committee to incorporate and apply traditional justice models into the healing plan. They may include:

- Restorative justice processes such as a Community Justice Forum
- Elder counselling
- Traditional life skills programs
- Cultural Reintegration: e.g. sweat lodge, traditional ceremonies, ect.
- Treatment or counselling
- A letter of apology to the victim(s)
- Direct service to the victims for payment for damage/loss
- Educational research via an essay or report
- Community work service hours
- An educational program
- Restitution for damages/loss
- Responsible consequences as negotiated during the interviews

Important Facts to Consider:

Alternative Measures is not a slap on the wrist for offenders.

The healing plan deals with personal issues and active participation.

If the offender complies with the healing plan conditions, Crown Counsel will stay the charges and the offender will not get a criminal record.

If the offender does not comply with the conditions of the healing plan, the file is sent back to Crown Counsel for formal proceedings.

