

DATE OF MEETING | OCTOBER 16, 2024 |

AUTHORED BY | ART GROOT, DIRECTOR, POLICE SERVICES |

SUBJECT | NANAIMO RESTORATIVE JUSTICE PROGRAM OVERVIEW

OVERVIEW

Purpose of Report

To present the Finance and Audit Committee with an overview and update of the Nanaimo Restorative Justice Program and to obtain Council approval for increased annual funding starting in 2025. |

Recommendation

That the Finance and Audit Committee recommend that Council:

1. Add increasing the annual operating grant from \$50,000 to \$85,000 in 2025, for the Nanaimo Restorative Justice Program, as a decision point to the 2025 budget deliberations for Council's consideration; and,
2. Refer the report to a future Public Safety Committee Meeting.

BACKGROUND

The City of Nanaimo contributes \$50,000 annually towards restorative justice services within the community and has consistently maintained that level of funding since 1998. These funds have been managed by the Connective Support Society (formerly John Howard Society) for over 25 years. Since 1998, the program has one of the highest rates of referrals in British Columbia with cases being referred from the Nanaimo RCMP, Federal and Provincial Crown Counsels, Youth Probation, local schools, community organizations and individuals.

Based on client and community feedback, the Nanaimo Restorative Justice Program benefits the community through:

1. Increasing public safety through criminal recidivism reduction in both youth and adults by addressing root causes of behaviour including trauma, substance use, intergenerational harm and mental health concerns.
2. Meeting the needs of victims of crime and offering them a voice and input into the justice process while designing Restorative Justice Agreement Terms that address repair, education and prevention.
3. Providing early intervention with youth clients (50% of the files) to support them to set a healthy foundation for the rest of their lives.
4. Providing indigenous victims and offenders a justice process that prioritizes cultural support and incorporates traditional forms of indigenous justice practices.

5. Offering meaningful opportunities for volunteerism in their community. During the last year, restorative justice volunteers spent over 300 hours mentoring youth clients and supporting Restorative Justice Dialogues. |

DISCUSSION

Over the last 25 years, 4,000 youth and adult files have been successfully completed, and Nanaimo Restorative Justice is a trusted leader in the promotion of community and Indigenous-based restorative justice practices. The program delivers services at no cost for a wide spectrum of files including assault, theft, drug trafficking, medical discrimination, break and enters, mischief, uttering threats, intimate partner violence, sexualized violence and racially motivated harm. Nanaimo Restorative Justice's mandate is to meet the justice needs of victims of crime, as well as provide wraparound support to offenders so they can take meaningful accountability, engage in repair and make positive life choices.

In the last year, Restorative Justice Nanaimo provided services to over 75 responsible parties (offenders) and 88 affected parties (victims). The program worked with over 50 families, 8 elementary and high schools and 7 community partner agencies. Over 85% of files were closed with full compliance, meaning the offender successfully completed all their Agreement Terms. Agreement Terms focused on addressing root causes of behavior, preventing future harm, educating the offender and repairing with the victim. Specifically, Restorative Justice Dialogues and Healing Circles, counseling and substance use recovery support, courses on anger management, healthy relationships and parenting, letters of apology, financial restitution, community service volunteering and employment program completion were some agreement terms included in the last year.

Interest in restorative justice has risen considerably with a 50% increase in referrals at Nanaimo Restorative Justice in the last decade. The Nanaimo RCMP have one of the highest rates of restorative justice referrals in the province. The 5-year average is 45 files per year. The RCMP are strong proponents of the restorative justice process and have included it as a key priority in their *2024-2027 Strategic Plan* and the *BC RCMP Strategic Plan 2021-2023*. These plans highlight the importance of restorative justice as an alternative justice measure and part of ongoing policing excellence. Additionally, the *City Plan: Nanaimo Reimagined* speaks to supporting “services that utilize evidence-based practices for crime prevention and reduction” and multi-sectoral initiatives that “value diversity and address neighbourhood needs” (C3.1.5 and C3.1.8).

Complexity in files has risen and an increase in both staff hours as well as specialized training is required. Complexity has increased both in terms of the type and severity of offenses being referred to Nanaimo Restorative Justice and the accessibility needs of clients due to mental health concerns; substance use and financial and employment barriers. Referrals in the last year have included serious crimes including family and intimate partner violence, sexualized violence, hate crimes and racially motivated harm, and illegal substance possession and trafficking.

There has been an increased call to make restorative justice more available to Indigenous clients and community members. Nanaimo Restorative Justice has worked extensively with local Nations (including with the Snuneymuxw Justice Committee) to meet the needs of indigenous clients. Positive feedback received from indigenous clients demonstrate that restorative justice can more closely align with the traditional justice practices from their home Nations. Many of the indigenous restorative justice clients receive cultural support throughout the restorative justice process,

including with Elders supporting Restorative Justice Dialogues, Healing Circles and Ceremonies. The work in this area is supported by the Nanaimo Indigenous Justice Centre and other local agencies like Kw'umut Lelum and Tsow Tun Le Lum.

The impact and benefits of the Nanaimo Restorative Justice Program brings to the community have been recognized and acknowledged by multiple individuals and organizations across the community and there is common interest in building this program to meet the increased need.]

FINANCIAL CONSIDERATIONS

Nanaimo Restorative Justice has received \$50,000 per year from the City of Nanaimo since 1998. That amount has remained unchanged since then.

As program costs have increased and funding sources have remained limited the level of services available to the community have been decreased over the last couple of years. In response to the limited funding available Nanaimo Restorative Justice has adjusted to continue operation by:

- Terminating the Indigenous Team Lead/Case Manager staff role.
- Terminating the General Case Manager Staff role.
- Initiating a two-month program and staff break with a pause on new referrals.
- Implementing case waitlists.
- Returning some complex files that would take up too much resources.
- Decreasing the number of referrals being received from the Nanaimo RCMP.
- Adjusting resources to dedicate staffing hours to seeking grant-based funding rather than direct services.

The Nanaimo Restorative Justice team has applied for over three million dollars in unsuccessful grant applications in the last year, and many of the grants that used to fund their program during COVID-19 have now been discontinued. Restorative Justice Programs across BC continue to advocate for increased funding from provincial and federal government as well.

The Nanaimo Restorative Justice Program will also be making a funding increase request to the Regional District of Nanaimo Board, in the very near future.

The current Nanaimo Restorative Justice Program manager has provided a summary of current and proposed funding and its direct relation to program staffing. All current and proposed amounts also cover 15% administration (office rent, insurance, etc), staff mandatory employment related costs and benefits (if applicable) and \$5,600 in yearly direct program costs (office supplies, staff development, client materials, trainings for volunteers, etc.);

1. Current Funding: \$50,000
 - Provides 0.7 FTE (25 hours per week) Program Manager
2. Proposed Funding Model #1: \$85,000 for 2025 with a 2% annual increase and on a 5-year term (Service Agreement)
 - Provides 1.0 FTE (35 hours per week) Program Manager
 - Provides 0.07 FTE (2.5 hrs per week) Case Worker
3. Proposed Funding Model #2: \$100,000 for 2025 with a 2% annual increase and on a 5-year term (Service Agreement)
 - Provides 1.0 FTE (35 hours per week) Program Manager

- Provides 0.3 FTE (10.5 hours per week) Case Worker
4. Proposed Funding Model #3: \$150,000 for 2025 with a 2% annual increase and on a 5-year term (Service Agreement)
- Provides 1.0 FTE (35 hours per week) Program Manager
 - Provides 0.83 FTE (29 hours per week) Case Worker

When it was first instituted in 1998, the \$50,000 contribution from the City allowed the program to consist of one permanent full-time staff. Over twenty years later, the same contribution only allows for 0.7 of one permanent staff.

Over this time, the program's scope has changed to meet the needs of the community, with complex cases making up most of the referrals. Complex cases are defined as those that involve one or more of the following:

- A serious type of offense,
- Complex relational dynamics between participants, and/or
- Participants with intersectional, serious mental health issues, substance use/addictions, lower cognitive functioning/neurodiversity, and/or systemic barriers.

If the original \$50,000 from 1998 had seen an annual 2% increase, the 2025 funding amount from the City would be approximately \$85,000 per year, which still would not cover the cost of Nanaimo Restorative Justice's ideal funding model outlined in option three above.

The program has navigated these challenging landscapes as they have arisen with creativity and pragmatism; however, complex cases require an increased level of time, skill and support – one staff alone cannot fulfill all these requirements at current referral rates.

All the above possible increased funding models will still require the program to seek grant-based funding for the support of their current projects and priorities, including:

1. Supporting Indigenous clients (reinstating the Indigenous Team Lead/Case Manager role that they used to have prior to funding cuts and honoraria for Elders and other cultural support).
2. Offering the Youth Mentorship Project (recruiting and training volunteers, providing associated mentorship program costs).
3. Engagement with local schools (meeting School District 68's request for Restorative Justice training for principals, teachers and students, offering time sensitive in-school Restorative Justice services).

OPTIONS

1. That the Finance and Audit Committee recommend that Council:
 1. Add increasing the annual operating grant from \$50,000 to \$85,000 in 2025, for the Nanaimo Restorative Justice Program, as a decision point to the 2025 budget deliberations for Council's consideration; and,
 2. Refer the report to a future Public Safety Committee Meeting.

- The advantages of this option: Increased funding support for Nanaimo Restorative Justice would allow for ongoing direct restorative justice programming and services within in the community and support Community Safety and Security Policies in the City Plan.
 - The disadvantages of this option: Increased costs to offer restorative justice programming inhibits the amount of direct programming available and without additional financial support the community will see a continual decline in direct programming and services. Without this program there could be an increase in crime.
 - Financial Implications: Decision slide will include alternative funding models for Council's consideration. Any increase to the annual operating grant would be funded from property taxation.
2. That the Finance and Audit Committee recommend that Council provide alternative direction.

SUMMARY POINTS

- Nanaimo Restorative Justice has received \$50,000 per year from the City of Nanaimo with no increase in funding since 1998.
- Complexity in files has risen and an increase in both staff hours as well as specialized training is required to continue programming and services at a level that meets community need.
- Funding increase will allow for additional staff resources to expand services within the Nanaimo Restorative Justice program.
- Restorative justice is strongly supported by the RCMP as a key priority for alternative justice and policing excellence.
- Nanaimo RCMP are the highest referral agency to the program.

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