



ARCHIVED - Archiving Content

Archived Content

Information identified as archived is provided for reference, research or recordkeeping purposes. It is not subject to the Government of Canada Web Standards and has not been altered or updated since it was archived. Please contact us to request a format other than those available.

ARCHIVÉE - Contenu archivé

Contenu archivé

L'information dont il est indiqué qu'elle est archivée est fournie à des fins de référence, de recherche ou de tenue de documents. Elle n'est pas assujettie aux normes Web du gouvernement du Canada et elle n'a pas été modifiée ou mise à jour depuis son archivage. Pour obtenir cette information dans un autre format, veuillez communiquer avec nous.

This document is archival in nature and is intended for those who wish to consult archival documents made available from the collection of Public Safety Canada.

Some of these documents are available in only one official language. Translation, to be provided by Public Safety Canada, is available upon request.

Le présent document a une valeur archivistique et fait partie des documents d'archives rendus disponibles par Sécurité publique Canada à ceux qui souhaitent consulter ces documents issus de sa collection.

Certains de ces documents ne sont disponibles que dans une langue officielle. Sécurité publique Canada fournira une traduction sur demande.



COMMISSIONER'S DIRECTIVE 785

In Effect: 2015-07-23
Last Review: 2013-11-18
Due for Review: 2017-07-23

Restorative Opportunities Program and Victim-Offender Mediation Services

PROGRAM ALIGNMENT	Correctional Interventions
OFFICE(S) OF PRIMARY INTEREST	Communications and Engagement Sector
ONLINE @	<ul style="list-style-type: none"> • http://infonet/cds/cds/785-cd-eng.pdf • http://infonet/cds/cds/785-cd-fra.pdf • http://www.csc-scc.gc.ca/text/plcy/cdshtm/785-cd-eng.shtml • http://www.csc-scc.gc.ca/text/plcy/cdshtm/785-cd-fra.shtml
AUTHORITIES	<ul style="list-style-type: none"> • Corrections and Conditional Release Act (CCRA), section 26.1 • Corrections and Conditional Release Regulations (CCRR) • Canadian Victims Bill of Rights (CVBR), section 6 • Privacy Act • Access to Information Act • Witness Protection Program Act • Criminal Code
PURPOSE	<ul style="list-style-type: none"> • To provide guidance on the Restorative Opportunities Program and its victim-offender mediation services
APPLICATION	Applies to all Correctional Service of Canada staff and contracted service providers who may be involved in matters relating to restorative justice and victim-offender mediation services

CONTENTS

SECTIONS	
1 – 8	Responsibilities
9	Information Management
10	Risk Management
11	Technology Solutions
12	Enquiries

Annex A[Cross-References and Definitions](#)**RESPONSIBILITIES**

1. The Assistant Commissioner, Communications and Engagement, has the authority to develop guidelines on the Restorative Opportunities Program protocols which must be followed.
2. The Institutional Head/District Director will:
 - a. facilitate the entry of victims participating in the Restorative Opportunities Program for all victim-offender mediations held at the site
 - b. ensure that information regarding the Correctional Service of Canada's (CSC) victim-offender mediation services is available within operational units.
3. The National Manager, Restorative Justice and Victim Services Division at National Headquarters (NHQ) will:
 - a. ensure that processes for referral assessments and [victim-offender mediation](#) case management and supervision are in place
 - b. ensure that pursuant to [section 6](#) of the *Canadian Victims Bill of Rights* and [section 26.1](#) of the [CCRA](#), processes are in place for providing victims with information on CSC's restorative justice programs and victim-offender mediation services
 - c. manage the [Restorative Opportunities](#) (RO) case files and information
 - d. provide effective work tools and training to Restorative Justice Unit staff and RO Mediators
 - e. ensure that issues related to safety and security are raised to the appropriate authority.
4. [Restorative Opportunities Mediators](#) are responsible for:
 - a. Ongoing victim-offender mediation case assessments and case preparation
 - b. facilitating victim-offender mediation services
 - c. raising issues related to safety and security to the appropriate authority.
5. The Regional Victim Services Managers and Victim Services Officers will:
 - a. direct [victim referrals](#) to the NHQ [Restorative Justice Unit](#)

- b. provide victims with information on the Restorative Opportunities Program and assist in establishing communication between victim(s), mediator(s) and Restorative Opportunities Program staff
 - c. provide Restorative Opportunities Program staff and Mediators with relevant case information and access to victim file information.
6. The Manager, Assessment and Interventions, will ensure:
- a. [institutional referrals](#) are directed to the NHQ [Restorative Justice Unit](#)
 - b. [victim referrals](#) are directed to the NHQ [Restorative Justice Unit](#) when the victim makes contact with an institution
 - c. Restorative Opportunities Program staff and Mediators are provided with relevant case information and access to offender file information
 - d. the entry of Restorative Opportunities Mediators and participants into the institution for pre-victim-offender mediation meetings and the delivery of victim-offender mediation services.
7. The Parole Officer Supervisor/Community Correctional Centre (CCC) Manager will ensure:
- a. [community referrals](#) are directed to the NHQ [Restorative Justice Unit](#)
 - b. [victim referrals](#) are directed to the NHQ [Restorative Justice Unit](#), when the victim makes contact with a parole office
 - c. Restorative Opportunities Program staff and Mediators are provided with relevant case information and access to offender file information
 - d. pre-victim-offender mediation meetings and the delivery of victim-offender mediation services are accommodated.
8. The Parole Officers, all other CSC staff and contracted service providers will:
- a. direct all requests for victim-offender mediation services ([victim referrals](#), [institutional referrals](#) and [community referrals](#)) and communication between victim and offender to the Restorative Justice Unit
 - b. provide Restorative Opportunities Program staff and Mediators with relevant case information and access to offender file information
 - c. liaise with Restorative Opportunities Mediators to facilitate the provision of victim-offender mediation services
 - d. refer to [Guidelines 785-1 – Restorative Opportunities Program Protocols](#), when recommending special conditions that include no direct or indirect contact conditions with victims to ensure that

victim-offender mediation services remain accessible upon a victim's request.

INFORMATION MANAGEMENT

9. Participation in the Restorative Opportunities Program and victim-offender mediation services is not intended to have any direct impact on an offender's sentence, CSC decisions and parole decisions. As such:
 - a. victim-offender mediation services are confidential
 - b. participant, process and outcome information is excluded from case management files and the Offender Management System (OMS)
 - c. Restorative Opportunities case files and related information, including Restorative Opportunities consent forms, are managed by the NHQ [Restorative Justice Unit](#).

RISK MANAGEMENT

10. The Restorative Opportunities Program and victim-offender mediation services are to be provided in a way that effectively manages risk and safety. To this end:
 - a. ongoing assessments will be conducted by staff of the NHQ [Restorative Justice Unit](#) to ensure participant safety
 - b. all parties concerned will coordinate efforts to assess and effectively manage risk by disclosing to those with a need to know imminent risk for self-injury or suicide or for causing serious bodily injury or death to other persons.
 - c. it is the responsibility of all individuals to bring to the attention of the NHQ [Restorative Justice Unit](#) any safety and security concerns or questions about the Restorative Opportunities Program process.

TECHNOLOGY SOLUTIONS

11. Appropriate information technology solutions will be provided to Restorative Opportunities Program staff and Mediators to facilitate the secure recording, storing, and communication of Restorative Opportunities case files, offender information and victim information. Such services will include access to:
 - a. CSC e-mail accounts to communicate offender and victim information between CSC staff and Restorative Opportunities Mediators
 - b. the OMS to review offender and victim file information relevant to case referrals in order to complete victim-offender mediation case assessments and case preparation
 - c. the CSC network to store electronic documents

- d. a CSC database where all client and mediation case information can be stored separately from case management files and OMS files.

ENQUIRIES

12. Strategic Policy Division
National Headquarters
Email: Gen-NHQPolicy-Politi@csc-scc.gc.ca

Commissioner,

Original Signed by:
Don Head

ANNEX A

CROSS-REFERENCES AND DEFINITIONS

CROSS-REFERENCES

[CD 085 – Correspondence and Telephone Communication](#)

[CD 225 – Information Technology Security](#)

[CD 226 – Use of Electronic Resources](#)

[CD 559 – Visits](#)

[CD 701 – Information Sharing](#)

[CD 784 – Victim Engagement](#)

[GL 785-1 – Restorative Opportunities Program Protocols](#)

[CD 786 – Victim Complaints](#)

[Canadian Statement of Basic Principles of Justice for Victims of Crime](#)

DEFINITIONS

Community referral: a means for CSC staff to communicate a conditionally released offender's request to initiate any type of communication with the victim.

Institutional referral: a means for CSC staff to communicate an offender's request to initiate any type of communication with the victim.

Restorative Opportunities (RO): a CSC program based on restorative justice principles and values, such as accountability, inclusiveness, honesty, and empathy. RO provides victims, offenders and community members with an opportunity to address the harms caused by crime through victim-offender mediation services. Participation in the RO Program is voluntary for all participants.

Restorative Opportunities (RO) Mediators: community-based mediators specialized in working with people affected by crime. They are employed by CSC on a casual basis and renewed annually (except in the Pacific region, where mediators are provided through a service contract).

Victim-offender mediation (VOM): a communication and mediation process that uses, but is not limited to, letter exchange, video recording exchange, face-to-face meetings, and group conferencing.

Victim referral: a means for victims or victim representatives to communicate/initiate a request on behalf of a victim to enter into communication with the offender who caused him or her harm.