

JUSTICE-WITH-HEALING: AN ADAPTED INDIGENOUS MODEL OF JUSTICE AND HEALING OF RELATIONSHIPS

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This article introduces and provides a dramatization reflecting the principles and process highlights of an indigenous justice model that originates with the Maori of New Zealand. This model, known as Family Group Conferencing, was legislated in 1989 in New Zealand for all youthful offenders. This article includes an instructor's guide for classroom or workshop preparation, a debrief outline for guiding discussion, and an 18-role vignette which illustrates through a brief dramatic demonstration what a family group conferencing session might look and feel like.

INTRODUCTION

Purpose

Our purpose for creating this Justice-With-Healing Circle model dramatization is to provide an effective process that addresses harms and incorporates relationship healing principles. Our hope is that this model will be developed for use within an actual community context. This example comes with some warnings. It is not to be enacted as a spontaneous role-play nor without preparation. It also must be preceded by community conversation and healing circle facilitator training. This article introduces a healing circle model for future study, development, and possible implementation.

Historical Context

We were inspired to write this dramatization when we met Matt Hakiaha

from New Zealand. Matt came to Winnipeg in the fall of 1995 to participate in a restorative justice conference. Restorative justice practitioners were very interested in this successful model, known as Family Group Conferencing (FGC), which incorporates ancient cultural practices of the Maori people.

Family Group Conferencing is currently legislated into common usage for justice matters in all of New Zealand. Matt shared a case study with us, and we subsequently created a fictionalized condensed dramatization to illustrate and share this model. More recently, Barbara added one new element inspired by her work in Eugene, Oregon: namely, a "Special Listening Chair" which is a key component within the counseling intervention, Neutralizing History (NH), created by Barbara's mentor, Dr. Susan K. Gilmore and within the Daté Discernment Circle (DDC) developed by Barbara. This "Special Listening Chair" is intended to focus on the speaker by using an essential mini-paraphrasing (or compassionate listening)¹ skill. The goal of this skill in the Justice-With-Healing (JWH) model is to enable participants to engage in deep understanding, apology, healing, and making things right. The "Deep Compassionate Listening Chair" skill was included in the DDC in 1987 and then also in the JWH process because Barbara kept noticing that dominant culture North Americans had been taught to speak eloquently and that it would help if they were provided a vehicle or method which would encourage or equip them to listen more deeply.

Caveat

We realize that people are often inspired by this model (as well as the NH and DDC). However, this model can be harmful if utilized in an inappropriate context or, worse, when facilitation is attempted by an inadequately trained person. Therefore, please do not alter this model. There are reasons why it is designed as it is. If you have creative ideas, we urge you to get in touch with one of the authors, and we will be glad to consult with you about your purposes and goals, and help you move in an effective and ethical direction.

OVERVIEW OF NEW ZEALAND MAORI MODEL OF FAMILY GROUP CONFERENCING

Cultural appropriateness is an underlying principle of this model. New Zealand has a large Maori population and the family group conference process meshes with the traditional Maori ways of dealing with conflict. Maori culture values involvement of the wider family (whanau), consensus

decision-making, shaming, and reintegration. The Family Group Conference (FGC) places a great emphasis on shaming the harmful behaviour while reaffirming the intrinsic worth of the individual.

The FGC is a community approach that seeks to involve the extended families and all parties that have a relevant interest in the offence or harmful behaviour. The major focus of the FGC is to achieve a satisfactory resolution through consensus and sharing power, while treating all parties with dignity and respect. This process may be a suitable approach for diverse groups of people, cultures, and communities.

Seven principles are enshrined in the New Zealand legislation which embody and uphold the spirit and intent of the FGC model.

1. *Responsibility*: Includes accountability for offending behaviour, [the impact upon the victim(s)], and the public interest. Age of youth will influence the sentence or penalty.
2. *Diversion*: Encourages alternatives to incarceration and supports a strengthening of family and community ties in regards to offending behaviour. The Family Group Conference has become a primary means of diversion from Youth Court in New Zealand and some parts of Australia.
3. *Proportionality*: Limits the excessiveness of sanctions, penalties, and interventions toward young offenders.
4. *Equality*: Seeks similar responses to criminal behaviour based on type of offence, rather than on the status, class, and race of offender affecting the outcomes.
5. *Determinacy*: Holds that sentences or sanctions are attentive to a time frame that is relevant to the young person.
6. *Specificity*: In addition to a relevant time frame, this principle emphasizes an understanding of the nature of sanctions and consent of the young person to non-custodial sanctions.
7. *Frugality*: Avoidance of escalating responses to minor or petty offending. Seeks the least restrictive alternative to offending behaviour.²

Additionally, the legislation also addresses the role of the court, the judge, and the victim(s) in regards to dealing with offenders and these statutes can

also be seen to reflect the seven principles as outlined above.

The process of the FGC involves several components:

- a. Welcome/Greetings/Introductions – prayers optional.
- b. The facilitator clarifies role which is primarily one of mediation and facilitation.
- c. The police officer reads a summary of the facts of the offence.
- d. The youth admits or denies involvement in the offence. If the youth admits involvement, FGC process continues. If the youth denies involvement, the matter returns to youth court.
- e. The victim describes impacts of the harm on her/him/them.
- f. Views are shared on how to set things right.
- g. The young person's family is given an opportunity to convene privately (caucus).
- h. Everyone rejoins the process and an agreement is made based on plans forwarded by the family. Everyone has to agree—consensus has to be achieved.

INSTRUCTOR'S GUIDE FOR FACULTY OR WORKSHOP FACILITATORS

Instructor Preparation

A. Review this entire set of materials. Please read this entire set of materials (Instructor's Guide, Role Seating Chart,³ dramatization, and debrief outline) before moving forward to implement this lesson plan.

B. Prepare the handout materials for the participants and the instructor's highlights of purpose and historical context, etc. to share with your students/participants. You will be able to download all handouts and materials for your class/workshop, including the entire dramatization vignette for your 18 readers.⁴

1. Two-page overview of New Zealand Maori Model of Family Group Conferencing.
2. Single page Deep Compassionate Listening handout as shown

in Appendix A. (Print on yellow paper for the purpose of easily identifying that sheet.)

3. The entire vignette script for 18 roles/readers, each individual person's part highlighted. (Provide each copy back-to-back and stapled along the left-hand side so it can easily be read like a book.)

4. Single page class/workshop Feedback sheet.⁵ (Print on some other color for ease of collecting at the end of the class/workshop.)

C. Prepare the Vignette Facilitator (Wiichiway) participant. Meet for about 15 minutes with the individual who is going to read the Facilitator role in order to clarify the purpose of this session and also their key role in the dramatization script process. Give the facilitator all the prep materials that you (as the instructor) have, with instructions to review the vignette so they become familiarized with what is expected in this role's responsibilities.

You will notice there is a symbol for the Special Listener Chair noted right after the name of the person asked to sit in the Listener Chair (e.g. Darren: ). This visual is provided to point out to each "Listener" when to stand and walk over to the Special Listener chair. As in real life, the Facilitator must be attentive and helpful. In this case the Facilitator may wish to prompt the person asked to be a special listener to go sit in the chair to face that next speaker. (Even though this is a scripted role, we wish to alert the Facilitator to be prepared to offer support to those reading their role parts.)

D. Set up the room in advance. It is essential that the 18 chairs (with a role posted or attached on each chair) in the room be set up before the participants/students walk into the room. Ideally, all roles are read by separate people, which will yield the best results. It is recommended that students are prepared by the faculty in the class before the dramatization vignette. If this is a workshop setting, and only the "facilitator" has been briefed in advance, you (the workshop instructor) can invite everyone to take any seat and then organize them later.

The chairs should be set in a circle with one chair for the circle facilitator and the other 17 parts in the precise order on the seating chart included here. Also include a simple sturdy chair to be placed in the middle of the circle and in front of Darren's chair. If you are the instructor or workshop

instructor who is not taking one of the 18 parts, set your own chair near and slightly behind to the side of the JWH circle facilitator so you can quietly/unobtrusively coach that person if necessary. Others in the class/workshop invited to watch (i.e. the “observers”) can have their chairs outside the circle so as to not be intrusive but able to hear well. If the group is large or the room itself is large, two wireless microphones can be set up, one for the circle facilitator and a second one to reach around to all the other 17 parts and to the “Listening Chair” member in the center of the circle. If microphones with cords would be used, use a short cord for the facilitator and a very long cord for the other 17 parts and the Listening Chair member.

Conclusions and Debriefing

The following are highlights to mention before the end of the class/workshop session:

- a. The purpose of this model is to enhance the wellbeing of families and to strengthen community and family ties through participation and consensus decision-making. The goal is to promote healing for:
 1. The person who has caused the harm,
 2. The person who has been hurt by the behavior, and
 3. The community surrounding/living with both of those parties.

The goal is for eventual healing by all, the integration of the person causing the harm back into the entire community through constructive behaviours, and the strengthening of healthy relationships.
- b. Such a model might include a community of a dozen to 200 participants, but more commonly it will be the “inner circle” of both extended families and a few community members.
- c. In real life this process takes from several hours to a day or two. However, when it has been completed rigorously and respectfully, the solutions can have a major positive impact on everyone.
- d. The effectiveness of this model in New Zealand is very high—95% of FGCs reached an agreement. Recidivism or repeat offending was very low—2.5 to 3.5%.⁶
- e. We are depicting some key pieces in “miniature” to introduce the

model, process and skills to those unfamiliar with this process. We think this model could be applied in many settings.

The following “Thought Catalysts” can be used to invite sharing of observations by your students/participants:

- a. What did you observe that led to deeper understanding of the power of this model and its impact on individuals participating?
- b. How or why might the types of solutions the Circle affirmed be more profound and helpful than probation or a jail sentence?
- c. Future options: We hope that this introduction to healing models will inspire you individually or collectively to join with local or regional persons familiar with such models. Together you can develop a plan. (Feel free to share with us how things evolve.) What are some possible options you can imagine that might lead to collaborative discussions of this model in your own communities?

Feedback from students/participants can be obtained by using the single page Feedback Form provided. Participants may fill out this hard copy or use an electronic format to print or email one’s response.

Closing Caveat.

Reminder: This model is not a tool for an untrained person to implement tomorrow in real life with real people. The purpose here is to introduce a model which could be inspirational for your community to develop a model that would work well in your context. (We, the co-authors, are available for consultation.)

JUSTICE-WITH-HEALING CIRCLE VIGNETTE IN 18 PARTS

Preface

This 55-minute dramatization actively reflects the principles and the highlights of an ancient model known as “Family Group Conferencing” that originates with the indigenous Maori of New Zealand. This model was first shared in Canada in 1995 by Matt Hakiha who was one of the first Youth Justice Coordinators in New Zealand when Family Group Conferencing was legislated in 1989. The case study shared by Matt inspired this dramatization.

This fictionalized vignette illustrates through a brief dramatic demonstration

what key dynamics could look like and feel like. Real-life sessions obviously would take two or three hours or even several days. In addition, there would be assessment and preparation time privately with all participants leading up to the session, as well as follow-up time to implement and monitor any agreements arising from the session. We are depicting only some key pieces to demonstrate the model's process and skills.

Please note that the model presented here has our own unique adaptation—a special Listening Chair facing the person speaking. The individual asked by the speaker to listen is invited to deeply listen, “mini-paraphrasing” with no other verbal comments. That specific Deep Compassionate Listening Skill, “mini-paraphrasing,” would be taught to both family groups separately in advance of the combined facilitated session. We think this model can be adapted and/or applied in many settings; it is fundamentally different and distinct from other models adapted in Canada and the United States, such as community justice forums, sentencing circles, youth justice committees, or youth courts. We look forward to sharing and exploring this further.

This model can be harmful if misused. It is imperative that anyone wishing to use this model is trained and competent, particularly in coaching a purist form of paraphrasing.

Eighteen parts are listed and should be used as written. It is also essential that seating is in a particular order and that the order of sharing (i.e. the direction around the circle) is significant and has cultural meaning; therefore the replication of this dramatization as written is imperative.

Note: the “roaming” Special Listening Chair  moves in the middle of the circle to be placed in front of the Speaker (who has been given the floor by the Facilitator.) Process comments will be shared in the debrief afterwards.

Parts/Roles:

1. Healing Circle Facilitator (in this example, an Anishinaabe Healing Circle Facilitator Wiichiway, pronounced wee-each-ee-way, which means One who helps). It is imperative that a competent (pre-trained) facilitator be guiding this demonstration vignette.

Darren Spence's extended family/community members:

2. The one who caused harm/“Offender”: Darren Spence (17 year old)
3. Paternal Grandmother of Darren: Rosalind Spence “Granny”
4. Maternal Grandmother of Darren: Brigit Jones
5. Father of Darren: Troy Spence
6. Mother of Darren: Wendy Spence
7. Sister of Darren: Terry Spence (12 years old)
8. Sister of Darren: Annabel Spence (15 years old)
9. Pastor of Spence family: Pastor Lee Morrison
10. Favourite Teacher of Darren: Kerry Price
11. Cousin of Darren: Pat Spence
12. Youth Advocate/Lawyer for Darren Spence: Chris Wentworth

Professional/community member to represent the criminal justice system:

13. Police representative: Dale Shaw

Sharon’s Ojibway extended family/circle:

14. Mother of Sharon Wood: Beatrice Walking Tall
15. Sharon’s Counselor: Cynthia Whitecloud
16. Friend of Sharon: Jeannie Softfeather
17. Person harmed/“Victim”: Sharon Wood (owner of car stolen and damaged)
18. Elder Goodheart: Sharon Wood’s Elder

Initial / Opening Circle Session

Circle Facilitator/Wiichiway: Aniin (pronounced Aah-noon), Boozhoo (pronounced Boh-zho), Tansi (pronounced Tan-say)! We welcome you today to our time together. The participants have agreed in advance that we will open with a prayer. After the Elder opens our time with prayer, I will share about our purpose, our process and my Facilitator role. Now, I would like to invite Elder Goodheart to open our healing Circle with a prayer.

Elder Goodheart: I invite everyone to stand up now.

People all stand, those who are able.

Elder Goodheart: Miigwech (pronounced Mee-gwetch). We thank you. Creator, we thank you for this beautiful day! Miigwech for this planet our

Mother Earth, for the blue skies, the green forests, the rushing rivers, the blooming flowers that surround us each spring. Miigwech for the four directions that give us guidance daily. Miigwech for all the living creatures, for the birds that fly, those that swim and all the four leggeds. Miigwech for the two leggeds, our sisters and brothers in our communities of the four nations, the White, the Yellow, the Black and the Red people.

Miigwech for our time together here today. We invite your presence with us to empower us with the truth, the truth as we see it. We know you have taught us much about respect, respect for one another. We are learning about honesty and truth, about bravery and wisdom.

We are here with two families where pain has entered in. We stand next to our brother, young Darren to help guide him to health and healing—to put right what was wrong. We stand next to our sister Sharon to support her in her healing process from her hurt and the wrong done to her. We are the family and friends, the community for these two persons, and we stand with them at this time. Miigwech for wisdom that we seek today.

A special Miigwech for our guests today, those who come to learn about our ways. Miigwech for their courage to come to a new place, a strange place, here where all are welcome. Miigwech. All my relations, Ho! Amen.

All be seated.

Facilitator: I invite everyone in the circle to introduce yourselves by your relationship or role to Darren Spence or Sharon Wood. We'll go around clockwise just to introduce ourselves first. Darren?

Darren: I'm Darren Spence, I'm the person who got in trouble with the law.

Granny Spence: I'm Darren's grandmother, Rosalind Spence; thank you all for coming.

Brigit Jones: I'm the "other" grandmother, Brigit Jones; I'm Wendy's mother.

Troy: I'm Darren's father, Troy Spence.

Wendy: Wendy Spence, Darren's mother.

Terry: I'm his sister, Terry, I'm 12. (*Whispers*: I'm shy.)

Annabel: I'm not shy! I'm 15 and Darren's sister, Annabel. And I'm here to help resolve this situation!

Pastor Lee Morrison: I'm the Spence family pastor, Lee Morrison

Kerry Price: I'm Darren's teacher, Kerry Price.

Pat Spence: Pat Spence, one of Darren's cousins

Chris Wentworth: I'm Darren's lawyer, Chris Wentworth

Dale Shaw: Dale Shaw, Youth Aid Officer the Police representative

Beatrice: I'm Sharon Wood's mother, Beatrice Walking Tall

Cynthia: My name is Cynthia Whitecloud and I'm Sharon's counsellor; I'm here to support Sharon.

Jeannie: I'm Sharon's best friend; my name is Jeannie Softfeather.

Sharon Wood: I'm Sharon Wood, the person whose car was stolen and damaged.

Elder Goodheart: I am the Elder from Sharon's community and I am hopeful about this process. You are all brave to be here. Together we can seek wisdom and justice.

Facilitator: Our purposes for coming together today are to address the incident 14 days ago today and to participate in setting things right using a healing circle process. Participants within this circle session have all agreed in advance that they each are committed to reaching a solution in this matter through a group consensus. That is, all of you must agree to the solutions put forth within this circle. If no consensual agreement can be reached, then the matter will return to youth court.

I would like to add that I have full confidence that all the participants

here today have the ability to come to good, sound decisions that will be fair for all concerned. With the exception of the Facilitator and the Police Representative, each of you has been personally invited here by either Darren Spence or Sharon Wood.

Within this circle, we strive to affirm and support all participants—the person who has caused harm, the person harmed, their extended families, and the community and any other parties affected by this matter. This process is confidential, that is, what is shared within this circle is not to be disclosed to others not present today. The agreement reached will be formalized by the end of this process and shared by the police officer to the District Attorney.

The final agreement is public information. If there is no further conflict with the law on Darren's part, and the agreement terms are followed, the matter will be officially closed and no youth record will exist for this issue. Participation in this circle is voluntary, and all of you here today have agreed to take part.

The process will involve the police representative first reading a summary of the facts surrounding the incident two weeks ago today.

I will give Darren the first opportunity to speak to state and acknowledge his role in this incident. Then Sharon Wood will be invited to share and directly after Sharon speaks, I will give Darren the opportunity to respond to Sharon if he chooses. Then we will proceed in a clockwise direction with Darren's extended family and supporters sharing; then Sharon's extended family and supporters sharing.

Once everyone has had an opportunity to share how this incident has affected them Darren's family may choose to have a caucus, or private meeting.

After the caucus, everyone will be invited to share their recommendations or have input into planning a comprehensive agreement. After a consensus is reached, the agreement will be formalized and refreshments of bannock and juice will be served.

My role in this process is primarily to monitor the process and ensure that everyone has a chance to participate and that if possible, a consensus be reached at the end of our time together. To begin, I'd like to ask the police representative, Dale Shaw, to read the Statement of Facts.

Dale Shaw: This is the Summary "Statement of Facts".

“Darren Spence, who is 17 years old, was apprehended for car theft. This offence occurred 14 days ago prior to our session today. Darren has been cooperative with the police, with one exception stated later in the report.

“On that evening police spotted a brown Honda which had been involved in a car accident. When asked to produce his driver's license and registration, the police discovered that the car had been stolen. Darren was taken to the downtown police station where he was charged and released to his parents. Damage to the car, which had been totaled, has been estimated at \$7,600.

“A digital camera with 100 photos and 10 disposable cameras with undeveloped film all valued at \$400 was also ruined. When the police questioned Darren again about where he had stolen the car, he said he didn't know exactly, which is how we learned that there was another person involved. Darren has repeatedly refused to state the name of the youth who initially stole the car for fear of his own well-being and that of his family.

“Darren Spence has been charged with car theft, causing damage to the stolen car and its contents.”

Facilitator: Thank you Dale. Darren, we understand that you accept responsibility for this, and now we invite you to affirm this in public.

Darren: Yah, I do. I was driving the car when it crashed. It was totally my fault the car was ruined. It was not my car; it was stolen.

Facilitator: Thank you Darren for owning up to this in public with all of us here. This is another step you've taken in a healthy direction. With this acknowledgement of your responsibility in this matter, we can now proceed to this next phase.

At this point I want to give Sharon Wood, the opportunity to share what impact Darren's behaviour has had on her. While Sharon speaks, I will set the Special Listening chair in front of her for her Listener to sit in while he or she listens and paraphrases. In this case, she has told us in advance that she would like Darren to be her Special Listener. We realize that this Deep Compassionate Listening skill is a new one for many, so we will be supportive in everyone's attempts at this careful listening and remember, I am here to help coach and support the special Listener also.

Darren:  (*moves over to sit in the Special Listener's Chair in front of Sharon*).

Sharon: My vehicle was stolen and totaled by this young man (*nods at Darren*) who was apprehended and I was told that he had agreed to participate in this Anishinaabe (pronounced Ah-ni-shi-naah-bay) Healing Circle. I was encouraged to attend today by the Facilitator and my family. I don't know much about this process, but it sounds like a good idea....

Darren: Uh...

Facilitator: Yes, Darren this is a good place to paraphrase, just state what you have understood so far...

Darren: You're not sure, but will try.

Facilitator: (*nods yes*) Good, short...

Sharon: Yes. Hopefully, this kind of session will help young people learn to be more responsible, so I am very interested and curious. I am impressed that you have not just admitted your responsibility, but that you are also sitting here facing me!

Darren: You're surprised I've owned up; that I'm even here.

Sharon: Not exactly surprised, but touched that you are listening to me. I also hope it would address my problem of not having a car. The theft of my car has had a big impact, especially on my children. I have three children, ages 3, 5 and 9. My youngest goes to preschool two miles away and the older two children attend school a mile from home. I need my car in order to get them to school and also, to drive to and from work every day.

Darren: You depend—dependent on your car each day.

Facilitator: (*nods yes*).

Sharon: Yes, and when it's missing it's even more noticed and missed. My oldest is on the swim team preparing for competition events and because

of not having my car, she has missed some practices. I have already missed three days' work trying to make some other arrangements for transportation and to make a statement to police and to car insurance agents. On top of that, because my car was totaled, I have had to spend a great deal of time looking for another car and I still haven't found one.

Darren: Your life's a mess.

Sharon: Right. You got it. It really bothers me. There are so many cars being stolen by young people, kids like you, and it seems like they are only getting a slap on the wrist and you don't learn anything from that. I am also worried about youth growing up into responsible citizens, and I really want youth to learn earlier in life that there are natural consequences when they are irresponsible. This is an opportunity for you to learn.

Darren: You think we're jerks.

Sharon: Well, not exactly jerks, but you have to learn what is right and what is wrong. And the sooner the better. Life is hard enough without making it hard for each other.

Darren: You want us to learn.

Sharon: Yes. And I want you to know that you did more than steal a car, you stole our memories! My grandmother just turned 85 and we had supplied 10 disposable cameras for guests to take photos plus the digital camera had about 100 photos on it—for her 85th birthday party; it was the first family reunion we've had in ten years!! You stole our happy memories. Now every time we think of our family reunion, we remember that was the day my car was stolen and wrecked.

Darren: I ruined it for your family.

Sharon: Yes, that's right. You caused us so much pain and I wake up to that every day. I didn't expect to feel so angry and violated. I've never been robbed before. This really has shaken me up. I am still angry. My children cry all the time now.

Darren: (*looks ashamed*) You—still very—upset...

Sharon: You can say that again. And please everyone, call me Sharon.

Facilitator: Thank you Sharon for sharing openly about your experience and the impact on you. I think we each have a better picture of your hurt and suffering, much beyond the loss of material things. If you would like to share more now or later, you may.

Sharon: Maybe later.

Facilitator: I'll remember that. Darren, we can see by your paraphrasing, that you understand much better. And since Sharon is now finished sharing, Darren you may take your seat again.

Next, we want to give Darren the opportunity to share something now before we move on to the rest of his family.

Darren: OK. I was going to ask someone else, but I can see that Ms. Wood is a nice person, so I guess it's fair that I ask—Sharon—to be my listener?

Sharon:  (*gets up to sit in the Listening Chair*) It meant a lot to me that you listened to me, so—ok...

Darren: I'm not sure what to say. I really didn't realize that I was hurting a person—a real live person who has feelings—and a life—and kids, little kids and a grandmother (pauses) that what I did hurt children and made them scared—made them cry...

Sharon: Now you see that your actions harmed us, violated real people.

Darren: Since we're not done yet, I probably will learn a lot more, but I already feel bad...I can see I didn't realize—I—didn't mean to hurt you.

Sharon: You didn't plan to harm us. You're open to learn more...

Darren: Yah—that's enough for now.

Facilitator: That's fine for now, you'll get another chance later. Sharon, thanks for coming to take the Special Listener's chair. This has to be tough to do.

Sharon (*moves back to her own chair*).

Facilitator: Next we will turn to Darren's family for any comments. Once again, we will invite each person who wishes to share to first invite a Special Listener for yourself and for us. We have you seated in a special order. Granny Spence you're next...

Granny Spence: Miigwech, Thank you. I'd like Sharon Wood's mother to be my listener.

Facilitator: Beatrice, please come sit here. Thanks for helping out in this way. Your job is to listen for us all and to paraphrase, restate what you've understood, as short as possible. I'll be here to coach you, if needed.

Beatrice Walking Tall:  (*gingerly stands up and points*) There?

Facilitator: Yes.

Granny Spence: I'm Darren's grandmother, his father's mother. Thank you all for being here to help us. He was our first grandchild. We held him in our arms and nurtured him and helped him since he was a babe. Now we can see that we need to do that again.

Beatrice: You guided him then and now again.

Granny Spence: Yes. He has been a good kid, mostly, and children often make mistakes. Now we have to stand by him and help him put things right. We can see that this is really serious.

Beatrice: You recognize a wrong was done.

Granny Spence: Right, and we are committed to fixing it. And we as a

family think this session is a great idea. This is our first time; and (*looking at Darren*) it better be our only time, too! Already I can see it helping.

Beatrice: Ms. Spence, you're hopeful.

Granny Spence: (*nods, looks at the Facilitator as if finished speaking*) And everyone here can call me Granny if you want, everyone else does.

Facilitator: Thanks for inviting us to do that, Granny. It looks like you're finished sharing for now, so Miigwech to you both. Thank you very much, Beatrice for helping out and doing such a great job of listening and paraphrasing. They were correct and very short, too. It helps all of us understand better. Next is Darren's other grandmother, Brigit Jones.

Beatrice: (*moves back to her own chair*)

Brigit Jones: My name is Brigit Jones and I'd like—Sharon--would you? Come be my Listener—is that ok?

Facilitator: Yes, Sharon you are invited to be the special listener, if you'd be willing to help out in this way—it's voluntary—only if you are willing to...

Sharon:  (*moves back to the Listening Chair*) Sure.

Brigit: We are here because we care about Darren very much. We are also interested in putting things right. What Darren did was just plain wrong—and now he must make things right again. That's why we're here—to support him and help him do the right thing.

Sharon: You see it was a mistake and plan to help him fix it.

Brigit: Yes. That's all I have to say. Is that ok?

Facilitator: Yes, the sharing is voluntary and each person is invited to say as much or as little as you wish. Next is Darren's father.

Troy Spence: I'm Darren's father, Troy Spence. For my listener I'd like

Sharon Wood back here, is that all right?

Facilitator: It is the job of the speaker to ask for your Special Listener, so yes.

Sharon:  (*comes back to sit in Listening Chair*).

Troy Spence: It is a real shame for you to have lost all of that. We are so sorry. You shouldn't suffer because a kid is having personal problems. It's not your fault.

Sharon: You are sympathetic with me. You feel for me...

Troy: Yah. Yes. Darren was a good kid for many years—when he was younger. Now I feel guilty for not being around more and providing more guidance. I can see that he is still a youth and needs guidance. I can see this session might be good.

Sharon: You feel responsible because you have been not involved enough. You can see he needs more help.

Troy: Yes, I feel really badly that I contributed to this problem because I didn't spend enough time with him. I could have helped out guiding him more. I wasn't there for him like I should have been—I wasn't around much...

Sharon: You feel you could have supported more.

Troy: Yes. This is embarrassing for many reasons. I left my family because of my own personal problems and I withdrew and have not been around much. I didn't know what to do, so I just left. I can see he needed me. Probably the entire family needed me to be there for them.

Sharon: You left—they—and they needed your help...

Troy: Yes—right. That's all for now.

Facilitator: OK, Miigwech to you both. Next is Darren's mother.

Wendy Spence: I don't know who to ask for my Listener—a volunteer?

(pause)

Cynthia Whitecloud: 🪦 I'll do it. Is it ok if I listen?

Facilitator: Yes, certainly, thanks for volunteering!

Wendy: Darren is our first child *(tearfully)*. He has a good job at Safeway after school—He—used to help—around the house with chores—I noticed things have gotten worse this last year—Thank you.

Cynthia: You know he can be good; but it's gone downhill.

Wendy: Yes. Thank you.

Facilitator: Miigwech. Next in the circle is Darren's younger sister, Terry.

Terry Spence: No *[shakes head no]*.

Facilitator: It's ok to pass. Annabel?

Annabel Spence: I pass, too, for now...

Pastor Lee Morrison: I'd like to ask Annabel to be my listener.

Annabel: 🪦 OK! I'm ready!

Pastor Lee Morrison: I have heard that this process can be very successful and hope and pray it will be fair and helpful to all. We can see that help is needed. Change is hard, but we know it can happen—we can all join together and maybe turn lemons into lemonade...

Annabel: You hope we can work together for good.

Pastor Lee Morrison: Yes, that could make a difference. One person alone is sometimes too isolated. You are a strong family. Darren can benefit now even more from being a part of this loving family—We all can step up and surround him with our compassion and love (smiles and nods).

Annabel: You think we can circle around him.

Pastor Lee Morrison: Yes, I do. Darren would benefit from the family's and community's strength. Thanks.

Facilitator: Thank you both, Annabel, you did a great job of paraphrasing! Kerry, you're next; we understand that you are Darren's favourite teacher, too.

Kerry Price: I'm glad to be here. Yes, I have always thought Darren was special. For my listener, I'll take a volunteer, I don't know everybody here.

Annabel:  I know you! I'll do it (*moves to Listening Chair*).

Kerry: Great! Thanks. As I said I am glad to be here. I want everyone to know that I will help in any way that I can. I've noticed that Darren is more thoughtful than many of his friends, so I am optimistic about his putting things right —and—learning to avoid doing things like this in the future.

Annabel: You can see there's hope for Darren.

Kerry: Yes. I'm mostly here to listen today, so I don't have any more to add now, maybe later—I would like to offer some concrete assistance.

Annabel: (*silent, thinking she's done*)

Facilitator: It would be great to paraphrase this last...

Annabel: Oh—You'll say more later; you want to help.

Kerry: Yes. Thanks.

Facilitator: Thank you for sharing. Annabel, Terrific job! Next Pat Spence, Darren's cousin.

Pat Spence: I actually don't have anything to say now; I am willing to do whatever...

Facilitator: OK. That's fine.

Chris Wentworth: I'd like to have the Police Representative be my special listener—Dale?

Dale Shaw:  (*moves to Listening Chair*) Ready.

Chris: Because I am very familiar with this community circle healing process, I am optimistic we will reach a positive resolution by the end of the session. I've been involved with this process before and I've seen problems solved and relationships improved. It works!

Dale: You've seen results.

Chris: Yes, I'm here mostly to listen today.

Facilitator: Thank you both. We turn to Sharon's mother, Beatrice Walking Tall...

Beatrice: I'd like to ask Darren's mother to be my listener.

Wendy:  (to facilitator) I don't think I will be good at this.

Facilitator: It's a first time for many; that's why I'm here; I'm here to coach you even feed you lines, if helpful. Together, we'll do just fine!

Beatrice Walking Tall: This has been so very hard for my daughter; Sharon works so hard, has such great kids, I think this is very unfair what has happened to her. She was innocent. She has a good life with her family and her job. Everything is turned upside down for her now.

Wendy: She didn't deserve this—and now the rug's been pulled from under her.

Beatrice: Yes. The children are afraid. And now I am increasingly more worried about her and the area where she lives. It's not so good, not safe enough, I don't think these young kids realize they turn people's lives upside down, they only care about themselves, they don't respect anyone else.

Wendy: Darren and other youth are selfish and...

Facilitator: That's good enough.

Beatrice: Yes, I worry about young people not learning the old ways and traditions—of respect and well, respecting other people, all people. I sure hope they will learn; I sure hope Darren will learn something from this time together.

Wendy: You have hopes that he will become more respectful, considerate.

Beatrice: Yes. That's all for now. Thank you.

Facilitator: Sharon has invited her counsellor to come share with us.

Cynthia Whitecloud: My name is Cynthia Whitecloud and I am just here to be supportive to Sharon. I am here to listen and support her in this process. This is a hard situation for everyone—It seems like a very positive process.

Facilitator: What you've shared could have benefited from a Special Listener, but it's ok that you don't want to share right now; we'll get your input later. We appreciate your being here with us today. Sharon's best friend, Jeannie Softfeather is here as well.

Jeannie Softfeather: I would like Darren to sit in the listening chair.

Darren:  (*comes to sit in the Listening Chair*).

Jeannie: My name is Jeannie. I am here to support my best friend. I'm really

worried about her! This has been such a shock. It has caused her to have so many problems. Lack of transportation is one problem; she has problems just getting herself and her family to school and appointments. She's missed work...

Darren: She can't get around.

Jeannie: She usually is very centered and organized. Now I have seen how frightened she has been lately. She hasn't been sleeping well. She called me in the middle of the night twice because she was afraid her house was going to be broken into.

Darren: You see she is really spooked—and can't—isn't calm any more.

Jeannie: That's right. Her children are suffering, too. Her daughter is one of the top swimmers here in the region and she has missed some important practice sessions. Her kids are also more anxious and the youngest is having nightmares.

Darren: Sports is ruined and nightmares—I've made one kid freak out—I didn't mean to.

Facilitator: We're glad you're getting the picture; try to stick only to what you've heard so far.

Jeannie: This is so unfair that she has to suffer just because of one kid—somebody did something that he didn't think about...just because they wanted to have a little bit of fun. She and the children suffer because of you and your friends. You just didn't think, did you? You didn't stop to think it could hurt people, real people! Innocent people. Children!

Darren: You think we're totally selfish.

Jeannie: Yes, that you didn't consider how your actions could harm someone else. Other people. You weren't just playing games, you injured human beings. People who have feelings and lives. They will never be the same.

Darren: (*whispers*) I've damaged them.

Facilitator: Yes, you got it. Thanks for sharing Jeannie, and Darren, you're doing a great job of understanding and paraphrasing...

Darren: (*returns to his assigned seat*).

Facilitator: Now is the time for the family to meet alone in caucus. It is time for you to work out a suggested plan that "puts things right." Hopefully you have enough information now—we will leave the room and we will be in the room next door in case you want to talk with me or us.

You told us before which extended family members, friends and supporters you wanted to go with you into the family caucus and it is all of you here now. Let us know when you are ready for us to return. I am confident that you, the extended family, will offer a resolution that will be fair and takes everybody into account, so everyone can have a chance to heal.

All stand up as if to leave the room and / or caucus.

Facilitator: For our purposes today we will all reseal here with Darren's family caucus sitting in the inner circle. Everybody else may sit temporarily elsewhere in a second circle as workshop listeners, to quietly and unobtrusively listen in.

In real life, Darren and his extended family would be in a room by themselves and the others would leave until called back later.

Family Caucus

In this demonstration, the family will sit in an inner circle so the rest of the participants can observe this part of the model. In real life, the family caucus would be in a separate room to talk in private.

Granny Spence: (*intensively looks at Darren*) There is a lot of hurt inside you. We can see it, and we understand that. But you did something wrong, and it doesn't make sense to hurt someone you don't even know. We love you. (*gets up and hugs Darren*).

I am the one who gave you the money to pay for your nice car when

you didn't have the rest of the money to buy a car on your own after you had worked for 3 years to earn the money with odd jobs and babysitting.

You need to learn that you must be responsible no matter what your friends say or do. I understand you are trying to help your friend, but it was a bad decision, it was against the law. It hurt that woman, Ms. Wood. That kind of behaviour is leading you down a dangerous path that we don't want our family to go on.

About your friend. We've been over this at home and discussed a lot so we won't go into detail today, but you know how we feel and that we understand that you're not telling anybody the name of your friend to protect yourself and us; but now is the time to—pick good friends, return to old friends or choose new friends more carefully.

Wendy Spence: (*tearfully*) Darren, how could you have done this?? We've raised you to respect other people and now...

Darren: I'm sorry, Mum. I won't ever do it again—I realize what a big problem I've caused to her. Remember this is the first time, the only time I have had a scrape with the law. Let me tell the whole what I have to say and what really happened. That Friday night my friend in the gang picked me up and took me to talk, and I could tell he already had quite a few drinks. I got in the car; I didn't realize he had a car and so I asked him where he got the car and he said he just stole it on Langside Street. And I told him that was illegal and to take it back. He was so drunk he couldn't drive straight; I was trying to grab the steering wheel because he was swerving all over the place. I shouted at him to stop the car and we got in a big argument, yelling at each other. I kept telling him to stop and he finally did and jumped out of the car and he ran away. I didn't know what to do, but thought maybe I should drive it back to the block where it was stolen and leave it there; at least it would be close by, the owner would see it. But I really didn't know exactly which block, but I thought I could get it back to Langside near the University.

All of a sudden it started to rain hard; it was really a bad storm and I couldn't see and lost control and the car slid off the street and I crashed into a tree. It's a good thing Mum, that you always nagged me about putting my seatbelt on! The car stalled and I couldn't get it started and I was sitting trying to think what to do and a police car pulled up and offered help. They

asked me for my driver's license and registration and I looked on the visor and found the registration and gave it to them. They asked me whose car it was and I was so scared I told them it was borrowed. And they asked me again whose car it was and I had no answer, so, of course, they found out the car was stolen. So the police officer took me to the closest police station. Boy, was I in trouble!

The next day my friend talked to me and told me that his gang had threatened me if I turned him in. So he was really worried about me and that I could be in some danger. That is why I won't tell anybody who it is. It's my fault. It is not worth the terrible trouble I would get into with the gang and so I will take the rap on this; I shouldn't have gotten in that car in the first place. This whole thing is such a mess.

Pat: I am surprised at your behaviour. When we were kids remember we used to be so close and now we've grown apart—I miss the old times together. Maybe we can change that. Maybe I can help here. I can see that you were trying to be responsible, but you've made some really bad choices.

Terry: You know, you used to always help me with my homework (*tearfully*), and like I believe you when you say you have learned your lesson. I'm always going to be here for you, Darren.

Annabel: (*passionately*) No one really wants to tell the truth here; but I'm not afraid; I love you so much and that is why we have to be really honest now.

I've been concerned for some time and have been watching you. Some of your friends have had a bad influence on you. Yeah, some of your new friends. You've gotten rude and you sass back to Mom and Pop, you aren't studying like you used to and your grades are getting worse, you know. I've been really worried. Like something needs to happen or the gang will get you and that's the end. Not just you, but the rest of us, too. You want your sisters to be in trouble with that gang?!?! Don't you care about us? You want them to be harassing us and frightening us? I know you care about us, but it sure doesn't feel that way when you hang around with some of them! Make a change now! You can do it!

Long silence and tearfulness, emotions felt keenly.

Darren: I didn't realize I hurt you all so much. But don't kick me while I'm down.

Annabel: I'm not trying to hurt you. I'm just trying to make you think about us, too. And—Look at where your life is going to go, if you don't change! Do it!

Silence.

Granny Spence: Ok. I think we get the full picture now—let's try to come to some decisions. Let's try to come up with some ideas for a resolution—what ideas do we have...

Kerry Price: I know that Darren can turn onto a good path. Darren, I know you can do it, if you work at it. I will be willing to meet with you for an hour once a week on Thursday after school before you go work at Safeway—for the rest of the year. I can review your progress with homework and how your "friendship list" is coming along—to provide more guidance to you.

Pastor Lee Morrison: This is a tough time and I am here to help, too. I am willing to come visit the family next Sunday afternoon and other Sunday afternoons if you want me to come. To provide some encouragement and support.

Annabel: He can work some hours each week for some program; like the Soup Kitchen, where Cousin Paul/Paula works...

Terry: Or the Boys and Girls Club, or the Food Bank...

Pat: I work at the Soup Kitchen volunteering; I am willing to supervise Darren and have him come work with me for 3 hours a week for six months, so he can feel the pinch of time and be reminded that he has to learn this lesson this first time around. And that gives us time to be together again, like when we were kids and he can give back to the community, to those in need.

Granny Spence: I think we've heard enough to make a decision. Pat, I like

your idea of some volunteer time. Also, he needs to pay Ms. Wood for her camera and that money could come out of his Safeway paycheck at \$25 per week. Also, since Darren doesn't have a savings account, I think Darren should give his car to Ms. Wood for as long as she needs it, up until she gets her insurance money and can replace her car. She needs a car and this way she will have one to drive and he will suffer because he won't have his car anymore. This way he will learn what happens when you make poor decisions (*Pauses and looks at Darren*).

Darren: (*looks pained*) You must be kidding! Do I have to?

Annabel: Sounds like you'd learn your lesson!

Granny Spence: Unless someone else has a better idea.

Troy: Sounds good to me.

Granny Spence: I also think that Darren's teacher's suggestion about regular sessions together is a good one; So, Darren you will meet with your teacher Kerry every Thursday after school and before you leave for work at Safeway for some homework and advising for an hour each Thursday like your teacher offered. Thank you (*nods to Kerry Price*) for that extra time.

Kerry Price: Sure, I think that would help support Darren to make a behaviour change that will be successful. You can count me in.

Brigit Jones: I agree. Yes, that is a good idea; Darren will learn his lesson and the poor woman will have a car.

Pastor Lee Morrison: I am willing to come visit the family on Sunday afternoons for one month and then—how about once a month for six months to be supportive and see how things are going.

Granny Spence: OK, now's the time; Darren, tell us if you agree to this and that you will complete these agreements...

Darren: It is really hard to accept it, but I can see that it is fair—I agree to

the solution, Granny.

Granny Spence: So, Darren, once again, I hope you can hear that you are a good kid and we love you, but you need to learn to make better decisions. Let's get the Facilitator and get everybody back together to continue the session.

All reseated as in the beginning in one circle.

Closing Circle

Facilitator: I would like to ask Sharon to share at this time if she has any new reflections—or anything more to add—before the family shares their best resolution.

Sharon: The break has allowed me to think about this a bit more—with more information. I would really like Darren to contribute back to the community so he can see that this impacts on everybody not just me personally—so I would like him to volunteer in the community somewhere then maybe he will realize his actions affect everybody; the whole community suffers.

Facilitator: You hope giving back would be helpful. Now, I'd like to invite Darren to share more at this time. We welcome you to invite a special listener.

Darren: *(quiet for a few seconds)* Sharon Wood.

Sharon  *(comes and takes a seat).*

Darren: I can see what a big problem I've caused to her...

Facilitator: You...

Darren: *(looks at Sharon)* You—I now see the problems that I've caused you—I've learned a lot today—already—I can hardly believe you came to listen to all of this, because if it was me, I'd be so mad I wouldn't come waste my time. But it isn't a waste of time because I think I've learned something. And I am going to be more responsible.

Sharon: You see some things differently now.

Darren: Yes. So, thanks for coming. I wanted to tell you a few things. It's hard to talk to you. I'm not sure I can do it.

Sharon: You have more to say, but facing me is difficult.

Darren: Yes. I'm going to try. My friend is in a gang and he picked me up and took me to talk, and he was smashed. He was so drunk he couldn't drive straight; he told me he had stolen your car. I told him to stop the car and we got in a big argument, yelling at each other. Anyway, it's a long story I'm sure you don't want to hear anyway. He ran away. I didn't know what to do, but thought maybe I should drive it back near where the owner would see it. I should have just gotten out.

Sharon: Your friend stole the car and then you drove it.

Darren: Yah. I was driving it in the rain and crashed into a tree when the police came to help me! They found out the car was stolen. So, the police took me to the police station. That's how your cameras and film got soaked because of the hole in the roof. I am so sorry for everything. I know there isn't any way I can change the past. I can't give you your pictures back, your memories, or your car or peace to your kids...

Sharon: You see how much damage you caused—you apologize.

Darren: Yes, I am sorry. Maybe some of our ideas for solutions—that you'll like them.

Sharon: You have suggestions.

Darren: Yes.

Facilitator: Thank you both for sharing and listening in this way. Now, I invite the family to share about their suggested ideas for a solution, whether some decisions have been reached.

Granny Spence: OK. Yes, we have five suggestions.

About the camera. Darren needs to pay for the camera and film to Ms. Wood for her loss and it will come out of his Safeway paycheck at \$25 per week until it is paid off. Ms. Wood perhaps you can provide Darren with information about the type of camera it was and how much film to replace.

Extra support to learn new habits and find better friends. Darren will meet with his teacher, Kerry Price, every Thursday for one hour after class for the rest of the year.

Family support. Pastor Lee Morrison will come over to meet with the family next Sunday afternoon once a week for one month and then once a month for six months.

Community service. Also, Darren will volunteer at the Soup Kitchen for three hours a week on Saturdays for six months. His cousin Pat works there and will supervise him.

The car. And finally, Darren will lend his car to Ms. Wood. It is a used car; it's a Toyota and it is in good working condition. This way Ms. Wood, you can have a vehicle to use until you get another one of your own.

We all agree these are good solutions; it will be hard, but we're committed to support each other in times like this—We hope you think these ideas will make a difference Ms. Wood—Sharon. Do you think this will work?

Facilitator: (*nods to Sharon that it is ok for her to speak*).

Sharon: Wow—I'm in shock; I'm surprised that you went to this length to resolve this. Yes, I do think this will be helpful for me and also for Darren. I can see that Darren is owning up to his wrong decisions and hurtful behaviour. I can see that your family is behind you, Darren, to help you make these changes. I am very grateful for the car as it has been so difficult without mine. This was a hard way to learn about this process, but I very much admire and appreciate this type of Family Group Conferencing, and will tell my friends about it. I have some new hope for our youth and our communities. Miigwech. Thank you.

Darren: Excuse me. I thought of one other thing I would like to do (*looks as Sharon*). I'd like to write a letter of apology to your children. I am so sorry that they got so frightened also—Do you think that would be ok?

Sharon: (*looks at Facilitator then back at Darren and then at Jeannie, and smiles*) I think that would be especially helpful. Miigwech for thinking of that.

Facilitator: Yes, I think that is very appropriate and a caring gesture. Darren after you write it, please give me a call and I'll review it with you before you send it to Sharon. OK, the last thing we have to do is I'm going to determine if we have a consensus from everyone here, so if you agree with all these 5 solutions, now actually 6 solutions with Darren's offer—please nod your head yes if you agree to this list. I will also ask some of you to verbally consent to this. (*Facilitator looks around checking to see if each person is saying or nodding yes in agreement.*)

Everybody nods yes over the next few seconds so Facilitator can see the nodding.

Facilitator: So, Darren, first we want to hear individually from you whether you support this solution and agree to all its parts...

Darren: Yes, I really want to "make things right" because what I did was wrong. She needs a car, and I need to learn to be more responsible—and I feel bad about those kids hurting, too...

Facilitator: Darren, you are really taking a big step here and we admire you for it and we will be supportive of your progress. Next I'd like to invite the Youth Advocate lawyer, Chris Wentworth, to share whether these solutions seem appropriate to Darren's situation or any case like this.

Chris Wentworth: This is the kind of extended family/community sharing that seems to make a difference. And Yes, I think these components constitute a really solid solution.

Facilitator: And we want to hear from the official Police Representative, Dale Shaw, whether you think this will work.

Dale Shaw: Yes, it all seems appropriate, fair and hopefully effective. I will relay the results of this Family Group Conference to the youth court. If Darren completes this agreement, there will be no youth record against him. We

also want to thank everybody here today. We certainly appreciate everyone who has come to participate and assist in this resolution. Thank you.

Granny Spence: Excuse me—I have something to say right now; may I talk now, this is important...

Facilitator: If it has to do with the solution, yes.

Granny (*looks at Darren*): Darren, do you have your car keys with you right now? We want you to give them to Ms. Wood right now...

Darren: (*looks surprised, crestfallen and sorrowful about the suggestion, gets up and walks over and hands the keys to Sharon*).

Facilitator: I'm just going to look around the room again, to make sure that everyone in the room agrees to this.

Everyone nods yes.

So everyone's either spoken up and affirmed this or shaken your heads yes. Anyone else who hasn't spoken here at the end, who might like to (pauses and looks around to make sure everyone has nodded yes). Okay, one last thing, we would like to hear from Sharon Wood's counsellor, Cynthia Whitecloud.

Cynthia: During the family caucus, Sharon and I had a chance to talk more. The conclusions and solutions that were suggested seem to meet her needs and criteria. Plus, we were impressed that people came here with open hearts and ears to listen and also to share. We feel that everyone here has learned something. We also can see some hope for Darren and for other youth. I definitely support this process and also this conclusion.

Facilitator: Thank you Cynthia. We appreciate your closing comments.

Closing Remarks

Facilitator: At this point, I would like to thank all of you for joining in today to participate in this process. Your willingness to take responsibility as a community and to make good decisions regarding matters that affect

you so closely, is a reminder to us all here today that we travel together on this journey of life, and that we must help one another when we are called to do so.

I want to remind us all that the sharing that took place here is confidential; as are the identities of the participants present. You may state that a group of extended family met with Darren and the person harmed assisted by a facilitator and you can share my name publicly. A formalized agreement will be drawn up outlining the decisions made here today by those present. This document will be signed and dated by Darren and Granny Spence and Sharon and Elder Goodheart. The points of the agreement are public information. If the agreement is completed in all of its terms, and there is no further conflict with the law on Darren's part, then the matter will be closed and no youth record will exist.

We invite everyone to stay and share in a buffet together in a few minutes—I invite Elder Goodheart to offer the closing prayer.

All stand in body if able or just in spirit.

Elder Goodheart: Miigwech for such a special time together. Miigwech for the Light that has been shed upon us all. We surround our brother Darren with compassion and support as he walks along his path on his journey of life. We see what a fine young man he is and have confidence that he will walk a right path---a good path. We surround our sister, Sharon, with our compassion and support and will stand by her during these next months of recovery, and the healing for her children as well. Miigwech for each person who came here to help today. It made a big difference. Miigwech for our strong community that's getting even stronger. All my relations, Ho! Amen.

Everyone get up to shake hands, hug, etc. whatever is appropriate.

Darren: *(finally approaches Sharon).*

Sharon: *(pauses, then offers her hand in a handshake and smiles).*

In real life, people share in a buffet together including traditional foods.

Faculty or workshop instructor should invite students/participants to share key

points, debrief observations and raise any questions.

ACKNOWLEDGEMENTS

We wish to acknowledge several people who have been supportive of our professional and personal development that allowed us to have the vision for and create this healing model. Barbara thanks Susan K. Gilmore, Ph.D., Joanna Hoskins, Ph.D., Rev. Dr. Donald Booz, Barbara's parents Russel and Florence Daté Smith, those members Barbara grew up with in the York Center Co-op, and the Historic Peace Church of the Brethren leaders who raised & nurtured her, especially Chuck Boyer, Professors Gladys Muir, Ken Brown, and Dale Brown, as well as the Canadian indigenous leaders who invited us into their lives including Joseph Morrison, Mary Alice Smith, Anita Copenace, Kathy Mallett, Clarence and Barbara Nepinak, and so many other former students and elders. Lorna also thanks Barbara Daté, Ph.D. Both of us are especially grateful for the visionary and practical gifts which Maori Matt Hakiaha provided for a healing process for his people and his country, which continues to inspire us. We thank you!

APPENDIX A

DEEP COMPASSIONATE LISTENING

"Mini-Paraphrasing" (3 criteria)

The Chinese characters which make up the verb "to listen" tell us something significant about this skill.



From
Zena Zuheda
University of Michigan

PARAPHRASING

PURPOSE: to convey understanding & caring support to the person speaking

DEFINITION: restating in your own words (using synonyms) what you understand the person speaking has said SO FAR

PROCESS: using your own words, STATE the gist, or heart, of the contentof what you understood SO FAR ...

1. **FOCUS ON THE SPEAKER** (it is helpful to start out with "You ... ")
2. Restate the **FACTS AND/OR FEELINGS** you understood
3. Be as **BRIEF** and succinct as possible:
(if the speaker shares a paragraph of 3 - 5 sentences, your paraphrase would be 3 - 12 words in length)



Barbara Daté, Ph.D.

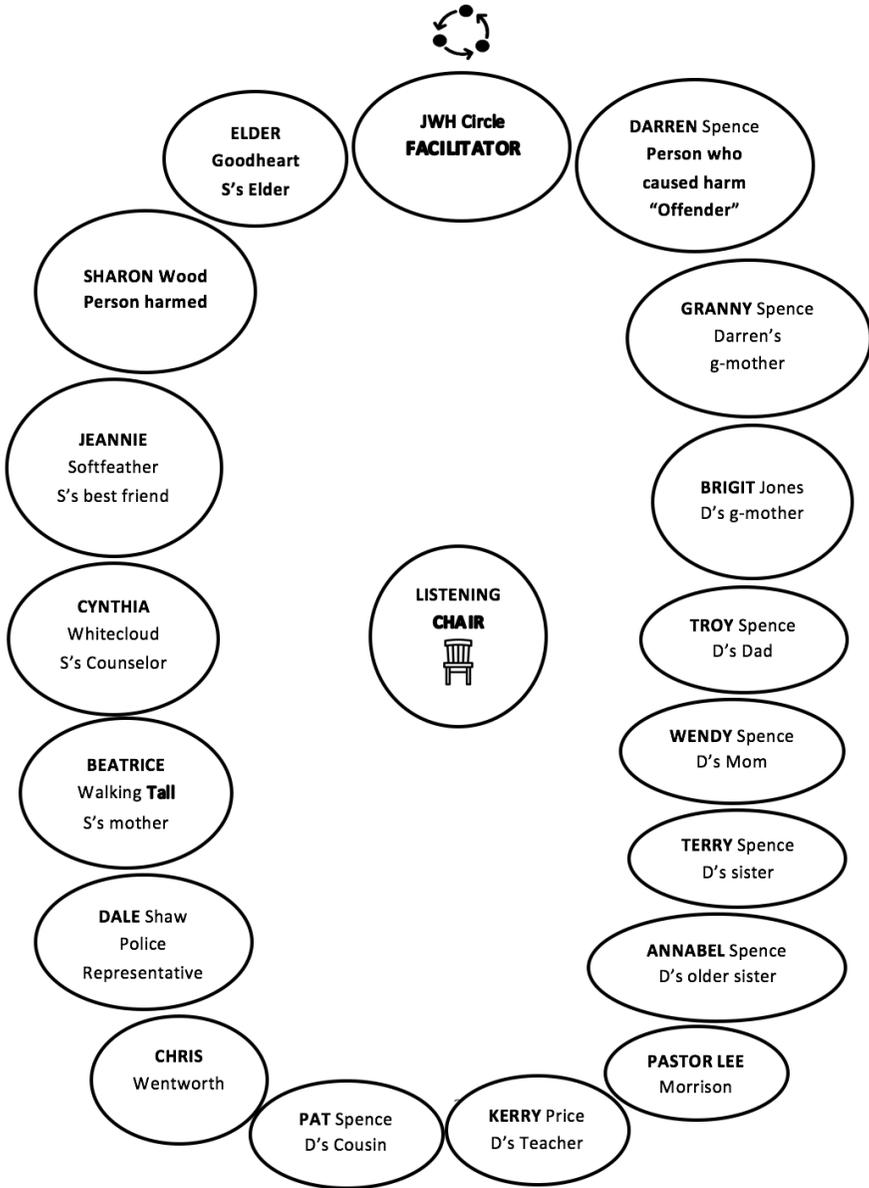
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APPENDIX B

JUSTICE-WITH-HEALING CIRCLE
VIGNETTE ROLES SEATING CHART



ENDNOTES

1. Mini-paraphrasing is a specific communication skill explained in Appendix A.
2. Mike P. Doolan, “Youth justice – Legislation and Practice” in *The Youth Court in New Zealand: A New Model of Justice*, Fred W.M. McElrea and Bernard J. Brown, eds. (Auckland, NZ: Legal Research Foundation, 1993).
3. A vignette role seating chart is provided in Appendix B.
4. Contact the principle author, Barbara Date`, at paxdate@gmail.com, for information about how to obtain handout materials.
5. The Feedback Form is provided in Appendix C.
6. Gabrielle M. Maxwell, and Allison Morris, “The New Zealand Model of Family Group Conferences,” in *Family Conferencing and Juvenile Justice: the Way Forward or Misplaced Optimism*, Christine Alder and Joy Wundersitz, eds. (Canberra, AU: Australian Institute of Criminology, 1994), 17.