

LANARK COUNTY COMMUNITY JUSTICE PROGRAM	POLICIES & PROCEDURES
SECTION: Program	DATE: November 22, 2012
SUBJECT: Complainant Participation in Forums	HISTORY: Original Policy: April 17, 2012
<p>Policy:</p> <ol style="list-style-type: none"> 1. The word “complainant” will now be used instead of “victim” in LCCJP terminology. LCCJP uses the word “complainant” in place of the word “victim” in policy statements and in everyday vocabulary. This aligns with vocabulary used by the Crown and the police. 2. Complainant participation is a priority in all LCCJP forums. In all cases, LCCJP aims to bring together those responsible for an incident with those impacted by it in order to discuss the incident and find a way to heal harm that has resulted. Most of our forums therefore involve an accused and a complainant. 3. In certain circumstances and using the procedures outlined below, a forum may proceed without the complainant, as long as the complainant agrees with the community justice approach. 4. If the complainant does not agree with the community justice approach for their case, the case will be returned to the referring agency. 	
<p>Procedure:</p> <ol style="list-style-type: none"> 1. There are four types of circumstances in which a forum may proceed without the complainant present: <ul style="list-style-type: none"> a. The complainant, after agreeing to attend the forum, does not actually show up for the forum. In this case the forum may proceed or be re-scheduled at the discretion of the facilitator(s) after attempts have been made to contact the complainant and consult with either the Forum Coordinator or the Executive Director. 	

b. The complainant agrees with the community justice approach but is unable to attend the forum

This may be due to geography, illness, handicap, competence, in the military, schedule, parental permission or other reason.

c. The complainant agrees with the community justice approach but is unwilling to attend, because, for example...

- The matter is closed for the complainant
- The matter is too sensitive, the complainant feels too vulnerable
- The complainant fears other facts may be revealed to parents, colleagues or police.

d. There is no complainant or only an indirect complainant

This may be the case when:

- The complainant is unknown (e.g. possession of stolen property), or
- The impact of the incident is not related to a specific individual or group of individuals but rather impacts a larger segment of the population (e.g. Society (breach of condition); School System (truancy); Town or Neighbourhood (mischief).

2. In the above situations (1.b,c,d), the forum may proceed if ...

- a) The facilitator(s), and Forum Coordinator, in consultation with the Executive Director and referring agency believe the community would be best served by holding a community justice forum **and is subject to the approval of the referring agency (Crown, Police).**
- b) In consultation with the Forum Coordinator, facilitators include in the forum someone or something (e.g. a letter, recording etc.) that can speak for the complainant or from the complainant's perspective.