

Restorative Justice Week 2016

November 20-27

Inspiring
innovation

Seating Arrangements

by Marlyn Ferguson

When you enter a church do you know where you are going to sit, or do you stand at the back, ponder and then decide? Will it be the back, the front, right or left, far side or centre? Hmmmm. Our family has always sat centre aisle, left hand side, and three quarters of the way down.

On July 9th 2005, my husband Ian and I got to sit in the very front row, centre aisle, left hand side. Behind us sat many family and friends waiting anxiously for the ceremony to begin. In the centre aisle stood our soon to be son-in-law and our daughter. The **Bride's** family on the left – **Groom's** family on the right.

Those are the seating arrangements for weddings.

Sixteen days later Ian and I were again sitting in the front row, centre aisle, but this time on the right hand side. Behind us sat many family and friends waiting anxiously... In the centre aisle stood our son Graeme's casket. The **Deceased's** family on the Right - **Pall Bearers** on the left.

Those are the seating arrangements for funerals.

In the following months, we were told that Graeme had been transporting 40 kilos of cocaine on a Greyhound bus from Vancouver to Ottawa. On reaching Ottawa he changed his mind, left the suitcases containing the cocaine on the bus and hitchhiked back to Vancouver. About two weeks later he was "ordered" back to Ottawa to retrieve the suitcases. He refused. He was then kidnapped from a hotel in Ottawa and taken to a warehouse in Montreal where he was stripped, chained to the floor, strapped into a chair, and beaten and starved for six days until he finally agreed to go to the bus depot to retrieve the suitcases.

He collapsed on the street in front of the bus station and died from a clot in his lungs because of the beating.

Over the next four years, seven men were arrested and charged. Five of the accused were caught and sentenced quickly, the other two were on the run for quite some time. We thought one in particular might have left the country or be dead. The police told us never to give up hope, that they were determined to catch these men and this gave us much encouragement.

All seven were ultimately apprehended. They pled guilty to numerous offences and were sentenced to federal prison terms. We travelled Delta to Ottawa three times in four years for these sentencing hearings.

We were again sitting in the front row right hand side, this time in a Courtroom in Ottawa. In the same row sat our daughter, other family members and some friends. Behind us sat four police officers who were involved in the investigation – We were all waiting, anxiously. In the centre sat the Judge. The **Victim's** family on the right – the **Accused** on the left.

Those are the seating arrangements for sentencing hearings.

Following the sentencing hearings, trying to process everything that had happened to our family, I remember two books a Mennonite pastor had shared with me many years ago: Howard Zehr's *The Little Book of Restorative Justice* and *Changing Lenses: Restorative Justice for Our Times*. As a result, I started the process of trying to connect with one of the offenders who was only 19 years old when he was involved in Graeme's murder. We had been shocked to learn that someone so young could be involved in such a violent crime. We thought that if we met with him maybe he would have a chance to turn his life around; he would see that being involved in that kind of life, you end up in jail or dead.

In July 2008, Ian and I were sitting in a room in a prison in Québec. To the left of us sat David Gustafson, a mediator from Community Justice Initiatives Association who had accompanied us from Langley, BC. In front of us, across a table, sat the youngest of the offenders – We communicated with great intensity.

Those are the seating arrangements for "face to face meetings".

One day later (2 days before the 3rd anniversary of Graeme's death),

Ian and I were sitting in a room in another Québec prison. To the right of us is a Parole Officer, the youngest of the offenders, his lawyer and his parents. In front of them sat the Parole Panel. Behind us sat David Gustafson, and two others. In front of us there is man who is in control of the sound system and behind him in a glass box are the interpreters – That day we could only listen, intently.

Those are the seating arrangements for parole hearings.

In March of this year, Ian and I, accompanied by mediators Dave Gustafson and Serge Charbonneau, met face-to-face with two of the other offenders. We met with one in the prison where he is still incarcerated, and the following day we met with the other in a half-way house. Having these two meetings take place a day apart felt like the right thing to do.

These two men were the key players in our son's death. We needed to meet with them. This time, walking into another prison somehow seemed familiar – weird I know. The offender was awaiting our arrival in a hallway outside the room where we would be meeting. He put out his hand in greeting and thanked us for coming. He was also the father of the offender who we met in 2008. As I reflect on this and write about it, it was as though he was welcoming us to his home – well really he was! We weren't scared, more anxious to hear what he had to say.

The next day, I was more anxious, especially driving to the half-way house. We knew that the man we were meeting was responsible for beating Graeme. I wondered how I would feel coming face to face with this man.

Would I be strong enough to bear hearing the details of what he had done? I prayed for wisdom and peace.

Restorative justice – what did that mean to us? Our desire to meet these men was generated by wanting to know more of the facts surrounding our son's death and telling them of the impacts this has had on our family. We wanted to hear these two men take full responsibility for their violent actions. We hoped to see genuine remorse. We were anxious to hear, as well, about the impact their violent, criminal behavior had had on their own families and how they desired to have these relationships healed. Most importantly, we wanted to hear that they were taking major steps to change their lives.

We believe that we received all of that. These two men recognized, acknowledged, and took full responsibility for the harm they had done to Graeme and our family. Their apologies seemed heartfelt and sincere. They described the steps they are taking to change their lives and promised us that they would not be involved in violent behavior again or be responsible for another person's death. What did these two men receive from us? What one described as a meeting he had long desired. Beyond that, a gift of grace: our encouragement and our genuine forgiveness, a handshake and a hug. And a month later: a letter thanking them for having the courage to meet with us and be honest, not just with us but with themselves. Again, we encouraged them to strive to change – no more harm, ever, at their hands. We had no desire to meet any of the other four accused.

We believe in restorative justice. What other chance is there for victims and offenders to come together face to face, eye to eye (and in one of our meetings, knee to knee)?

Those were the seating arrangements for our victim offender mediation.

We have received full support from our daughter and son in law, from our extended family, and from our friends. We feel we have an opportunity and maybe a duty – in sharing our story – to show what restorative justice can do for all those involved. I'm not quite sure that Graeme's friends fully understand this process. We hope that one day they will.

Note: Marlyn was able to access victim-offender mediation through the Correctional Service of Canada's Restorative Opportunities Program; a program originally developed by the Fraser Region Community Justice Initiatives Association (www.cjibc.org) in 1990.

**Register for the
National Restorative
Justice Symposium
in Halifax, Nova Scotia on
November 21 and 22, 2016**

Hosted by the Nova Scotia RJ Program, the Nova Scotia Department of Justice, and the Schulich School of Law

www.NovaScotia.ca/just/Restorative-Justice-Symposium-2016
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