



# COMMUNITY JUSTICE INITIATIVES ASSOCIATION

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## 2017 VOMP REPORT

“I would like to leave you with this poem which I have had on my wall for the better part of my sentence”, Pierre (not his real name) wrote:

*“The most beautiful people we have known are those who have known defeat, known suffering, known struggle, known loss and have found their way out of the depths. These persons have an appreciation, a sensibility and an understanding of life that fills them with compassion, gentleness and a deep loving concern. Beautiful people do not just happen.”*

‘Pierre’, just weeks before, had encountered two people very much like those described in the text he had quoted: beautiful people; a husband and wife who had lost their son to murder. Pierre was one of seven men ultimately convicted of the death of 27 year old Graeme, a naïve young man who had gotten caught up in things, and with people, beyond anything he had bargained for, ferrying 17 kilograms of cocaine in hopes of some quick cash, across the country from Vancouver to Ottawa. When the bus he had taken pulled into the station, Graeme abandoned his luggage, the bags containing the cocaine, fearing that the police parked there might have somehow been tipped off and were waiting for him. The bags went into the lost and found at the bus station. That story, however, didn’t ‘wash’ with the gang awaiting the delivery. They kidnapped Graeme, took him to a warehouse in Montreal and beat him over the course of the next few days, injuring him so severely that blood clots formed in his legs. It appears that his tormenters finally decided to test Graeme’s story. He was unchained and released to return to the bus station to claim the bags he said he had abandoned there. He was able to retrieve the bags and began to walk down the street with them toward a rendezvous point when he collapsed. The blood clots in his legs had migrated to his lungs. Paramedics attended him and loaded him into an ambulance, together with his bags. Enroute to the hospital, Graeme disclosed to the attendants what had happened, and how he happened to be so badly injured. Tragically, he succumbed to those injuries on the way to the hospital.

How Graeme ever became involved is something of a mystery. Pro-social, health and sports minded, “the friendliest person you could meet...always willing to help others”, never involved with drugs or anything unlawful, Graeme was an unlikely candidate for criminal activity. In fact, it may be that his utter reliability was the thing that recommended him for recruitment as someone who could be depended upon to convey this one shipment across the country. Tragically, however it was that he became involved, his part cost this gentle young man his life. That was July of 2005.

Over the next years, his grief stricken parents were embroiled in four sentencing hearings for a total of seven co-accused, all of whom pled guilty, travelling back to Ottawa for each of those proceedings. Remarkable support from very caring and involved police and convictions for all seven accused met the need for some degree of public vindication, but did not satisfy their need for information. There was still too much shrouded in mystery.

Life carried on, as it must, the darkness of it all penetrated by light on occasion, but those occasions were often a double edged sword for each of the family members: what should have been unmitigated joy so clearly marked by the absence of the beloved son, brother, nephew, grandson.

Ian had been a respected funeral director, and Marlyn a support worker at the funeral home, professions which, quite understandably, they could no longer pursue. Ian began his own business, working long hours in physically demanding work, which at least forced concentration on the tasks at hand, for a time, each day. Marlyn, though a member of a Roman Catholic Church, herself, had previously worked as an Administrative Assistant at Peace Mennonite Church, where she heard about a concept that intrigued her: "Restorative Justice". She 'Googled' the term, and the search brought up CJJ's website, a description of the Victim Offender Mediation Program, stories very similar to her family's story, and contacts for the staff. She called the office, and Sandi Bergen and I met with her scant hours later. I recall that as a remarkable meeting, with one of the strongest, yet most compassionate and gracious people I had ever met. We arranged for Marlyn and Ian to meet with Robert, another of our VOMP participant alumni, himself a family survivor of homicide, another courageous, strong and gentle soul. Robert shared his family's story with them, describing how his participation had assisted him to begin to heal and transcend the many years of suffering in the aftermath of his sister's murder. Soon after, Marlyn and Ian made the choice to participate in VOMP, in hopes that it would prove as healing and beneficial for them as it had for Robert, his wife, and the offender in their case.

Ultimately, Marlyn and Ian met with three of the seven co-accused in prisons more than halfway across the country, each time with our accompaniment, start to finish. Each of those meetings were powerful and profound in their own ways, and would take a volume to describe. The last of those meetings was with Pierre. We met in a small boardroom at the prison. Where normally we would meet with participants across a five foot board room table from one another - at least to begin with a sense of physical distance and safety - this time, Marlyn and Ian, veterans now of the process, suggested that we didn't need the table. We chose to meet in a circle, with our wheeled boardroom chairs drawn close together. I'll never forget the sight of this diminutive mother, chair pulled up close to Pierre's, their knees almost touching, fearlessly engaging with the 6'2, 190 lb., Pierre, who openly acknowledged his former criminal lifestyle, she and Ian courageously sharing with him what life had been like for them since the news of Graeme's death, then respectfully listening and asking clarifying questions as they invited his response. Most people likely can't picture such a scene without imagining the expression of hurt so deep it would spill into rage and the need to wound the one responsible for an enormous reservoir of pain. But that rarely happens in this process, and didn't on this day. There is no question that the hurt was communicated in the telling of the story, and no question that Pierre heard it deeply and responded with a degree of empathy and articulation (and in his second language), that no one could have anticipated. But the intent was not to harm, but to heal; not to revisit the pain and loss in endless cycles, but to seek to transcend it. It is amazing how, even in the most heinous offences and tragic circumstances, meaningful dialogue, speaking from the heart, responsibility taking by offenders and the offering of genuine apology, can play so profound a part in enabling healing and transformation. Perhaps more astonishing, still, is the impact on people like Pierre when they are met by people like Ian and Marlyn, whose intent is, in part, to challenge the other to "do no harm, to anyone, by any means, from this point on". As this meeting came to a close, Ian and Marlyn spoke words that left Pierre almost speechless. "You have apologized for the pain you have caused our family, and that has meaning for us; we forgive you, as much in order to free ourselves as to free you from the burden of this." "All that we ask is that you do not treat this lightly, that you offer to others the grace and mercy we have offered you; that you do no further harm." Then, Ian, rose to his feet, took a step toward Pierre, wrapped his arms around him and hugged him: "I forgive you", he said, "for your part in Graeme's death." Pierre was not the sort to shed tears even in the face of this, but the emotion was clear. He quietly returned the embrace, nodded, almost silently forming the words "Thank you." and was escorted from the room to return to his cell.

A few months later, a letter from Pierre addressed to Ian and Marlyn arrived at our offices. I took it first to Marlyn's work place, where she invited me to sit with her as she read it. Pierre had written:

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Nothing could have prepared me for the impact our meeting has had on me. You have given me the opportunity to begin to understand how my actions have impacted your lives in ways otherwise I may never have had the chance to realize. I must tell you that you are both now an inspiration to me and without a doubt you both are two incredible human beings that can only inspire me to become a much better person. I thank you for the kindness, patience and generosity you have shown me. Facing both of you was an unknown feeling. The last thing I wanted to do was to cause you more pain and suffering. You have both made such a strong impression on me that out of the blue I now catch myself thinking about you. I would like to apologize one last time for the pain I have caused your family and I'm truly sorry for the role I played in Graeme's death. From this point on I can only wish that your whole family finds peace and happiness. I am a man of my word and I will keep my promise to you [to harm no one else in the future]....I would ask you to keep me in your prayers as I will do the same. I truly wish you both and your daughter the best and I want to leave you with this poem that I have had on my wall for the better part of my sentence:

*"The most beautiful people we have known are those who have known defeat, known suffering, known struggle, known loss and have found their way out of the depths. These persons have an appreciation, a sensibility and an understanding of life that fills them with compassion, gentleness and a deep loving concern. Beautiful people do not just happen."*

Enclosed with the letter was a rosary that a loved one had given to Pierre, with a simple P.S. "Somebody special gave me this cross and I would like to give it to you. Sincerely yours, Pierre."

As she read these final words, Marlyn's fingers traced the beads of the rosary, familiar to her from childhood 'til the present, and through quiet tears, she said, in her lovely Scottish accents, "This is incredible...when we began it was to get answers to our questions, and hold him to account. We never could have foreseen an outcome like this."

Before Christmas, Ian wrote to Pierre, one more exchange in which the value of the process they had been through was underscored, thanking Pierre for being willing to receive us and to engage in the process in what had proven to be healing ways. He added: "...the rosary you sent has become 'A Sign of Peace' between us."

In relating these stories, especially those in which the themes of apology, repentance, forgiveness and absolution figure highly, I almost always feel compelled to add a caveat, such as this one, borrowed from last year's report:

It should be clearly stated that not everyone who seeks to participate in VOMP does so motivated to forgive (or to seek forgiveness). In fact, many victims/survivors start in a far different place, simply needing answers to questions never answered in the Criminal Justice System's processing of their cases. Some need respite from desperate pain, and hope that their experience will be as helpful as that of others whose stories they have heard. Some seek what they describe as "healing": a new degree of resolution of the trauma...hoping for an increase of peace and greater resilience for themselves and their loved ones. Others still, (both victims and offenders) participate in hopes that their involvement will impact the other for good...

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Whatever the motivation, most find a good deal of what they were looking for when they determined to ask for an encounter with “The Other”. And, as the participants...here did, some report experiencing that granting forgiveness can set both themselves and their offenders free in ways they had never expected nor anticipated.

In cases such as these, the one responsible for the harms must recognize that there is truly nothing s/he can offer tangibly that will suffice to remedy the damage done, and that apology is inadequate. Martha Minow would go so far as to say that “An apology is inevitably inadequate.”<sup>1</sup> But there is a paradox here, which Nic Tavuchis in his marvelous book *Mea Culpa* sees and describes: “An apology, no matter how sincere or effective, does not and cannot *undo* what has been done. And yet, in a mysterious way and according to its own logic, this is precisely what it manages to do.”<sup>2</sup> “Mysteriously, in a simple speech expressing regret, a ritual exchange takes place that enables healing, even in the aftermath of serious offences.”<sup>3</sup>

While Marlyn and Ian deal with frequent reminders of the loss of their son, they have found freedom in meeting with the men responsible as well as resilience and new levels of meaning in the ways in which they have chosen to live their lives. Marlyn continues to work for a funeral home: this time as a coordinator for families who have tragically lost loved ones, especially in cases of homicide or suicide. She has been honoured for her foundational work with the BC Bereavement helpline, and for the self-help groups she runs. She and Ian are regulars (and regular hosts) for the groups CJI began a number of years ago for others who had participated as victims/survivors in our VOMP program, a simple pot-luck gathering in one of our homes that brings together a group of people who have sustained losses of this magnitude, and who are able to provide deeply meaningful support for one another. Ian and Marlyn are marvelous examples of folk of the sort that Dr. Judith Herman had in mind when she wrote:

Most survivors seek the resolution of their traumatic experience within the confines of their personal lives. But a significant minority, as a result of the trauma, feel called upon to engage in a wider world.

These survivors recognize a political or religious dimension in their misfortune and discover that they can transform the meaning of their personal tragedy by making it the basis for social action. While there is no way to compensate for an atrocity, there is a way to transcend it, by making it a gift to others. [For these individuals,] the trauma is redeemed only when it becomes the source of a survivor mission.<sup>4</sup>

That sense of vocation, of calling to a survivor mission, is captured in a quotation that continues to compel Marlyn to serve in just these ways. She reminds herself (and others of us) that: “Hope has two beautiful daughters – Anger and Courage – Anger at the way things are and the Courage to change them.” - St. Augustine.

Not everyone who participates in VOMP has the same experience of transcendence or transformation of their personal tragedy, but many, over the 27 year history of the program, have. The notions we had at the beginning, of melding learnings from the worlds of victim – offender mediation, peacebuilding,

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<sup>1</sup>Minow, M. 1998. *Between Vengeance and Forgiveness*. (Boston: Beacon Press, p. 114).

<sup>2</sup>Tavuchis, N. 1991. *Mea Culpa: A Sociology of Apology and Reconciliation*. (Stanford, California: Stanford University Press, p. 33).

<sup>3</sup>Gustafson, D.L. 2017. “Thoughts on the Impact of Apology”, University of Leuven Institute of Criminology, p. 4.

<sup>4</sup>Herman, Judith Lewis. 1997. *Trauma And Recovery*, p. 207

trauma recovery and offender treatment programming have been vindicated and have borne fruit in many lives. From humble beginnings here in the West, VOMP has matured and grown into a national program, (now known as Restorative Opportunities) which is available to victims/survivors and the federal prisoners who caused them harm from Coast to Coast. In July of 2017 we, Sandi Bergen, Jamie Scott and I, will be training yet another cadre of facilitators for the program in the other regions of the country, since the demand for our services continues to grow beyond any expectation that we might have had for the program when we originally conceived of it and took our first tentative steps.

I want to offer here our thanks to all who have placed their trust in us, in fact, whose daily lives teach us, "That there is hope. That to be instruments of mercy fills us up. And that sharing love and passion heals us, and gives our lives cohesion, direction, and meaning"<sup>5</sup>; to the Marlyns and Ians, who have taught us these things as we've journeyed together, at every step, profound thanks.

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<sup>5</sup>Laura Locke, a review of An Lamott's *Hallelujah Anyway: Rediscovering Mercy*, Riverhead Books; 2017, in *Kolbe Times*, (April 2017), retrieved from: <http://www.kolbetimes.com/hallelujah-anyway/>