

JUSTICE AND CORRECTIONAL SERVICES

Message from the Director Donald Nicholls



Gaston Cooper

2014-2015 was a busy year for the Department of Justice and Correctional Services (the “Department”), as we were able to offer new programs and services while continuing to enhance our core services to the Cree Nation.

I would like to begin by welcoming all new employees to the Department and taking a moment to recognize the hard work and dedication of all staff members. In the past year, our Department continued to grow in terms of personnel and programs alike. The majority of staff are spread throughout the nine Cree communities as local community justice, reintegration and prevention officers, as well as support staff. A number of our employees participated in a variety of training programs, all with the intention of continuing to develop and equip our staff in order to provide the highest level of service to our clientele.

The year also marked the end of the term of Gerti Murdoch as Chair of the Cree-Quebec Judicial Advisory Committee. The new appointed Chair of the Committee is Isabel Brodeur from the Ministry of Public Security. Gerti did an exceptional job, and we are thankful to her for her hard work and dedication to the Department. We

would also like to thank the other members of the Judicial Advisory Committee who continue to work with us throughout the year. This year, we created a number of Sub-Committees of the Judicial Advisory Committee to assist us with the review of the new justice funds applications, and also with specialized projects. This complements their work with reviewing and recommending to the Cree Nation Government and Government of Quebec on budgeting, planning and research.

We would also like to acknowledge the continued support of the Cree leadership, and Cree Nation Government. It is through collaboration and support of leaders, other departments, youth, Elders, and other organizations that we together can achieve healthier and stronger communities.

The Department was excited to launch a number of new services and programs both regionally and individually to each community. Some examples of this are the launch of four new justice funds, an alternative to school suspensions program, and community tours, among others.

We also enjoyed new partnerships and continued opportunities to network with various communities and groups within the Cree Nation, both at the local and re-

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JBNQA Section 18 Administration of Justice (Crees)

... The said judges or persons must be cognizant with the usages, customs and psychology of the Crees.

gional levels. Some highlights include partnerships with Tim Hortons, Free the Children, and the Boys and Girls Club of Ottawa targeting our youth, and a partnership with Saint Paul's University and the Canadian Center for Conflict Resolution with our community dialogue initiatives. The Tim Horton's camps we have co-organized with our Cree SNAP team, would not have been possible without the generosity of Anthony and Elaine MacLeod the owners of two Tim Horton's franchises in Eeyou Istchee. We strongly believe that partnerships and involvement at the community level help foster our aim to ultimately deliver an increased number of high quality services along with local solutions to local issues.

We placed strong emphasis last year on opening the channels of communication between the Department and each of the Cree communities. By developing a good understanding of local issues and needs, we can deliver an increased number of meaningful and targeted services and accessible local solutions in a more timely fashion. We also encourage the implementation of local solutions and work to engage and connect the communities with their unique priorities. This is one way where we, as a Department, are constantly striving to provide better services to the Cree Nation.

Continuing to integrate Cree language & culture in both our existing and new programs remains a major priority in order to engage offenders and reduce recidivism. As such, we have had much success with land based programs and look forward to the future initiatives resulting from our new Land Based Camps Fund. This also includes the hard work of our Working Group on Cree Terminology who will produce a new justice lexicon this year to be used throughout the systems and communities.

Included in this report are a brief overview of our programs and services, of the changes that occurred over the year, and some relevant statistics. The Department takes pride in having contributed to the downward trend observed in recent years for criminal offences and young offender statistics through the services and programs it provides to the communities, and for the ability to provide to the Cree Nation statistics to get an overview of the level of activity in each area.

Over the coming year, we will continue our community tours to provide more details on our initiatives. We wish to thank those who hosted a community tour last year and we look forward to visiting the communities once again this year. We also look forward to continued or new partnerships with communities, other departments, agencies and organizations on all the exciting projects we have lined up for 2015-2016.

We remain strongly committed to enhancing both public safety and community wellness and as a result, are contributing to the strengthening of our Cree Nation as a whole.

Thank You. Meegwetch.

LAUNCH OF NEW PROGRAMS

Four New Funds to Improve the Administration of Justice

Last year, the Department began an exciting new initiative to support its justice-related mission with the launch of four new funds:

1. Corrections Fund
2. Land Based Camps Fund
3. Youth Engagement Fund
4. Crime Prevention Fund

While each fund has a specific justice-related focus, all intend to provide resources and opportunities for the enhancement of services in the areas of justice and correctional services within the Cree Nation. The funds aim to encourage community as well as individual involvement and inspire engagement, and new ideas to improve the safety and welfare of the Cree communities across Eeyou Istchee.

Each of the four funds is administered by a dedicated member of the Department's staff, responsible for guiding applicants throughout the process and monitoring accepted projects during the year.

1. The Corrections Fund

The Fund is administered by the Corrections Administrator (a new position filled this year). Its purpose is to:

- assist in the rehabilitation and reintegration of Crees who have committed offences back into their families and communities.
- work with Cree offenders to reduce the likelihood of reoffending, remove barriers to successful social reinsertion, develop a sense of personal responsibility, increase public awareness of the consequences of certain behaviours, and enhance public safety and community wellness.

Over the past year and in previous years before the fund was in place, we have sponsored a number of land based activities for Cree clientele returning from detention or on conditional releases.

2. Land Based Camps Fund

The Land Based Camps Fund is administered by the Justice Administrator. This fund was set up to accommodate clientele who often do not want to return to the communities immediately, or may not have had access to many resources. The purpose of the fund is to help by:

- offering one time financial allocation for the building of land based camps in close proximity to each of the 9 Cree communities.
- providing the Department with a place to conduct more land based programs for Cree clients returning from detention or those in high risk of offending.

The fund is available in each community, to an individual or organization, to build us a place on the land where the Department can deliver prevention, diversion, intervention and rehabilitation programs.



Cree Nation Youth well represented at “We Day”



A huge turnout for “National We Day” (Ottawa, ON)

3. Youth Engagement Fund.

The fund is administrated by the Community Program Officer. It aims to:

- support the engagement of youth and empower them to develop projects, workshops and other initiatives directed at crime prevention.
- target a number of high-risk activities such as bullying, drop out rates, suspensions, drug and alcohol abuse, and suicide prevention.
- empower youth to work together to come up with solutions for other youth.
- help facilitate change in youth who have been in a cycle of anti social behaviour in the communities.
- support the integration of Cree values and ways of life to help youth reconnect with their identity and community.

4. Crime Prevention Fund

This fund is temporarily administrated by the Financial Officer, until the new position of Program Administrator is filled. Its purpose is to engage communities, organizations and individuals in:

- finding solutions to current, emerging or potential future problems that impact the safety, welfare or unity of our communities.
- developing local and regional programs that strive to reduce crime and the possibility of crime through different initiatives targeting high-risk clients.

Areas of priority for community programs could include domestic violence, alcohol and drug addiction, bullying, reducing risk factors for youth, education and awareness on issues, building safer environments, and promoting alternative measures to crime.

While last year saw the development of the funds, 2015-2016 will be a very exciting year as the first full cycle of applications through to project implementation and completion will occur, along with the second round of application submissions.

An Alternative to School Suspensions

This past year, a program was explored to address the high number of suspensions in our Cree schools. The Cree-Quebec Judicial Advisory Committee created a Sub-Committee to work on an alternative solution to school suspensions. The Alternative Suspension Program aims to work with children while on suspension, instead of simply sending them home. During the suspension period, the child will be directed to the program facility outside of the school. Schoolwork will be completed in the morning to assure the student keeps up with their class, and in the afternoon, programming will focus on the development of life skills and awareness on key issues. At the end of the program time, a meeting will be scheduled with the parents and school to discuss the child’s re-integration at school. The Cree program is based on one that was developed in Montreal and currently has 80 sites across the country. A Coordinator has been hired to administer the program in Eeyou Istchee, and youth workers will be trained over the summer for implementation in the 2015-2016 school year.

Making Legal Information Accessible to the General Public

The Department is now looking at establishing a Regional Legal Information Clinic, a project that would strive to make legal information accessible to the general public in Eeyou Istchee. This project is inspired by a successful pilot initiative that took place in the Cree Nation of Wemindji a few years ago. When established, the information clinic would provide information about the legal system and related issues of importance, adapting any information to take into account how it would be relevant to JBNQA beneficiaries. It is expected that this new resource to the Cree Nation would communicate information through a variety of means including a website, a call number, and workshops within the communities.

UPDATE ON EXISTING PROJECTS AND PROGRAMS

SNAP Program: A Successfully Adapted Model

The Cree SNAP Program, Pitimaa Maamituneyiht, began as a clinical model, which yielded amazing results in its pilot launch as a school-based program. The new Cree SNAP for Schools Program aims to teach children under the age of 12 essential life skills of conflict resolution and self-responsibility.

In its first few years of delivery, the program showed that it could reduce the incidence of chronic bullying, improve classroom environments, and work with children specifically on eight areas of behavioural issues. The Cree project developed evidenced based proof that the adapted Cree model was successful in our communities and schools.

The Department has created a number of new Prevention Program Officer positions, for each community, to allow for the delivery of our Cree SNAP Program in all elementary schools. These positions will also support other community-based programs working towards healthy communities, choices and lifestyles.

“Me to We” and Other Youth Trips

The “Me to We” Trips Program connects youth who want to make a difference in the world with youth in need of support in education, clean drinking water, medical programs and eradication of poverty. Last year, the Department co-sponsored a group of students from Wemindji on a trip to South America where they helped build a school for Indigenous youth. The Department also co-sponsored a group of students from Waskaganish on a trip to Costa Rica to work with local Elders and learn more about the culture and environment of other Indigenous peoples in the world. We thank all the youth that participated in any of the events or programs in the past year.

The Cree Justice Lexicon: Facilitating Communications in Justice-related Processes

The Cree Justice Terminology Project is a justice, corrections, and healing lexicon aimed at better defining words, concepts and processes in Cree so that when people come into contact with the courts, corrections and rehabilitation programs there is an increased baseline understanding. The Cree Justice Lexicon will be a guide of key words available to all translators and workers in the Cree justice and corrections systems.

The federal and provincial governments are required to provide translations of all parts of the legal process, as stipulated in the JBNQA. For the past few years, the Department has been working to develop a lexicon that will improve the ability of these governments to deliver clear and correct Cree translations in any process in the justice and corrections systems. The Cree Justice Terminology Working Group is coordinated by Gerti Murdoch, who is a member of the Cree-Quebec Judicial Advisory Com-

mittee. There are four language specialists on the group to account for Whapmagoostui, Northern Coastal, Southern Coastal and Inland dialects of Cree, and a legal advisor who works on the French and English translations. Once completed, the Cree Justice Lexicon will be used in justice proceedings, corrections processes, youth protection cases, and with the general public.

The Mediation Project Expanding Locally

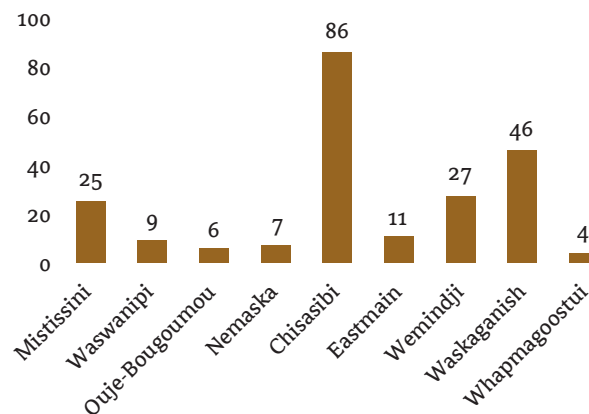
The Mediation Project is a part of the continuation of the Canadian Institute for Conflict Resolution (CICR) training program we had the majority of our staff get certified in. We are committed to building local resources in all the Cree communities for specialized and better client services. It is our belief that not all conflicts need to go through the legal systems. To this end, Department staff and some members of the local Justice Committees throughout the communities are regularly trained in mediation and conciliation skills, facilitation, community dialogue and other forms of client intervention. 2015-2016 will see services become available locally to resolve interpersonal conflicts, employee disputes and group based issues. This coming year will allow a number of key individuals already trained, to develop practical experience while working with professional mediators and to launch of this service in the Cree communities.

CAVAC: Additional Support for Victims and Witnesses of Crime

The mission of CAVAC (Crime Victims Assistance Centers) Officers is to address the needs and concerns of victims and witnesses of crime in Quebec. Until the Quebec Government launched the CAVAC program in 1988, victims and witnesses of crime were not receiving support within the justice system.

Over the past year, a number of new files were opened to provide support, information and liaison with other services for Cree victims and witnesses of crimi-

CAVAC’s support to Cree victims and witnesses of crime, 2014-2015 Estimate (By Community)



nal acts. CAVAC offices are currently located within two Cree communities, and CAVAC officers travel to the other communities with the courts and when requested by clients. Last year, the Department initiated discussions with the government of Quebec, which is responsible for the CAVAC program, with a view to opening a third office in order to provide increased and additional support services in Eeyou Istchee.

“In Search of Your Warrior”

Last year, the Department also participated in the “In Search of Your Warrior” Program for Aboriginal offenders incarcerated or released from detention. This program was created by Native Counselling Services of Alberta with Cree Elders, and is founded on research that suggests that spirituality is an essential program element in helping aboriginal adults who are incarcerated in both reducing the chance of re-offending and success-

Youth reaching for the sky (Tim Hortons’ Camp)



ful reinsertion to their community. The program seeks to address underlying violence in men, women and youth, and to take them to a place of healing. We are pleased that two of our staff members have completed their training as of March 2015, and can now train others to deliver the program in Eeyou Istchee, as well as run and develop programs of their own.

BUILDING AND MAINTAINING STRONG PARTNERSHIPS

Several Camps and We Day in the Ottawa Area

Last year, the Department collaborated with many external partners to provide Cree children’s camps. These included Tim Hortons, Free the Children, and the Boys and Girls Club of Ottawa. The camps work with children to develop values, character and life and social skills, as well as address issues such as bullying, resilience, resistance to peer pressure, and positive role modeling. We are also thankful to the parent volunteers who gave their time to spend it with the children who attended these camps.

The camps were held outside of Ottawa and they coincided with the National We Day. We Day is an interesting and powerful initiative, which aims to inspire children to make a positive difference in their own communities and to help children in other parts of the world. The camps, and We Day, are always a success with the children who attend. It is an investment in our children of our time, attention and support. Each year, they make new friendships, challenge themselves to accomplish new goals, and learn many new values.





Plans for design of the women's shelters

Women's Shelters Remain a Priority

Women's shelters remain a priority for the Cree Nation Government (CNG). A framework agreement was concluded last year between the CNG and the Cree Board of Health and Social Services (CBHSSJB), laying the foundation for a partnership in the construction of two women's shelters in Eeyou Istchee and the delivery of related programs and services. Subsequently, a proposed lease agreement between the CNG and the CBHSSJB was prepared and submitted for approval to the Quebec Ministry of Health and Social Services (MSSSQ). A competition was held for the site selection of these two shelters but the construction of the shelters was delayed pending governmental approvals of proposed lease agreement and technical functional plan.

The Cree Nation Government is prepared to build the shelters and other organizations engaged with us are ready to begin the construction of these facilities. The CNG has approved the initiative, the CBHSSJB has secured a commitment on the operations and maintenance of these facilities, and the Cree-Quebec Judicial Advisory Committee has agreed to recommend to both governments to proceed with the completion of the shelters. At this point, we are awaiting confirmation by the MSSSQ, as per the framework agreement with the CBHSSJB, our partner in this initiative.

EQUIPPING THE JUSTICE STAFF AND COMMUNITY JUSTICE COMMITTEES

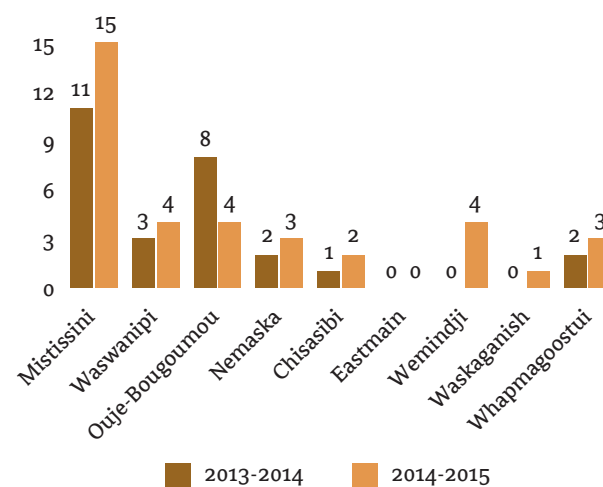
Increased Resources for the Gladue Reporting Process

Gladue reporting follows Criminal Code amendments and a subsequent Supreme Court of Canada decision in 1999 requiring sentencing judges to look at the so-

cial, cultural and historical background of an Aboriginal offender before handing down a sentence. With recognition of the over representation of Aboriginal peoples in the federal and provincial correctional systems, the intention is to provide the sentencing judges more information in order to be better equipped to determine an appropriate sentence for an offender.

The production of a Gladue report requires the collaboration of many inputs to look at what is best for the offender in balance with what is in the best interest of the public. Throughout the year, the Department produced 35 Gladue Reports for members with offences facing possible time in detention. In addition, training took place to increase the number of justice personnel qualified to produce these reports.

An Increased Capability to Produce Gladue Reports



Fourth Class of Graduates from the Third Party Neutral Program

This past year, we graduated our fourth class of Cree staff from the Third Party Neutral Program with the Canadian Centre for Conflict Resolution. This training provides increased understanding of the underlying human identity needs of clientele, and develops skills for setting up fair processes to resolve conflicts locally. It is a good example of the core type of training provided to all key staff, and steps taken to provide resources in each community.

Furthering Training for Community Justice Committees

A Community Justice Committee member manages files so that cases can be diverted by the Crown Attorney to the local committee rather than going through the court system. Last year, Community Justice Committees have had a number of training sessions to equip them in their work, sponsored through an agreement with the Department of Justice Canada. They were also given training on how to deal with domestic violence files, as this is an area of priority in the Cree communities.

Justice Committees are now preparing to work with Youth Protection Services on training for a new system to be implemented in 2015-2016 in order to divert youth cases to local Justice Committees. Managing of youth cases will allow Justice Committees to play an active role in providing local solutions, guidance, and support. We look forward to working in the new year, with new Justice Committee members throughout the Cree Nation.

CONTINUED COMMUNITY ENGAGEMENT

Valuable Dialogue Through Community Tours

This past year saw the initiation of community tours in which Department leadership met with Chief and Council, local justice workers, and engaged the public in a dialogue on local justice issues. The intention was to share information and concerns so that the Department can measure activity locally, review it with local staff, government and organizations, and create a community-specific plan. The hope is to address areas of concern and to examine the impact of collaboratively designed programs and services. It was an opportunity to open the dialogue on local needs and concerns and to develop or adjust new programs and services accordingly. The tours also allowed us to create local and regional action plans in the area of justice and correctional services. This initiative will continue in 2015-2016 and our goal is to complete all first community visits by the end of the year.

The Department has also partnered with Vern Redekop from Saint Paul's University, and a member of the Canadian Centre for Conflict Resolution, to begin a process of community dialogues. We held a number of sessions in the communities and are looking forward to providing this to more communities throughout the next year. The initial meetings were focused on economic

development and the engagement of youth locally. The community dialogue process looks at issues of priority in each community, and helps generate a conversation that then engages and invites more members of the community to be present at each new session.

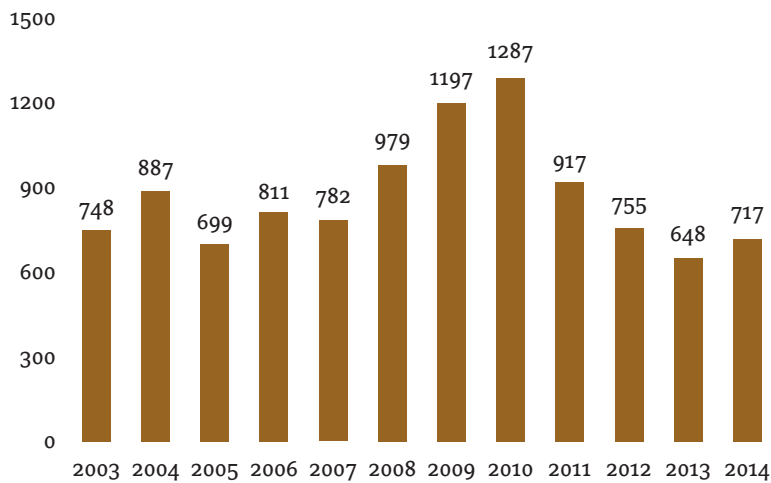
One of the Busiest Court Calendars

The court calendar for the 2014-2015 year was one of the busiest in terms of new court dates. Not only did the year see more regular and accessible services to the communities, it also saw an increase in dates for youth courts, by-laws and civil trials. The justice facilities, built and operated by the Cree Nation Government, host the various courts to allow justice to be more accessible in the Cree communities, but also to allow local Justice Committees and other services to participate in possible solutions. These facilities help the court take into consideration the type of support clients may have locally or regionally, and they also allow for people who wish to have a voice in the process to be present.

There were close to 100 videoconference hearings in the justice facilities in the past year. Allowing for a trial or testimony to be done locally reduces overall costs to partners, families and clients. The number of days are coordinated through the Justice Administrator, and determined by an assessment of needs.

Statistics compiled from 2003 to 2014 on Cree court files in Eeyou Istchee show trends in offences under the *Criminal Code* and other federal and provincial laws and regulations. The Department believes that the services and programs it has and continues to put in place to ensure the safety and welfare of the Cree Nation have contributed to the downward trend observed in recent years for criminal offences and young offender statistics.

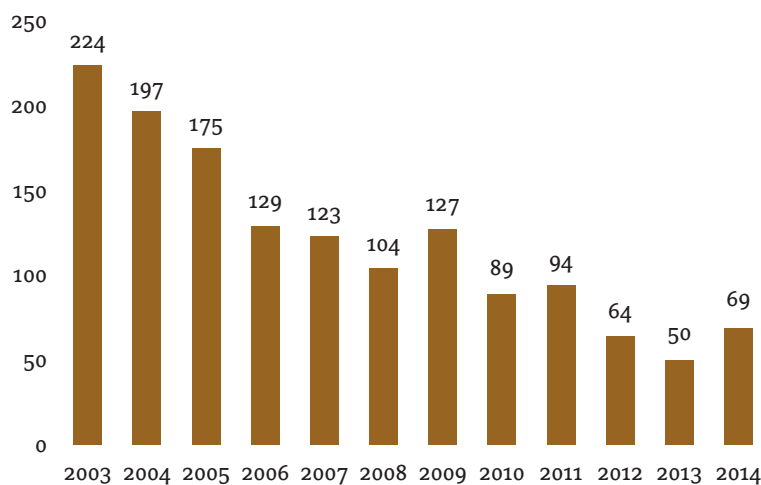
Evolution of the Number of Criminal Offence Cases



Criminal Offences include offences under the Criminal Code and the Controlled Drugs and Substances Act, such as:

- Assault (including domestic violence)
- Driving while impaired
- Breach of conditions (probation, release)
- Threat
- Possession of a controlled substance (drugs)

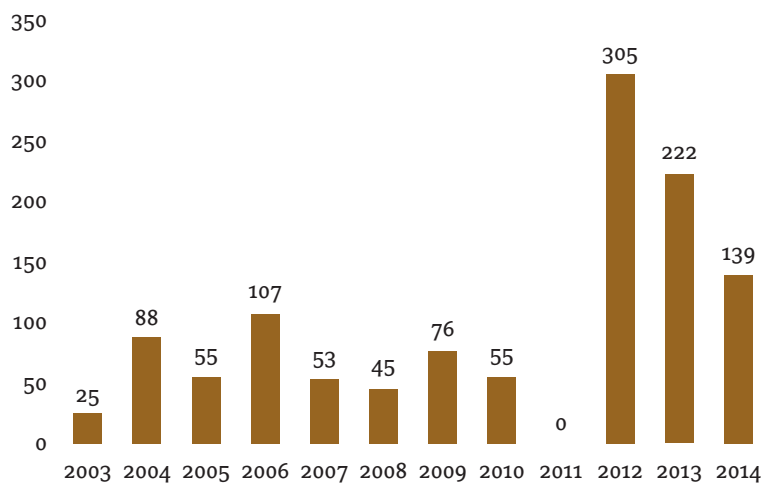
Evolution of the Number of Young Offenders Cases



Young Offenders offences include legal proceedings instituted under the Youth Criminal Justice Act (YCJA). The YCJA governs Canada's youth justice system

- Applies to youth between 12-18 years old who are alleged to have committed criminal offences under the Criminal Code

Evolution of the Number of Statutory Offence Cases (Federal)

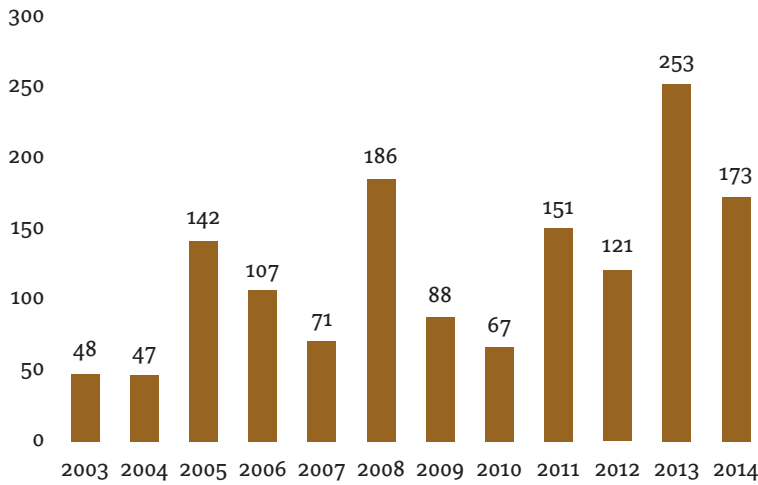


Statutory Offences (Federal) include the files opened for offences under federal statutory laws, other than Criminal Code, such as:

- Fisheries Act (federal aspects, e.g. method of fishing)

Offences mostly committed by non-Cree

Evolution of the Number of Statutory Offence Cases (Québec)



Statutory Offences (Québec) include files opened for offences under Québec statutory laws and regulations, such as:

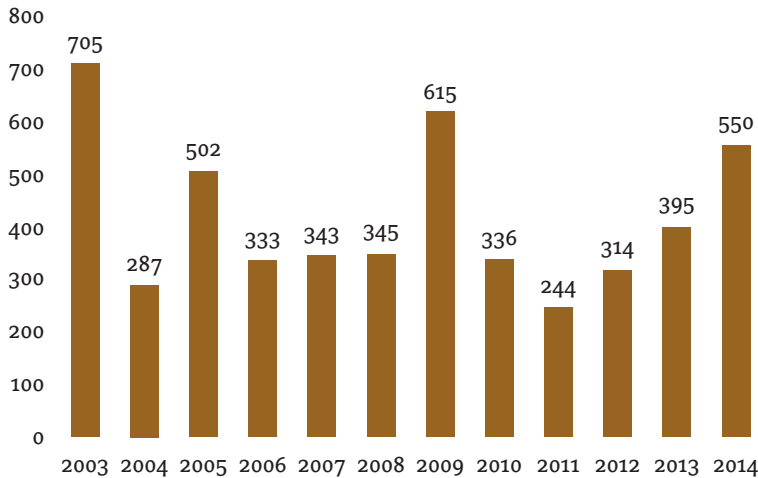
- *Highway Safety Code*
- *Laws and regulations regarding fishing (provincial aspects, e.g. fishing license, period, catch)*

Also includes offences under Regional Municipal by-laws

- *By-law No. 148 concerning Safety, Peace and Order (e.g., use of firearms across or towards a road)*
- *By-law No. 149 concerning Nuisances (e.g., eviscerating and leaving animal carcasses on the road or on a snowmobile trail)*

Offences mostly committed by non-Cree

Evolution of the Number of Community By-Law Offence Cases



Community By-Law Offences include files opened for offences such as:

- *Nuisance*
- *Highway Safety Code*
- *Alcohol By-Laws*
- *Curfew*

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JBNQA Section 18 Administration of Justice (Crees)

Justice of the peace, preferably Crees, are appointed in order to deal with infractions to by-laws adopted by Cree local authorities...

CONTINUALLY IMPROVING OUR FACILITIES

Security Improvements

2014-2015 saw the completion of security adjustments to the nine community justice facilities to ensure they are safe for clients and staff. Generators were added to each facility as well as back up battery systems for the IT equipment. This will allow for increased protection of equipment located in each facility. Adjustments were also made to the facilities' camera and door locking systems. In addition, the Department has gone on tender for multimedia equipment for each of the facilities and intends to complete this project in 2015-2016.

Other General Improvements

Planning is underway for an expansion to the Chisasibi and Mistissini Justice Facilities to allow for an increase in regional services. As well, a working group was established to investigate the building of a facility for Cree youth within the territory, which would enhance our ability to provide better care and programming for youth in custody, and create better proximity for reintegration programs.

Finally, the Department purchased a vehicle for the Court Liaison Officers to travel with the courts to the various Cree communities.

THE CORRECTIONS STAFF: AVAILABLE FROM BEGINNING TO END

The Department continues to work closely with clientele in detention, transitional programs, and upon returning to the communities. When an offender enters the corrections system, the Correction Liaison Officer works with the Specialist in Detention Environment to start an initial intake form with each offender. The majority of offenders agree to having Cree staff provide support within the provincial and federal corrections systems. An intake form helps determine the type of services or support the clientele will need in terms of rehabilitation (areas they will need help with), and reintegration (eventually returning to their families or communities.).

Our Department Psychologist also sometimes helps with the risk assessment of individuals entering the system. A risk assessment determines the levels of risk of a detainee while detained, and whether there are any special types of programs or services they may need. Depending on each case, the staff may meet regularly with the client in detention for follow-ups, advocacy, or therapy. Clients are also asked if they would like to meet with an Elder, pastor or counsellor while in detention. If there is ongoing treatment for any issue post detention, the Community Reintegration Officer and Department Psychologist, along with the Correctional Release Support Worker plan for follow up visits, connect clients with programs, and create a local network of support and assistance. The objectives of these initiatives are to help clients develop a path to healthy decision-making, taking responsibility for actions, working together on a plan, reducing the likelihood of recidivism, as well as enhancing public safety.

The Corrections staff is available throughout the processes from initial orientation, assessment, rehabilitation programs, parole hearings, release and reintegration. In both the provincial and federal systems, there are limited abilities to communicate with the majority of our clientele, so even the presence of our staff in order to translate and facilitate understanding is important.

The Department also works with local services to explore opportunities such as possible job opportunities, housing, counselling, and land based programs. The Department has had much success with land based programs, based on the philosophy that the land can heal, while providing clients with time to adjust to life post incarceration. For some, it may also be a first time to engage in their culture and traditional activities, and this brings with it values and a sense of belonging to the community and Eeyou Istchee. As each client case is unique, the individual plan that is developed will depend on the specifics of the case and will incorporate any conditions that may apply.

The Corrections staff also participated in a number of training sessions this past year. One example is a training session on our Record Suspension Program. This program allows our staff to work with those who are eligible for getting their criminal record suspended. Eligibility is determined by the type of offence and how long it has been since a client has satisfied all the conditions of their sentence. This opens up potential employment opportunities in the communities and territory. In each community the Community Reintegration Officer can guide people through the process. The federal government recently changed the laws related to pardons and record suspensions. We updated our training to reflect this and to equip our staff with the relevant information.

Corrections staff also participated in the Gladue Report writing training and is now able to provide this service to our clients as well. Finally, there is a traditional foods program, that allows for staff to bring food into the detention facilities for special events. It follows after a traditional teaching that the land can heal, and if we cannot bring them to the land, we will bring the land to them. The program also helps them connect back with their values, teachings and traditions. It reminds us of what is important, and what one could be doing with better choices. Finally, the program can remind our clients that they still belong to a Nation, community and family.