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# NATIONAL OVERVIEW OF PROGRAMS, SERVICES AND ISSUES RELATED TO ABORIGINAL OFFENDERS

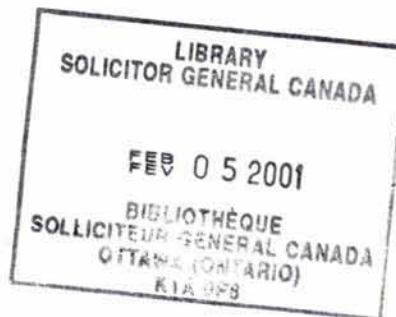


*A Report Prepared by:*

*Aboriginal Issues Sub-Committee to the Heads of Corrections  
Correctional Service of Canada*

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## EXECUTIVE SUMMARY

*"Reports and inquiries since [1967] have not only confirmed the fact of over-representation [of Aboriginal offenders in the criminal justice system] but, most alarmingly, have demonstrated that the problem is getting worse, not better." Royal Commission on Aboriginal Peoples, Bridging the Cultural Divide, p. 28 & 29*

♦♦♦♦

The volume of information received from the Corrections department within each Province, Territory, and the Correctional Service Canada national office has been gathered together and presented in two distinct paths within the body of this report:

- 1) Programs & Services
- 2) Issues Affecting the Healing Process.

### *Overview of Programs & Services:*

There is a broad array of programs & services germane to Aboriginal offenders from the community level to the courts to correctional facilities. The degree to which these programs interact with and affect Aboriginal offenders is equally expansive. Nevertheless, we have attempted to sift through the myriad of information gathered from each Province and Territory to convey the "big picture".

From the brief descriptions provided by each region, the Programs and Services have been grouped together into clusters that have a common or similar thrust. After establishing these distinct groupings, each was given a name to hold it's contents together like a thread. Thus, the following common themes emerged when examining all the current Programs and Services pertaining to Aboriginal offenders in Canada:

1. ESTABLISHING & EXPANDING THE ROLE OF ELDERS
2. ESTABLISHING AN ABORIGINAL WORKFORCE WITHIN CORRECTIONS
3. OFFENDER HEALING & SKILL DEVELOPMENT
4. FACILITIES & APPROACHES FOCUSED ON YOUTH
5. TRAINING & SERVICES GEARED TO CORRECTIONAL STAFF
6. HEALING & SUPPORT FOR FAMILIES & COMMUNITIES
7. SUPPORT TO ABORIGINAL AGENCIES, COMMUNITIES, & INITIATIVES
8. DEVELOPING STRUCTURES & FACILITATING INFORMATION EXCHANGE
9. OFFENDERS HELPING OFFENDERS *(Please refer to pages 5 & 6 for a Two-part Summary).*

Indeed, a particular program or service may fit into several of the common streams identified above. However, in our efforts to gain an understanding of how programs and services directed towards Aboriginal offenders are inter-related, we looked at the primary intent of each program or service.

*Issues Affecting the Healing Process:*

The nature of issues affecting the healing (rehabilitative) process of Aboriginal offenders are multifaceted. Thus, anything resembling a detailed explanation as to *why* or *how* the healing process for Aboriginal offenders is impacted will not be found in this report. Nevertheless, it would be safe to assume the complexity of issues are also interrelated.

Therefore, an attempt has been made to again organize the information provided by each of the regions into "streams of thought". The following common streams summarize the "*Major Issues Affecting the Healing [Rehabilitative] Process of Aboriginal Offenders*":

1. DIFFERING WORLD-VIEWS PREVENTS MUTUAL COOPERATION
2. RESEARCH & INFORMATION IS SCARCE
3. MISTRUST STEMMING FROM HISTORICAL CONFLICT
4. OVERWHELMING NATURE OF ISSUES INHIBITS AWARENESS & UNDERSTANDING
5. CORRECTIONAL STAFF ATTITUDES, BELIEFS, & APPROACHES OFTEN DO NOT SUPPORT ABORIGINAL APPROACHES
6. INADEQUATE RESOURCES FOR PROGRAMS & SERVICES
7. POOR SOCIO-ECONOMIC CONDITIONS PARALYSES ABORIGINAL COMMUNITY
8. BUILDING CAPACITY WITHIN COMMUNITIES REQUIRES GREATER FOCUS
8. NO INVOLVEMENT = NO COMMITMENT FROM ABORIGINAL COMMUNITY TO PROVIDE SOLUTIONS
10. WILL TO BREAK JURISDICTIONAL LOG-JAMS IS WEAK WITHIN BUREAUCRACY

*(Please refer to pages 43 & 44 for a Two-part Summary)*

## INTRODUCTION

*"The significant problems we face cannot be solved by the same way of thinking that got us here in the first place." - Einstein*



On a national scale, Aboriginal offenders are 8 ½ times more likely to be incarcerated than non-Aboriginal offenders. Most Aboriginal offenders are young males, disconnected from family and culture, living in a city and encountering serious social and emotional problems. Litanies of reports and statistics verify the overwhelming, grim realities confronting Aboriginal offenders.

Given this paralyzing scenario, it is imperative that Aboriginal communities and organizations, governments, and various agencies continue to work towards positive change. It is clear that new ways to work together must be forged and the roads of trust and integrity must be paved if Aboriginal offenders are to be successfully reintegrated into society.

The Correctional Service of Canada (CSC) recognizes that programs and services related to Aboriginal offenders must appropriately reflect their particular needs. However, CSC is cognizant of the fact that no enduring foundation can be built by focusing only upon needs, deficiencies, or weaknesses. A strong foundation is built by focusing on the abilities, capacities, strengths, and the particular gifts of communities and individuals. Therefore, the Aboriginal Issues Sub-Committee, mandated by the Heads of Corrections, has called for the creation of this initial report as a necessary step in building a strong foundation.

The intent of this document is to obtain a clearer picture of the Programs, Services, and Issues relative to Aboriginal offenders. In particular, two questions are asked: *a) what programs and services exist? b) what issues affect the healing (rehabilitative) process of Aboriginal offenders?*

The Sub-Committee, chaired by the Director General of Aboriginal Issues, Correctional Services Canada polled its membership from each Province and Territory (*see Appendix 2*). Each member of the Sub-Committee has therefore contributed to the formation of this document by the submission of their findings.

It is the hope and vision of the Sub-Committee that long-term goals, strategies, and actions will be realized to facilitate the successful rehabilitation and reintegration of Aboriginal offenders into the community. A fundamental premise is there *are* rays of light and hope illuminating the path to wellness. Indeed, the next steps we take to address the significant problems we face will require new and fresh ways of thinking.

Aboriginal Issues Sub-Committee To Heads of Corrections		OVERVIEW OF PROGRAMS & SERVICES (Part 1)			January 2000 Page 5
ESTABLISHING & EXPANDING THE ROLE OF ELDERS	ESTABLISHING AN ABORIGINAL WORKFORCE WITHIN CORRECTIONS	OFFENDER HEALING & SKILL DEVELOPMENT	FACILITIES & APPROACHES FOCUSED ON YOUTH	TRAINING & SERVICES GEARED TO CORRECTIONAL STAFF	
<p><b>Aboriginal Elders Services</b> (Teachings, Counselling, Ceremonies, Healing Circles, etc.); <b>Sweatlodge Ceremonies</b>; <b>Saskatoon Correctional Centre - Sacred Circle</b> (Discussion / Healing Group lead by Elder), Drum Practice (Learning to sing Traditional Songs); <b>Pine Grove Correctional Centre - Spiritual Life Skills</b> (Bible Study), Meyoyawin Circle Project (Supporting Mother / Child Relationships), Women's Healing Circle (Holistic Approaches to Healing); <b>Regina Correctional Centre - Healing Circles</b> (Discussion Group lead by Elder), Indian &amp; Metis Spiritual Brotherhood (Self-help Group Promoting Aboriginal Culture &amp; Spirituality);</p> <p><b>Metis Zone II Elders Visitation</b> (Spiritual Guidance &amp; Counselling);</p> <p><b>Elders Programs</b> (Cultural, Spiritual, &amp; Personal Counselling Services);</p> <p><b>Elders Visitation</b> (Spiritual Guidance &amp; Counselling to Adults &amp; Youth Offenders);</p> <p><b>Prince Albert Correctional Centre</b> (Spiritual Healing Lodge, Native Cultural Survival Group, Healing Circle).</p>	<p><b>Honourary Probation Officers</b>; <b>Aboriginal Elder &amp; Liaison Workers</b>; <b>Social Worker</b>; <b>Aboriginal Elders - Community Corrections Staff</b>; <b>Framework</b> on Aboriginal Employment; <b>Supplementary Services</b> (Assisting Probation Officers; Cultural / Community Relevance to Delivery of Justice); <b>Aboriginal Probation Officers</b>; <b>Recruitment</b> of Aboriginal staff; <b>Aboriginal Addiction Counsellors</b>; <b>Native Justice Worker</b> (Establishing Criminal Justice System Initiatives); <b>Native Program Coordinators</b>; <b>Aboriginal Community Advisors</b> (Consultation Services to Management &amp; Inmates); <b>Native Court Worker</b> (Facilitates mediation, reconciliation, healing within communities; Civil &amp; Family, and Victim Services); <b>Native Program Coordinators</b>; <b>Aboriginal Mentorship</b> (Aboriginal Staff Providing Supervisory &amp; Management Expertise); <b>Native Inmate Liaisons</b>; <b>Native Court Worker</b> (Paralegal Assistance to Offenders); <b>Assistant Probation Officer</b>; <b>Community Aboriginal Justice Workers</b> (Support to Youth, Family, and Community)</p>	<p><b>Community Corrections</b> (Parenting, Anger Management, Abuse Counselling, Personality Disorders); <b>Grief &amp; Loss Programs</b>; <b>Innu Uauitshitun Alcohol &amp; Drug Awareness</b>; <b>On the Land Programs</b>; <b>Anger Management</b> Offender Education (Basic Education, Workshops, etc); <b>Cognitive Skills Training</b>; <b>Substance Abuse Counselling</b>; <b>Outpost Camps</b>; <b>Pluming the Eagle</b> (Life Skills);</p> <p><b>Mawiomi Treatment Services</b>;</p> <p><b>Native Addiction Treatment</b>;</p> <p><b>Amerindian Therapeutic Community</b> (Wapan);</p> <p><b>Religious Services</b></p> <p><b>Onentokon Centre</b> (addictions);</p> <p><b>Isuarsivik Centre</b> (addictions treatment);</p> <p><b>Sex Offender Program</b> (Utilizing Traditional Methods of Delivery)</p>	<p><b>Open Custody Facilities</b> for Youth; <b>Native Support Tutor</b> (Improving Literacy); <b>Camp Manitou</b>; <b>Tallcree Youth Worker</b> (Range of Prevention &amp; Reintegration Activities Targeting Youth); <b>Poundmakers Adolescent Treatment Centre</b> (90-day Residential Treatment Program); <b>Youth Justice Committees</b> (Community-based Sentence Advisory &amp; Administration of Alternative Measures); <b>Native Summer Cultural Camps</b> (Young Offenders Experience Aboriginal Culture through camp);</p> <p><b>Custodial Aboriginal Justice Workers</b> (Supporting Youth to return to the community);</p> <p><b>Urban Native Youth Association</b> (Preventing Youth from getting into Crime);</p> <p><b>Intensive Supervision / Case Aid</b> (Alternative to Incarceration, Supporting Youth Reintegration);</p> <p><b>Metis Nation Wilderness Camp</b> (25-bed min. Security Camp)</p>	<p><b>Aboriginal Awareness Training</b></p> <p><b>Prison Liaison Program</b> (Range of services for Offenders &amp; Prison Staff)</p>	

HEALING & SUPPORT FOR FAMILIES & COMMUNITIES	SUPPORT TO ABORIGINAL AGENCIES, COMMUNITIES, & INITIATIVES	DEVELOPING STRUCTURES & FACILITATING INFORMATION EXCHANGE	OFFENDERS HELPING OFFENDERS
<p><b>Mi'Qmak</b> Justice Institute (Administers Justice Programs);</p> <p><b>Community</b> Justice Forums (Family Group Conferencing);</p> <p><b>Mi'Kmac</b> Family Resource Centre;</p> <p><b>Saputjivik</b> Treatment Centre;</p> <p><b>The Pas</b> Friendship Centre;</p> <p><b>Native</b> Clan Organization;</p> <p><b>North Star</b> Healing Lodge;</p> <p><b>Hazleton</b> Healing Lodge;</p> <p><b>Swo Weles</b> Lalem;</p> <p><b>Waywayseecappo</b> Community Corrections;</p> <p><b>Kainai</b> Community Corrections Society (24-bed facility);</p> <p><b>Native</b> Counselling Services of Alberta (Offers a Range of Correctional Services);</p> <p><b>Community</b> Family Justice Centre; (Family Mediation);</p> <p><b>Nen Quay</b> Deni Yajelhtig Law Centre (Restoring Community Harmony)</p>	<p><b>Community</b> Development;</p> <p><b>Alternative</b> Measures (Serving specific Aboriginal Adult Offenders);</p> <p><b>Mobile</b> Treatment - Innu Nation;</p> <p><b>Aboriginal</b> Justice Workers (Assisting communities to est. Justice Committees, Leading Development of Services);</p> <p><b>Working</b> with Healing Lodges;</p> <p><b>Culturally</b> Appropriate Programming;</p> <p><b>Community</b> Participation Agreements &amp; Service Contracts (Range of Community Correctional Services);</p> <p><b>Fine</b> Option / Community Service Orders;</p> <p><b>Provision</b> of Funds for Alternatives to Incarceration;</p> <p><b>Aboriginal</b> Victim Assistance (Support to Aboriginal victims of crime);</p> <p><b>Native</b> Justice Program (re-establishing / re-empowering restorative justice practices);</p> <p><b>Young</b> Offender Native Custody Homes (contracted Private Residences);</p> <p><b>Community</b> Corrections Services (Various First Nation societies funded to provide Community Correction services);</p> <p><b>Establishing</b> Section 81 &amp; 84 Agreements;</p> <p><b>Community</b> Supervision (Native Counselling Services of Alberta contracted to Supervise and Counsel Offenders)</p>	<p><b>Aboriginal</b> Strategic Policy Framework;</p> <p><b>International</b> Corrections and Prisons Assoc. On Indigenous Issues;</p> <p><b>Restructuring</b> the CSC National Aboriginal Advisory Committee;</p> <p><b>Heads</b> of Corrections (HOC) on Aboriginal Issues;</p> <p><b>Aboriginal</b> Issues Sub-Committee to the HOC;</p> <p><b>Tripartite</b> Committee of Nova Scotia;</p> <p><b>Program</b> Rationalization / Infrastructure Renewal;</p> <p><b>On-going</b> Consultation with Aboriginal staff</p>	<p><b>Native</b> Brotherhood / Sisterhood (Inmate Group Offering a Range of Aboriginal Cultural Supports and Activities);</p> <p><b>Sharing</b> Circles;</p> <p><b>Male</b> Batterers Group</p>

## **SERVICES OR PROGRAMS PROVIDED TO ABORIGINAL OFFENDERS IN CANADA**



### **BRITISH COLUMBIA**

#### **Adult, Community Corrections & Family Services Ministry of Attorney General (Corrections Branch)**

The following programs and services provide justice-related support directed toward fostering improvements in the justice system and civil process that responds to the needs of Aboriginal people. The programs are particularly important in light of the restorative justice initiative to foster a sense of community ownership and responsibility for justice issues, and to encourage the involvement in dispute resolution. Of particular importance is the aim of some programs designed to supplement rural areas not presently serviced by resident Corrections Branch staff, and to enhance communication and understanding between rural communities and the Corrections Branch staff.

#### **Aboriginal Victim Assistant Program (Various locations)**

These programs provide justice-related support to Aboriginal victims of crime in their community. Services include: specific justice system information, the support of victims who take part in a restorative justice program to deal with an offence; court and justice initiative orientation; and referral to community programs and resources. The program objectives are to provide services to Aboriginal victims of crime that are appropriate to the nature of their victimization; to work with the community to ensure that Aboriginal victims are supported through any justice process, whether it be via court or a restorative justice program, so that the victims' confidence is restored and harmony is achieved; and, to begin to repair the harm caused to Aboriginal victims - through education about community resources.

#### **Nen Quay Deni Yajelhtig Law Centre**

The Nen Quay Deni Yajelhtig Law Centre provides the Tsilqot'in communities a means to develop new justice approaches by blending customary restorative practices with contemporary ones. The focus of these programs is to bring the victim, the offender and the community of interest together to restore the community's harmony. The objectives are as follows:

- To provide a meaningful leadership role in educating Aboriginal communities about the formal provincial and federal justice systems and traditional community justice approaches;
- To develop alternative measures based on restorative justice where crime is viewed as a violation not only of the law, but also of the relationship between the offender, the victim and the community.

### **Native Court Worker Program (Various Communities):**

**Overview:** The Native Court Worker offers mediation which helps the participants find their own solutions to their problems. The intent and benefit of this process is that it encourages reconciliation and healing within the community; thus solutions to local matters fit the priorities and cultures of the community; this differs from court proceedings, which often increases tensions and keeps the community out of the process. By working with families and using an inter-agency approach, people are more likely to be successfully re-integrated into their communities.

**Civil Services:** The Court Worker arranges restitution to the community. By working with the offender and the community, the Court Worker provides assistance and support throughout the restitution period by organizing the completion of the Agreement (i.e., community service work). Mediation can also be very important in dealing with civil matters. If done successfully, mediation can encourage reconciliation and healing within a community. Because mediation programs rely on informal procedures, it allows communities to deal with local matters in ways that fit its priority and cultures.

**Family Services:** With respect to family services, Native Court Workers provide counselling and advocacy services geared primarily to enhance a client's holistic well being using restorative justice approaches. The Native Court Worker provides the following:

- Mediation to help families find their own solutions;
- Support to offenders who are making amends to their community via restitution or a Reparation Agreement;
- Assistance in arranging community case conferences and accountability boards which focus on working with the offender, the victim and the community to repair the harm caused by a criminal act; and,
- Family planning education and life-skills training.

**Victim Assistance:** The Native Court Worker program objectives are to provide services to Aboriginal victims of crime that are appropriate to the nature of their victimization; to work with the community to ensure that Aboriginal victims are supported through any justice process, whether it be via court or a restorative justice program, so that the victims' confidence is restored and harmony is achieved; and, to begin to repair the harm caused to Aboriginal victims by educating them about community resources.

Services include: family re-unification and restoration, mediation, education, prevention, integrated case management, conflict resolution and counselling.

### **Alternative Measures Programs (Various Locations)**

The programs that are currently operating in Hazelton, Morristown and in the Nass Valley are contracted Alternative Measures Programs through the Ministry of The Attorney General. These programs serve specific Aboriginal *adult* offender populations. The programs in each community take referrals from the Crown Counsel. The host agency interviews the offender and drafts an agreement setting out how the offender will make amends for the crime.

Alternative Measures agreements typically require the offender to make amends to the community by completing tasks such as community service hours; and require the offender to apologize to the victim or restore property to the victim in order to repair the harm caused by the action.

### **Supplementary Services (Various Locations)**

These programs/contracts serve a number of objectives including providing assistance to Probation Officers in the delivery of services in remote Aboriginal communities that are covered on an itinerant basis and to provide a cultural/community relevance to the delivery of justice (usually involving restorative approaches to justice delivery). The contracts allow for priority setting to occur within the context of the service schedules. Community development (as it relates to justice issues) is included as one of the central priorities.

### **Native Justice Worker**

This program is designed to increase existing linkages, communication and problem solving between the community and various justice and social agencies. The central objective is to establish criminal justice system initiatives, from adult diversion to youth alternative measures through to sentencing.

Native Justice Workers assist the Native community and Native offenders by developing programs that are restorative in nature to help Native communities prevent crime, assist victims and re-integrate offenders. The objective is to re-establish traditional restorative justice practices that involve the victim, the offender and the community as part of the recipe for healing. Native Justice Workers also develop and implement information and educational opportunities.

### **Native Justice Program (Various Locations)**

The goal of this program is to re-establish and re-empower traditional restorative justice practices in Aboriginal communities (based on the Unlocking Aboriginal Justice Program). Criminal, family and civil matters can be diverted from the formal system and dealt with in the community and by the community using restorative justice. Traditional justice practices are inclusive processes where the offender, the victim and the community are encouraged to participate in finding a remedy that will promote healing, restore balance and allow for the successful re-integration of the offender into the community. Traditional programs are based on equality and Elders play a key role in the process.

Cases may include the following areas of criminal, family or civil law:

- Diversion / Alternative Measure with Crown approval
- Pre-trial release, sentencing
- Victim and offender assistance
- Child apprehension
- Family relations
- Conditional Release planning and re-integration

**Family Justice Services Division  
Corrections Branch, B.C. Ministry of Attorney General**

**Community Family Justice Centre (one location)**

The Community Family Justice Centre provides family services (family mediation) to Aboriginal people who are contemplating separation or divorce. Through a cooperative approach the people involved in the dispute meet with a third party who assist them in discussing ways of settling their differences. The mediator helps the participants find their own solutions and does not make a decision for them. The intent and benefit of this process is that it encourages reconciliation and healing within the community – thus, solutions to local matters fit the priorities and culture of the community.

This differs from court proceedings which often increases tension and keeps the community out of the process.

**Youth Justice Services Division  
Ministry for Children and Families**

Under a separate Ministry, the following programs focus on providing justice support for youths in and from Aboriginal communities.

**Community Aboriginal Justice Workers (Various Locations)**

The program focuses on providing positive options for youth on community supervision. This program aims to provide educational opportunities by exposing youth to cultural teachings. Program objectives are:

- To provide support to youth, family and community;
- To facilitate positive change for young offenders and their circumstances by involving the community as part of the solution;
- To assist youth to comply with restitution or community service that may result from a court order or informal community justice mechanism;
- To develop partnerships with the justice system and other service providers to assist young offenders in achieving successful resolutions to less serious offences; and,
- To assist young offenders in the process of restoring their social bonds with the community.

**Custodial Aboriginal Justice Workers (Various Locations)**

This program is designed to assist youth in custody and out of custody to develop release plans or post restitution plans. The emphasis is on the youth returning to their community by promoting community and family support for the returning offenders. The objective is to provide youth with the opportunity to learn about traditional customs and to teach the skills necessary to ensure that social bonds are strengthened upon return to the community and that harmony is restored. Aboriginal workers can be seen as mentors who have an opportunity to positively impact the lives of those involved in minor or major offences, thereby reducing the probability of further offences.

### **Urban Native Youth Association**

The project focus is to prevent Aboriginal youth at risk from becoming involved in crime through direct support, coordination and partnerships of community services and the police. The main objectives are a) to create a linkage of services targeted to at risk youth that are currently involved or at risk of becoming involved in crime; b) to educate youth about alternatives to the justice system; c) to establish a community-based service where youth can receive assistance with any justice related issue; and, d) to work in partnership with the community to establish a program to deal with minor offences which is restorative in nature that involves the victim and offender.

### **Hazelton Healing Lodge (Hazelton)**

This program is a community-based residence which is designed to facilitate the early release of Aboriginal youth from custody. The program addresses the needs of clients who are experiencing loss of awareness of Aboriginal culture, customs and traditions. Specialized programs involving history and activities are utilized and developed with input from local First Nations communities. The program facilitates the youth returning to the community by assisting them to develop a sense of personal responsibility while promoting healing and restoring the balance to allow for the successful re-integration of the offender into the community.

### **Swo Weles Lalem Program (Mission)**

This program is a residential attendance program which is an alternative to custody that facilitates exposure to Aboriginal heritage, customs and culture, through the utilization of existing community resources. This program focuses on minimizing the youth's sense of alienation from the community; developing healthy relationships with the family and community; developing acceptable patterns of behaviour; reducing further criminal behaviour; assisting youth to understand the harmful effects of their behaviour; and, assisting youth to develop a sense of personal responsibility to begin the healing process and restore the balance to allow for the successful re-integration of the offender into the community.

### **Intensive Supervision/Case Aid Program (Various Locations)**

These programs offer the court an alternative to incarceration for Aboriginal youth. The central focus of these programs is a one-to-one role modelling through frequent contact with the youth and their family support. The program provides intensive support while focusing on re-integrating the youth into the community by addressing educational, vocational and family issues.

Efforts are focused on assisting the youth to remain in the home community so that they can restore their relationship with the community and explore options that facilitate acceptable behaviour and acceptance by the community. Advocate for Aboriginal youth and their access to community resources; mostly used in northern, isolated communities.

## **ALBERTA**

The Correctional Services Division of Alberta Justice is committed to assisting Aboriginal offenders through programs and services offered both in the community and in correctional centres across the province. The following is a brief overview of these services and programs.

### **Assistant Probation Officer Program**

This program, operating since 1979, involves contracting private individuals to provide probation supervision and specialized Community Corrections services, mostly to remote communities. The program runs province-wide with most Assistant Probation Officers being Aboriginal people residing in Aboriginal communities.

### **Community Supervision Program**

Funding is provided to Native Counselling Services of Alberta (NCSA) to supervise and counsel offenders under conditions of Probation, Temporary Absence, Pre-Trial or the Fine Option Program.

### **Elders Visitation Program**

Operating in Lethbridge, Calgary and Edmonton, Elders are contracted to provide spiritual guidance and counselling to adult and young offender inmates. When required in other areas of the province, Elders are contracted locally on a fee-for-service basis.

### **Kainai Community Corrections Society**

This Society, funded wholly by Alberta Justice, is an independent non-profit society which provides Community Corrections services and operates a 24-bed minimum security correctional facility on the Blood Reserve for the Blood Tribe.

### **Metis Nation Wilderness Camp Society**

Established in March 1993, this Society operates a 25-bed minimum security camp near Lac La Biche. Funded by the Departments of Justice, Environmental Protection, and Public Works, Supply and Services, select Metis offenders are engaged in the construction of Lakeland Provincial Park.

### **Metis Zone II Elders' Visitation Program**

Through an agreement with the Metis Nation of Alberta, Zone II Regional Council, Alberta Justice provides funding for Elders from four Metis communities to counsel and provide spiritual guidance to adult and young offenders under community supervision.

### **Native Addiction Treatment Program:**

Jointly funded by Alberta Justice and the Alberta Alcohol and Drug Abuse Commission, community residential Centres provide specialized treatment from substance abuse for Aboriginal offenders within the context of Native culture and traditions. These centres include Poundmakers Lodge and the Bonnyville Native / Metis Rehabilitation Centre.

### **Native Counselling Services of Alberta:**

This private organization is provided funding through Alberta Justice to deliver various corrections services to the province's Aboriginal community. Programs are delivered within the context of Aboriginal culture and traditions. Native Counselling Services of Alberta operates the 20-bed Westcastle minimum security camp and two open-custody young offender group homes. Extensive family and criminal Court Worker services are delivered through field offices across Alberta.

### **Native Court Worker Program**

This program is funded jointly by Alberta Justice and the Federal Department of Justice. The program is operated by Native Counselling Services of Alberta and several First Nations communities. Under this program, paralegal assistance is provided to Aboriginal offenders appearing before the courts. Defendants are instructed on court procedures, legal rights, translation services and counselling.

### **Community Corrections Services**

Alberta Justice funds societies to provide Community Corrections Services (probation, Court Worker and crime prevention) to First Nations across Alberta. The Yellowhead Tribal Community Corrections Society provides service to the Enoch, Alexander, Alexis, Sunchild and O'Chiese Bands. The Tsuu T'ina Nation / Stoney Corrections Society provides Community Corrections services to the Tsuu T'ina, Stoney, Bearspaw and Chiniki First Nations in southwest Alberta. The Siksika Justice Commission provides services to the residents of the Siksika First Nations and the Kainai Society provides services to the Blood Reserve.

### **Young Offender Native Custody Homes**

Private residences are contracted to provide residential accommodation in a family environment to young offenders serving open custody dispositions in their home communities.

### **Youth Justice Committees**

Seventeen Aboriginal communities have established Youth Justice Committees pursuant to Section 69 of the Young Offenders Act (Canada). These communities provide a sentence advisory role to the Youth Court and assist in the administration of the Alternative Measures Program. The communities assume a holistic approach in addressing youth crime in their communities.

### **Native Summer Cultural Camps**

Alberta Justice assists various First Nations Metis communities in Alberta to organize and finance groups of Aboriginal young offenders to attend summer camps. Under the guidance of Elders, youth experience Aboriginal culture, customs and spiritualism in a traditional wilderness setting. This concept is seen to have considerable potential as a crime prevention program.

### **Poundmakers Adolescent Treatment Centre—St. Paul Alberta**

This 90-day residential treatment program is operated primarily for adolescent Aboriginal young offenders serving open custody dispositions. Staff provide a structured addictions treatment program incorporating traditional Aboriginal cultural and spiritual elements, instruction in the Alcoholics Anonymous and Narcotics Anonymous programs and accommodation for the involvement of parents.

### **Tallcree Youth Worker Program**

Alberta Justice provides funding to assist the Tallcree First Nation administration to employ a Youth Worker/Crime Prevention Officer to deliver a variety of cultural, recreational and self-help activities directed at the youth of both the North and South Tallcree communities. The focus of this undertaking is to reduce the incidence of offences on the reserve and to assist offenders to reintegrate into the community.

**Native Brotherhood / Sisterhood Program**

Aboriginal offenders incarcerated in adult correctional Centres in Alberta may join the Native Brotherhood/Sisterhood groups operating in those Centres. These autonomous groups, organized under the Provincial Societies Act organize and promote Aboriginal cultural events and Aboriginal awareness activities within the confines of the Centres. The program is self-funded through the inmate welfare fund, donations and fund raising activities.

**Native Program Co-ordinators**

The Correctional Services Division has established five Co-ordinator positions for the purpose of providing Aboriginal programming in four adult correctional Centres and one young offender Centre. The Co-ordinators work with the Native Brotherhood and Sisterhood groups, co-ordinate sweetgrass and sweatlodge ceremonies and promote other spiritual and cultural activities such as annual pow-wows.

**Native Awareness for Corrections Workers**

In 1989, an Aboriginal consultant was contracted to provide Aboriginal Awareness training sessions to Alberta Correctional Services Centres and community corrections staff. This training is now a standard part of induction training conducted at the Department of Justice Staff College.

The Aboriginal programs and services noted above are designed to be flexible enough to best accommodate the individual needs of the specific First Nations impacted by the programming. Open lines of communication are maintained between Alberta Justice and the First Nations and First Nations service providers to adjust programming and services as necessary.

**SASKATCHEWAN**

The mission of the Saskatchewan Adult Corrections Division is to promote safe communities by providing a range of controls and re-integration for offenders. The mission is achieved by offering a wide range of programs providing for varying levels of offender care, control and supervision. These programs are delivered through two operational systems - the Community Operations Branch and the Institutional Operations Branch.

There are currently 14 correctional facilities being administered by the Branch: four provincial correctional centres (one female), two community correctional centres, five community-training residences, two correctional camps, as well as, a camp which acts as a satellite to a correctional facility. Four additional facilities are privately operated: the St. Louis Impaired Driving Treatment Program, a female community-training residence, four bed spaces contracted with the Young Women's Christian Association in Regina for females sentenced to intermittent sentences and for female offenders on work training type placements, and a Spiritual Healing Lodge operated by the Prince Albert Grand Council.

The demographics of Saskatchewan offenders are as follows:

	<b>Incarcerated (sentenced only)</b>	<b>Community Sanction (Probation/Conditional Sentence)</b>
Admissions	3710	3261 / 928 (4189)
Average Daily Count	958	3622 / 580 (4202)
Gender:		
Male	95%	82% / 86%
Female	5%	18% / 14%
Average Age	29.4	28. / 30.
Ethnicity:		
Native Ancestry	72%	65% / 73%
Non-Native	28%	35% / 27%
Average Sentence Length	186 days	365 days / 273 days

In April of 1998 Saskatchewan Corrections developed a Perspectives Paper that outlines the overall strategic direction for the Division for the next three years. The implementation of effective correctional programs was one of five major challenges presented.

As a result Saskatchewan is placing a particular emphasis upon evaluating current programming and to the development of a core set of programs which meet the principles of effective programming. One objective is to have a continuum of programs that crosses the boundaries of institutions and the community.

Saskatchewan Corrections faces the challenges of creating an environment supportive of our mission, of developing an effective accountability framework, and of finding alternative ways of delivering correctional services especially for the Aboriginal offender.

The Community Services Branch of Saskatchewan Justice and Justice Canada have jointly funded several First Nations, Tribal Councils, Metis, and Aboriginal communities within Saskatchewan to develop Aboriginal justice programs and provide justice services to their members such as public education, crime prevention, and services for victims and offenders. In some communities, these programs may involve Community Justice Workers, Elders, and Community Justice Committees.

Some Aboriginal communities have established Justice Committees to develop and deliver alternative programs for less serious offenders and offences, such as mediation diversion. Some committees have input into various sentencing decisions by Court through pre-sentence consultations and sentencing circles.

To date, there are approximately 40-full time and part-time Aboriginal Justice Workers in various Aboriginal communities. The Justice Workers' primary role is to assist the communities to establish Justice Committees, and to lead the development of services to respond to the needs of their members.

There are a number of programs and activities within Saskatchewan Corrections, both in the Correctional Centres and within Community Corrections, which are available to Aboriginal people. The programs provide opportunities for Aboriginal offenders to develop positive work habits, attitudes and skills, and address specific criminogenic needs, such as adult education courses, literacy development, addictions education, prison industries, sex offender and domestic violence education, and Talking Circles. Programs specific to Aboriginal people, but available to non-Aboriginal offenders as well, are becoming more common within the Correctional Centres and the community.

### **Correctional Centres**

Aboriginal self-help and fellowship groups are organized by the inmates to promote educational, spiritual and cultural activities. The inmates are responsible for not only identifying the needs, but for playing the lead role in the planning, co-ordination and implementation of programs.

Elder programs involve Native Elders attending the institutions to provide cultural, spiritual and personal counselling services. Each major Centre has contracted Elder Services as well as volunteer Elders.

Aboriginal community advisors (in some cases the same active Elders) provide consultations services to both management and inmates regarding Aboriginal programming.

Pipe ceremonies, Smudging ceremonies, Drum Practice, Sweat Lodges (purification exercises), Pow-Wows, Round Dances, and Feasts are regularly facilitated. In addition, a number of workshops, sessions on such topics as parenting, employment searching, addictions, education, resume writing, and Aboriginal cultural/spirituality are held.

Much of the Aboriginal programming in Correctional Centres is offered in consultation with or by Aboriginal community groups such as the Tribal Councils and the Indian-Metis Friendship Centres.

### ***Programs Unique to Specific Correctional Centres:***

#### **Prince Albert Correctional Centre**

*Prince Albert Grand Council Spiritual Healing Lodge* – The Saskatchewan Department of Justice entered into an agreement with the Prince Albert Grand Council (January 1997) to operate a Healing Lodge for 25 provincial low security offenders on the Wahpeton Reserve land immediately adjacent to the City of Prince Albert. Federal authorities contracted for an additional 5 spaces. The focus of the program is to allow Aboriginal offenders to address their needs in the context of their culture and spiritual beliefs.

*Native Cultural Survival Group* – This self-help group, which is coordinated by an Elder/Spiritual Advisor, meets for two hours each week to engage in cultural and spiritual activities. Round dances, sweat lodges, pow-wows, and guest speakers are part of the activities organized by the group. The Prince Albert Indian and Metis Friendship Association act as a sponsor to the group.

*Healing Circle* - An Elder/Spiritual Advisor facilitates a 2 hour weekly discussion. The objective is to provide a therapeutic environment for Aboriginal offenders to learn and discuss their culture and spirituality. Meetings frequently include guest speakers and Elders from the community.

**Pluming of the Eagle** – The Prince Albert Grand Council is contracted to provide a cognitive behaviour-based program for low security offenders from a cultural/spiritual perspective. This 2-week program is directed at developing the life skills of the Aboriginal offender.

#### **Pine Grove Correctional Centre:**

*Spiritual Life Skills (Bible Study)* – This evening educational program is offered once a week by Kateri House, a Native Catholic mission. The program offers participants the opportunity to discuss the Bible and spirituality as it relates to day-to-day living.

*The Meyoyawin Circle Project* – This three-week, full-day program is funded by Health Canada and coordinated by the Meyoyawin Board, who provide staff to deliver the program. The goal is to provide a healthy environment that fosters, develops and strengthens the relationship between incarcerated women and their children through culturally relevant holistic approaches. The program has four main objectives:

- To provide an opportunity for mothers and children to interact, bond, and re-establish relationships.
- To provide parenting skills education to mothers (based upon the healing circle model);
- To help incarcerated mothers identify applicable services for themselves and their children;
- To assist communities in developing supports for incarcerated mothers and children;
- Transportation is provided for the children to facilitate visits.

*Women's Healing Circle* – This program is intended to raise awareness of the inter-relationship between addictions and abuse. The three-week program is based on Aboriginal cultural values and teachings, focuses on a holistic view of life, and is women-centred.

*Women's Substance Abuse Program* - This 22, 2-hr. sessions culturally relevant substance abuse program is being piloted for female offenders.

#### **Regina Correctional Centre:**

*Healing Circle* – The Centre's Elder conducts an evening education and discussion group on a weekly basis. The program introduces the Medicine Wheel concept that focuses on balancing the spirit, body and mind with Mother Earth and the Creator.

*Indian and Metis Spiritual Brotherhood* – This self-help and fellowship group works closely with the Centre's Elder to promote Native culture and spirituality. In addition to representing the interests of Aboriginal inmates, the group coordinates the various activities within the Centre such as pipe ceremonies, sweat lodges, pow wows and workshops.

#### **Saskatoon Correctional Centre:**

*Sacred Circle* - This discussion group also referred to as a Healing or Talking Circle, is run weekly in the evening by the Centre Elder. The program provides an opportunity for participants to speak about personal or spiritual problems they are encountering in a supportive group setting with the direction and guidance of their peers and an Elder.

*Drum Practice* – The Centre Elder leads a weekly drum practice to allow the participants an opportunity to learn how to drum and sing traditional Aboriginal songs used in a variety of cultural events. The program time is also used for inviting community guests to share information about programs and resources available in surrounding communities (i.e., treatment programs, First Nations Justice initiatives, sentencing circles, changes to Government Legislation which impact on First Nations people).

## COMMUNITY CORRECTIONS

Offenders on Probation and Conditional Sentences live in the community and as such are able to access community resources. This enables the Aboriginal offender to be involved with appropriate Aboriginal agencies, services and Elders depending upon their needs and willingness to participate. Examples of referral services are NADAP and MACSI, Native and Metis substance abuse services, respectively.

Mental Health counsellors in First Nations Communities are also being accessed for programs and counselling related to sexual and spousal abuse, anger management, and personality disorders. Where urban Aboriginal programs exist they are being accessed as well, such as the Parenting Program with the Circle Project group in Regina.

Probation Officers may participate on a team that may potentially include one or more of the following Aboriginal resources: a Substance Abuse Worker, a Community Justice Worker, a Court Worker, a Community Health Nurse, and/or an Elder. For higher risk individuals, service providers are contracted to assist with the supervision of offenders within their home communities.

The Regina Qu'Appelle Community Operations Region has a contract with the Circle Project Association for the Association to provide a 7, 2-hr sessions culturally sensitive Anger Management program to offenders in the community.

Some contracts have been established with Tribal Councils to provide supervision to offenders and to assist Probation Officers in working with offenders and the communities towards offender reintegration. As an example, the Touchwood File Hills Qu'Appelle (TFHQ) Tribal Council was contracted in January of 1996 to provide Probation Services to nine out of the sixteen First Nations for which they are responsible. These communities are located in the Regina Qu'Appelle Community Operations Region. From time to time, Aboriginal service providers are contracted to assist with community supervision, especially in remote or out-of-the-way locations. The participants range from interested community members to respected Elders.

An agreement has been struck with the Prince Albert Grand Council to hire local Aboriginal resources in the northern Athabasca Region to assist Probation Officers in the supervision of offenders. Supplemental services offered by local resources is an attractive alternative to increasing the number of Probation Officers. Consideration is being given to expanding to other regions/communities as a means of meeting the needs of rising caseloads.

## MANITOBA

### Community, Youth and Adult Corrections

Manitoba Adult and Youth Corrections has responded to the needs of Aboriginal Offenders by developing and delivering culturally-appropriate programming.

The programming was especially designed to provide the Aboriginal Offender an opportunity to learn their heritage that is truly their own. A sense of pride is instilled as they learn their history, the impact of colonization and the healing that takes place as they relearn their culture, their values, and beliefs.

To complement the above, Manitoba Corrections' on-going commitment to meet Aboriginal Offenders needs is continuously being pursued by meeting their quota of Aboriginal staff and working with local community people to deliver programs.

Justice Initiatives in the province of Manitoba through Community & Youth Correctional Services therefore include the following:

#### Case Load:

Winnipeg:	3922
Rural:	<u>3971</u>
<i>Total</i>	7893

#### Breakdown:

Youth:	1967
Adult:	<u>5928</u>
<i>Total:</i>	7893

**Conditional Sentences:** 450 (already included in count)

**Classification of Cases:** Maximum (22%); Medium (39%); Minimum (14%); Unclass (25%)

#### COMMUNITY CORRECTIONS:

##### Aboriginal Mentorship Program

In 1995, Community Corrections provided an Aboriginal staff with a program of supervisory and management experience. Then in 1997, the Civil Service Commission developed a similar project with a number of departments including the Department of Justice Corrections participated in this initiative and is graduating its first candidate who successfully competed for a supervisory position.

### **On-going Consultation with Aboriginal Staff**

In 1994, an Aboriginal staff consultation group, known as Anishinabe Pitama Committee was established and continues its works to date: a) to raise to the forefront the needs and concerns of Aboriginal staff within Community and Youth Corrections, and; b) to develop and implement an effective strategy for change.

It has identified its overall goals:

- Increase Aboriginal staff's involvement in the recruitment process of new Branch staff;
- Facilitate Aboriginal staff moving into leadership roles through the use of mentorship programs; and,
- Provide a supportive environment for all Aboriginal staff working with Community & Youth Corrections.

### **Aboriginal Youth Justice Committees**

Youth Justice Committees are designated to assist in any aspect of the Young Offenders Act. They are typically involved in determining diversion plans for youth who have been diverted from Youth Court for Alternative Measures. Such plans may include community service, restitution, repairs to property, or apologies. Youth Justice Committees may also undertake crime prevention activities. Of the 70 Youth Justice Committees in Manitoba, approximately 19 are in Aboriginal communities.

### **Community Participation Agreements**

In addition to providing support for Youth Justice Committees, the Corrections Division of Manitoba Justice provides a number of programs for Aboriginal people. It has established Community Participation Agreements with approximately 20 First Nations communities to perform selected community correctional services, such as probation supervision in the community.

### **Rural Office Locations**

Of the 18 community Corrections offices located outside of Winnipeg, 6 are in First Nation communities.

### **Service Contracts**

Community Corrections has contracts with 6 First Nations Bands to deliver community corrections related services.

### **Honourary Probation Officers in Aboriginal Communities**

Honourary probation officers are citizen volunteers designated by the Minister of Justice to individually assist Probation Officers in the delivery of local community correctional services. These volunteers are provided with a nominal reimbursement.

### **Fine Option/Community Service Order Resource Centres**

These Centres are located in more than 50 Aboriginal communities in Manitoba. Staff from those communities administer Fine Option and Community Service orders on behalf of Corrections.

### **Culturally-Appropriate Programming**

Several Aboriginal staff have adapted programming to be culturally appropriate: specifically, staff have incorporated ceremonies, teachings and a historical context to the programs.

### **Aboriginal Awareness Training**

Staff in Community & Youth Corrections have received Aboriginal Awareness Training. It is seen as a core training for all staff working in our service.

### **Recruitment of Aboriginal Staff**

Community and Youth has had as an objective to increase the level of Aboriginal staff within the Branch. Its strategies to accomplish this include:

- Including an Aboriginal staff member on interview panels;
- Screening of bulletins by Aboriginal staff to ensure that the content is clearly understandable;
- Publication of job bulletins in Aboriginal media.

At the present time we have 1 (one) office, in northern Manitoba in the community of The Pas, which is staffed and managed entirely by First Nations staff.

### **Aboriginal Probation Officer**

Staffed by five Probation Officers and one Area Director, staff are all Aboriginal (Cree and Ojibway). The office is located in the Otineka Mall, which is situated in the community of Opaskwayak Cree Nation.

Probation Officers work inclusively with the First Nations Justice Committees who are mandated by Chief and Council under section 69 of the Young Offenders Act. The Tribal Justice Committees are involved in all court ordered reports by setting a community justice forum where the wrongdoer must face the victim and the other community people. The community then makes recommendations to the courts. In addition, the committee regularly holds Sentencing and Healing Circles. The committees have on-going training by the Probation Officer in charge of the community.

This office also has a training program for the Community Participation Agreement Workers in the areas of: family violence, anger management and sex-offender. The staff and contract workers are mandated to deliver programs in a culturally-appropriate manner. Programs are also delivered in the Cree language.

Two Elders (male & female) are contracted to work with offenders as per probation order requests from court. The Elders participate in counselling and also give presentations at our program workshops in the areas of colonization, medicine wheel and history. Both Elders provide healing work with clients.

### **Community Development**

The Community Correction office in The Pas, mentioned in the previous point, has the responsibility for a large region including several First Nations communities. It has been asked to strategize around a community development approach to corrections work. The overarching goal is to empower First Nation communities to manage and bring their own solutions to Justice and related matters. This includes contracts with local Elders and Work Opportunity Programs.

Partnership agreements / contracts are being signed with First Nations under the Work Opportunity Program. The program provides work and training opportunities to people who are on assistance. They have to meet certain criteria such as education and writing skills. Once they are interviewed, the selected people are delegated to Probation Officers who provide mentorship / supervision. In addition, a joint venture in training is provided by our office and the First Nations Human Resources office.

#### **Waywayseecappo Community Corrections**

Three First Nations communities have co-partnered with Community Corrections for the delivery of services. The partnership began at the point of recruitment and selection and continues with on-going joint consultations to ensure relevant correctional services.

#### **Community Justice Forums Training**

Previously known as family group conferencing, Community Justice Forums bring together victim and the offender and their respective support groups to discuss the offence, and to arrive at a mutually satisfying solution. Community and Youth Corrections staff have teamed up with the RCMP to deliver this training to justice committees, various community members and agencies and to corrections staff. The primary trainers from corrections and the RCMP are Aboriginal. The model has been applied with alternative measures and discussions are underway to use this approach in pre-sentence report preparation and to offender reintegration into the community. This is but one program under the umbrella of Restorative Justice which is strongly supported by Aboriginal staff and First Nations communities.

#### **Aboriginal Elder as Community Correction Staff**

This Elder has expertise and knowledge of Aboriginal culture which supports the efforts of the Community Corrections Branch to deliver correctional services and programs to Aboriginal offenders that are appropriate to their needs.

The Elder's work is primarily in community development. Among other things, the Elder has had healing circles in the community; has erected a sweat lodge and conducts naming ceremonies. The Elder has been at the forefront of promoting and delivering community justice forums.

#### **Support to Aboriginal Agencies/Communities/Initiatives**

The Department of Justice is providing financial support to various initiatives aimed at providing alternatives to incarceration, restorative justice programs, crime prevention and Aboriginal treatment projects.

### **YOUTH CORRECTIONS INITIATIVES**

#### ***Manitoba Youth Centre (Winnipeg):***

- Services of a full-time Aboriginal Elder who works as a Spiritual Advisor through group or individual work. The Elder advocates for youth with Aboriginal agencies;
- Space in the Centre has been specifically dedicated for Aboriginal programming;
- All staff take part in Aboriginal awareness training;
- The Manitoba Youth Centre has collaborated with a neighbouring adult corrections facility in the construction of two sweat lodges intended for adult and youth offenders and their families;
- Aboriginal staff have participated in the recruitment and selection of Aboriginal staff.

***Agassiz Youth Centre (Portage la Prairie):***

- Sharing circles led by an Aboriginal Elder;
- Native Studies course delivered as part of the school curriculum to Aboriginal youth;
- Cultural teachings and smudging by Aboriginal staff on their shifts;
- All staff participate in Aboriginal Awareness Training; and,
- Aboriginal career day.

**ADULT CORRECTIONS INITIATIVES*****Aboriginal Awareness Training***

Training is delivered to all new staff through incorporation as part of basic Correctional Officer training.

***Aboriginal Elder Services***

All seven (7) adult correctional institutions, including Egg Lake Camp, provide Aboriginal Elder services either through contact with Aboriginal agencies, personal service contracts or term staff appointments. Services include cultural teachings and ceremonies such as healing circles and sweat lodges.

Larger institutions such as Headingley, Winnipeg Remand Centre, Brand and Milner Ridge have full-time Aboriginal Elders and/or cultural workers.

***North Star Healing Lodge – Northern Manitoba***

Adult Corrections is working with the North Star Healing Lodge Steering Committee, under authority of the Swampy Cree Tribal Council located in The Pas, Manitoba, to establish a healing lodge for northern Manitoba. Egg Lake Institution, a correctional work camp, is being considered as one of the potential sites for the healing lodge. A proposal from the Steering Committee is currently being developed.

The Province of Manitoba provided a grant of \$66,000 towards conducting consultations with Aboriginal communities within the Swampy Cree Tribal Council jurisdiction and with Aboriginal inmates in provincial correctional institutions.

***Native Clan Organization***

Under contract, the Native Clan Organization provides an Aboriginal Worker to facilitate a “Commitment To Change” program at Headingley Correctional Institution.

***The Pas Friendship Centre***

This agency, under contract, provides one individual who acts as a liaison with northern Aboriginal communities including services in the offender’s language, and program delivery.

### ***Community Based Sweatlodge – Camp Manitou & St. Norbert***

In conjunction with the Manitoba Youth Centre, Probation Services, and Headingley Correctional Institution Elders, three community-based sweatlodges have been established; one in St. Norbert, and two at Camp Manitou. These sweatlodges are operated by Elders in Probation Services (St. Norbert), and Headingley Correctional Institution and Manitoba Youth Centre (Camp Manitou). One sweatlodge at Camp Manitou is devoted strictly to young offenders, and the others are used for staff training and servicing community-based offenders.

## **ONTARIO**

The CSD holds 64 community contracts as of (1997/98) for services with Aboriginal persons, First Nations groups, organizations and/or agencies. The services are arranged into 4 basic categories: probation/parole supervision; inmate services/liaison; discharge planning; and, specialized residential programming.

### **CONTRACTED PROBATION AND PAROLE SERVICES**

#### **Native Community Corrections Program (NCCW)**

This program involves contracting private individuals or Bands to provide probation and parole services and specialized community corrections services in First Nation communities.

The program serves primarily remote communities with most NCCWS residing in and/or members of the Aboriginal community. These positions often act as a complement position to Probation Officers with a reporting relationship to a distant probation officer.

To date, there are approximately 40 part-time and 4 full-time positions with 44 First Nations. This arrangement recognizes the autonomy of each First Nation.

#### **Community Corrections Services**

Funding is provided to the Six Nations of the Grand River for community corrections services and includes probation and parole supervision of adults and young offenders, alternatives measures, court liaison, community service orders, pre-sentence reports, and enforcement responsibilities. This agreement encompasses all Aboriginal peoples in the Brantford area (e.g., urban, on-reserve, off-reserve), as well as servicing the New Credit First Nation.

A similar agreement exists at the Akwesasne First Nation. This program is jointly funded by the provincial and federal government and serves community members living in either New York, Quebec, or Ontario as Akwesasne's borders extend beyond both provincial and federal boundaries.

#### **Native Counselling Services**

This program provides funding for holistic counselling, life skills and other services that complement probation and parole services to Aboriginal clients. The agency (e.g., Native Community Counselling Services, Council Fires, Thunderbird Friendship Centre) co-ordinates services for First Nations and to status and non-status Indian and Metis clients living off-reserve in the North Bay, Geraldton, London and Toronto areas.

## **INSTITUTION SERVICES / LIAISON**

### **Native Program Coordinators**

The Correctional Services Division has established co-ordinator positions for the purpose of co-ordinating Aboriginal programming for Aboriginal inmates and young offenders in institutions and secure custody. These staff are responsible for program development and review; coordination of Aboriginal programming including community services; spiritual and cultural events; discharge planning; and/or Aboriginal specific assessments.

### **Native Inmate Liaisons**

Native Inmate Liaisons facilitate various Aboriginal specific programs and services to the institution's populations through contracts with local friendship Centres or organizations.

Native Liaisons provide a range of services to offenders and institutional staff and may include liaison with family/community. They sensitize staff to Aboriginal culture, release planning, and engage Elders and other respected community resources.

### **Native Inmate Substance Abuse Counselling**

Funding is provided to local Aboriginal organizations to provide substance abuse programming and counselling specific to Aboriginal offender needs and substance abuse issues.

### **Native Social Worker**

As part of an Aboriginal recruitment plan, a contracted social work position has been implemented at a shared federal/provincial treatment facility in Sault Ste. Marie. The part-time position acts as an entry level social work position and supports the comprehensive Aboriginal program at the facility. It is intended that the position allow more Aboriginal staff to compete for full-time complement positions in the clinical area.

### **Native Support Tutor**

Funding is provided to support Aboriginal programming at treatment facilities due to literacy issues and sensitivity to learning styles of Aboriginal offenders. Often treatment facilities have a comprehensive study program that includes homework, testing, etc.

## **DISCHARGE PLANNING**

### **Native Discharge Planner**

Funding is provided to support Aboriginal discharge planning at a detention Centre in the Hamilton area. It allows for the co-ordination of Aboriginal specific resources and preparation for release in consultation with the Aboriginal community and/or agencies.

## **SPECIALIZED RESIDENTIAL PROGRAMMING**

### **Open Custody Facilities for Youth**

The CSD fully funds a young offender open custody facility in northern Ontario - the Mee Quam open custody residence, through a contractual agreement with the Ininev Friendship Centre to serve Aboriginal young offenders in the Cochrane area.

The Eagle Rock open custody residence in Sarnia has five dedicated beds for Aboriginal young offenders. The facility services three large First Nation communities in the Sarnia area.

### **Community Residential Agreements**

The CSD contracts with Rainbow Lodge on Manitoulin Island, near Sudbury and Native Women's Centre in Hamilton for specialized residential services for Aboriginal adults.

## **PROVINCIAL INITIATIVES AFFECTING ABORIGINAL OFFENDERS**

### **Program Rationalization Program / Infrastructure Renewal**

Adult Community Operations is currently examining Aboriginal programs and services as a component of the Program Rationalization and Infrastructure Renewal projects in an effort to address their unique needs.

One of the underlying principles that forms the basis of future plans is the focusing of resources on offenders who pose the greatest risk of re-offending.

### **Aboriginal Strategic Policy Framework**

The CSD is currently developing a provincial response to Aboriginal offender issues through the development of a strategic framework. The framework will ensure consistency with government direction, a more co-ordinated approach to responding to Aboriginal offender issues, facilitate future planning and manage projected increases.

## **NOVA SCOTIA**

The Native population of Nova Scotia is not, for the most part, over-represented in Correctional Services. On a given day there are possibly several and at times no Aboriginal youth in custody. The adult Aboriginal population does not normally exceed ten on a given day. Aboriginal representation on youth and adult probation is somewhat higher.

A tripartite structure exists in Nova Scotia involving the governments of Canada, Nova Scotia and the Mi'kmaq people at a variety of levels extending from Ministers Responsible for Aboriginal Affairs through a Steering Committee process to Working Groups involved on a variety of committees including Justice. The mandate of the Justice Sub-committee and the work of the committee is identified in the attached status report which was prepared in October, 1999.

The main focus at present is to reconstitute the provincial Mi'kmaq Justice Institute which is intended to serve as an umbrella organization for the delivery of a range of Mi'kmaq Justice Services including alternative measures, diversion and court work. At present, a Mi'kmaq Young Offender Program is working well in the Cape Breton area and the Justice Institute itself is being re-evaluated.

The Unama'aki Police Force is in place and serves four reserves on Cape Breton Island. The intent of the Tribal Police Force is to provide a culturally-responsive service to reserves through an independent Mi'kmaq Police agency.

An issue which the Justice committee will be struggling with in the future is the line between the provision of justice services to Nova Scotia Mi'kmaq people in a culturally-responsive manner as opposed to the provision of services which will lead to independence or self-government.

Aboriginal admissions to Nova Scotia Correctional Services for 1997/98 fiscal year:

Sentenced to adult custody	3.8%
Adult probation	4.8%
Youth custody	4.1%
Youth probation	4.1%

On an average day, there are approximately 400 inmates (total - includes native and non-native) in adult custody and 5,000 on probation. There are approximately 160 young offenders in custody and 1,500 on probation.

The main concentration of Native offenders is in the Cape Breton area in northeastern Nova Scotia (5 reserves, including the largest in the province: Eskasoni - approximate Population of 3,000)

### Programs

A tripartite committee consisting of the federal, provincial and Mi'Qmak governing bodies was established in Nova Scotia shortly after the Marshall Inquiry in the late 1980's.

Partially as a result of the work of the tripartite committee, Justice services specifically for Natives have been established as follows: Mi'Qmak Tribal Police Agency - Cape Breton; and Alternative Measures program for Aboriginal young offenders - Cape Breton.

The Mi'Qmak Justice Institute in Nova Scotia was established several years ago through the Tripartite Committee. The institute is an umbrella organization which coordinates the administration of justice programs such as court worker services, translation services, etc. for all on-reserve and off-reserve people.

Correctional Services is in the process of filling the first Aboriginal probation officer position (Cape Breton).

Institution programs are minimal at present due to the small Aboriginal offender population in custody in Nova Scotia.

The Nova Scotia Youth Centre has a place for young offenders to engage in "sweats" with Aboriginal leaders from the community. Aboriginal Elders attend at various adult correctional institutions as circumstances require and their time permits.

## **NEWFOUNDLAND & LABRADOR**

### **Male Batterers Group**

This group therapy treatment program, referred to as Peaceable Homes consists of 12 sessions which explores such issues as the cycle of violence/warning signs, communication, victim empathy, and non-violent conflict resolution. Offenders convicted of domestic/spousal assault participate at the offices of Labrador Legal Services - a community-based agency with whom the Department of Justice contracts for the provision of this program. The majority of participants are Aboriginal, therefore, cultural and spiritual components have been added to the curriculum.

All sessions begin with participants sitting in a circle. Meetings are also opened with a prayer and the passing of a piece of Labradorite. The rock denotes respect for each individual to express their feelings without interruption. The program concludes with an excursion to a wilderness camp where offenders cook traditional food, play traditional games and share stories - thus putting closure to group sessions.

### **Prison Liaison Program**

The Prison Liaison Worker provides a range of services to offenders and institutional staff as they liaise with family / community members and sensitizes correctional staff to aboriginal cultures predominant in Labrador. In addition to offender pre-release planning with case management personnel they engage Elders and other respected community persons who may assist the offender with reintegration. The program is offered in conjunction with Labrador Legal Services with the Department of Justice providing financial support.

### **Innu Uauitshitun Alcohol & Drug Awareness Program**

This community-based agency offers services to Innu offenders detained at the Labrador Correctional Centre. The program is located in the Innu community of Sheshatshiu - approximately 40 kilometres north west of Happy Valley-Goose Bay. Selected offenders travel to the program site on a weekly basis to participate in traditional sweats and counselling. Those who are unsuitable for release avail of the services through visitation by program personnel.

The Innu approach to counselling is unique as traditional circles are used as well as conventional counselling methods. The processes of a circle allows for greater input from the injured parties in contrast with conventional counselling where the counsellor takes the lead role. Services are offered to individuals and couples. Sentencing circles are also facilitated through Innu Uauitshitun.

### **Mobile Treatment - Innu Nation**

Mobile treatment provides Innu families experiencing a high degree of unhealthy functioning a healing experience in a traditional Innu setting. Participants are flown to a remote area of Labrador where created living conditions in which traditional Innu values and practices are pursued. This exercise also enhances an opportunity for the development of individual Innu self-esteem as well as cultural esteem.

The program is funded through the Innu Nation and once completed allows participants to bring increased family functioning back to the community. Eligible offenders are released to participate under the Temporary Absence program.

### **Saputjivik Treatment Centre**

This residential treatment facility, located in North West River, 40 kilometres from Happy Valley-Goose Bay offers a holistic program of healing for the Labrador Inuit. Participants are afforded an opportunity to restore the physical, emotional, psychological, social and spiritual components of their lives through counselling, group therapy, role plays, lectures and guidance. They are also provided with the necessary tools to live healthier lives. The program is operated by the Labrador Inuit Health Commission and is 6 weeks in duration. Saputjivik can accommodate 12 clients per program - offenders from the Labrador Correctional Centre represent approximately 25% of admissions to the Centre.

### **Sex Offender Program**

A culturally appropriate sex offender program is tentatively scheduled to begin in January 1999. This project will be offered by staff of the Division of Corrections and Community Services - Department of Justice and will consist of two phases. Phase one will have an educational focus while phase two will entail a therapeutic approach employing a cognitive-behavioural model to relapse prevention. Traditional methods of delivery have been incorporated into the program design such as circles, sweats, etc. Program duration will be 18 weeks.

### **Offender Education Program**

This institutional program which offers classroom instruction in cognitive thinking skills, adult basic education and computers is also supplemented with culturally appropriate workshops such as art, crafts, creative writing, and soapstone carving, etc.

### **Anger Management**

This institutional program is offered by Labrador Legal Services. Psycho-educational weekly meetings provide an open forum for the exchange of grievances and experiences. Currently, this program is being restructured; All facilitators for this program are of Aboriginal ethnicity.

The Labrador Correctional Centre houses the vast majority of provincial/federal Aboriginal offenders in the Province of Newfoundland & Labrador and is the only facility which delivers Aboriginal-specific programming. It appears that programs that are delivered in conjunction with community-based organizations enjoy a large degree of credibility and success - particularly with the judiciary. Agencies such as Innu Uauitshitun are frequently called upon to assist in developing creative and innovative alternatives to incarceration. Therefore, in an effort to fulfil its' mandate, the sub-committee should correspond with this agency as well as others, i.e. Labrador Legal Services and the Labrador Inuit Health Commission (Saputjivik).

## **NEW BRUNSWICK**

### **Within Correctional Institutions**

Within New Brunswick Adult Correctional Institutions, Aboriginal offenders are provided services which are appropriate to the numbers within the facility:

With small numbers, individualized programs are developed in co-operation with the individual, Elders and community links, and; With larger numbers, groups, ceremonies and programs are established with Elders and communities.

#### ***Adult Inmate Population:***

Type	Frequency	Adjusted Frequency (%)
Non-Native	3072	95.2
Native	155	4.8
Unknown	62	

*Source: Adult Offender Services Annual Report: 1997*

#### ***Province of New Brunswick:***

Type	Frequency	%
On Reserve	5215	48 (of total Aboriginal population)
Off Reserve	5652	52.9 (of total Aboriginal population)

*Source: Aboriginal population as a percentage of the New Brunswick population Census Data 1996;1.4*

#### **Youth Secure Custody Population**

The New Brunswick Youth Centre (the only secure custody facility in New Brunswick) has designated a training room as the Native Awareness Centre. This Centre targets Aboriginal youth but is accessible to any youth interested in Aboriginal issues and ideas, it provides a continuous ten-week, 4 hours per week program which includes: dealing with personal issues, stories and spirituality linking to the community, ceremonies, and time with Elders from the community.

#### **Within The Community**

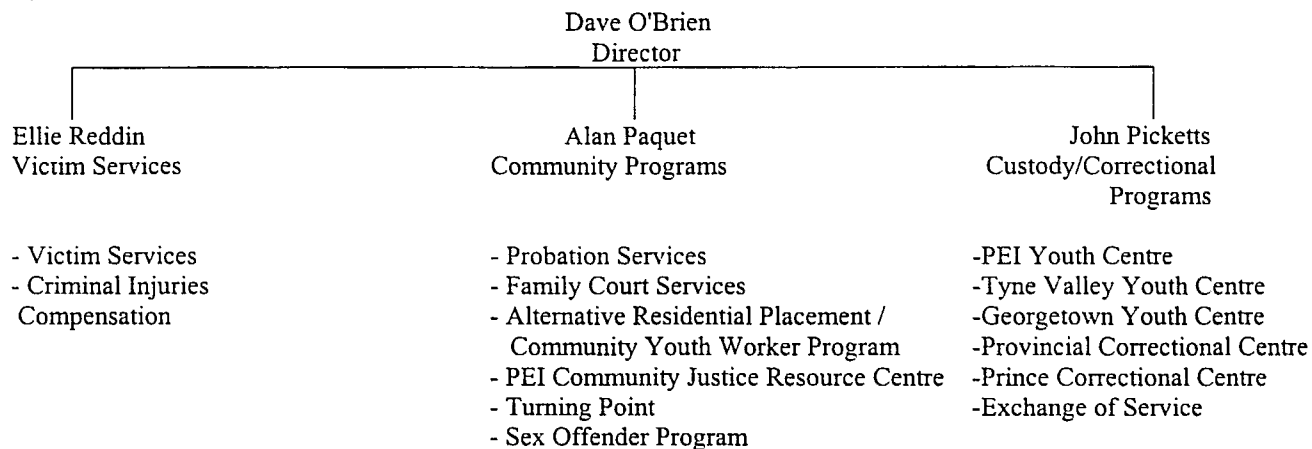
With the implementation of adult offender rehabilitation alternative programs, geographical pockets of offenders needing specific programs are identified; negotiations with the government and non-government Program co-ordinators result in the program facilitators going to the identified area rather than the offenders coming to the program. Anger Management programs specifically have been conducted on First Nations.

Three Aboriginal Probation Officers serve the largest Aboriginal territories in the province and a specialized Native Criminal Justice Worker works in three First Nations around the Fredericton area.

The groundwork for the development of co-operative projects between Aboriginal territories, the federal government, the Department of Justice and the Department of the Solicitor General has been completed to place Aboriginal Native Justice Co-ordinators on larger reserves in New Brunswick. These workers would focus on administering Community Justice Committees, alternative measures, healing circles, circle sentencing and community direction of social justice issues. An initiative to increase the representation of Aboriginal people among the staff of correctional institutions in New Brunswick has begun within the Department of the Solicitor General. This initiative will provide enhanced access to training and work experience, thereby improving the opportunity to gain permanent employment within correctional institutions.

## PRINCE EDWARD ISLAND

### 1. Divisional Structure:



### 2. Programs:

#### 2.1 *Victim Services:*

- **Staff** include a Provincial Manager, Ellie Reddin; two Victim Services workers; one assistant Victim Services worker; and 1.6 secretaries. Service is province-wide, offices are located at Summerside and Charlottetown.
- **Mandate** established under the Victims of Crime Act proclaimed September 30, 1989. Amendments to the Victims of Crime Act effective August 7, 1999.
- **Services** - Clients include victims of : spousal abuse, sexual abuse/assaults, robberies, threats, break and entry, impaired driving causing injury, murders, etc. Assistance to victims includes: information on case status, investigations for criminal injuries compensation, counselling, referrals for legal support, preparation of victim impact statements. The Victim Services Advisory Committee includes government and community representatives appointed by the Minister.

#### 2.2 *CORRECTIONAL SERVICES:*

- **Staff** includes a provincial manager, John Picketts; program managers: Provincial Correctional Centre - Verna Ryan; Prince County Correctional Centre - Bill Berry; Tyne Valley Youth Centre - Ron Taylor; Georgetown Youth Centre - Donna Myers; P.E.I. Youth Centre - Allan Curley; clinical psychologist - Sandy MacDonald; business manager - Allan Hughes. There are 234 field employees within the Section performing program, custodial, security and administrative functions.
- **Mandate (Adult)** - The two adult institutions contain multi-classification levels, minimum to maximum. Primary functions are sentence administration respecting: remand, provincially sentenced (two years less day) offenders; federally sentenced offenders awaiting transfer; parole violators (Federal and Provincial); RCMP and City Police lock-ups; Federal Exchange of Service inmates. Client capacity: 96 beds - Provincial Correctional Centre; 27 beds - Prince Correctional Centre. Legislative authority/obligations are contained within: *Criminal Code of Canada, Corrections and Conditional Release Act, Liquor Control Act, Penitentiary and Reformatories Act, Correctional Services Act*, etc.

- **Services (Adult)** - Through the delivery of programs based on a case management model, offenders are encouraged to make necessary life changes directed towards successful reintegration within their families and communities. Internal programs include: academic, woodshop, addictions, life skills, employment preparation, community service.
- **Mandate (Youth)** - The province operates three youth centres: P.E.I. Youth Centre, Summerside; Tyne Valley Youth Centre, Georgetown Youth Centre. The P.E.I. Youth Centre is a 26 bed secure custody facility, performing remand, temporary detention, lock-up, place of safety, and secure custody functions. Tyne Valley and Georgetown are open custody centres, each having an eight-bed capacity. Legislative mandates/obligations effecting youth centres are contained primarily within *Young Offenders Act* (Federal and Provincial), *Child and Family Services Act* (Provincial).
- **Services (Youth)** - Programs include: in-Centre school program, individual and group counselling, life skills, anger management, medical, nutritional and physical fitness, and community service.

Parents/guardians, outside agencies are encouraged as active participants in the overall case work/service delivery progress. All facilities are available to community users for: meetings, recreation, training, educational tours.

## 2.2 COMMUNITY SERVICES

- **Staff** - Provincial Manager, Alan Paquet; Program Managers: P.E.I. Community Justice Resource Centre, Wayne Ford; Alternative Residential Placement/Community Youth Worker Program, Jackie Doran-MacLeod; Probation Services (Western Region), Frank Lavandier; Probation Services (Eastern Region), Bob Albert; Family Court Services, Barbara Bain. There are 31 employees within the Section performing: direct client service, court support and administrative functions.
- **Mandate** - This Section is responsible for delivery of the following programs: Probation Services (adult and youth), Family Court Services, P.E.I. Community Justice Resource Centre (including sex offender treatment/Turning Point Programs), ARP/CYW Program. The Section partners with other agencies/community in developing crime prevention, public education, early intervention initiatives. Legislative mandate is primarily contained within: *Criminal Code of Canada*; *Young Offenders Act* (Federal and Provincial); *Probation Act, P.E.I.*; *Family Law Act, P.E.I.*, etc.
- **Services** - Probation functions include: supervision, preparation of Pre-sentence and Predisposition reports, managing alternative measures, referrals, supervision of Conditional Sentence Orders, applications under Provincial Fine Option Program; risk assessment, counselling and referral.

Family Court counsellors provide counselling; court reports respecting custody and access to the Supreme Court of P.E.I., mediation, referral to outside services. Family Court counsellors are located in Charlottetown but provide services provincially through Regional Services Centres.

The P.E.I. Community Justice Resource Centre offers the following services: assessment and treatment for sexual deviancy; Turning Point Program; anger management, substance abuse, life skills, parenting programs. Additional programs are co-delivered in conjunction: Correctional Services of Canada, Regional Health Authorities, and Divisional staff from other programs.

The Alternative Residential Placement/Community Youth Worker Program provides the following services provincially: a network of specialized foster homes for placement of young offenders serving open custody or probation dispositions; average placement 2-6 months.

Community youth workers provide one-to-one counselling and group programs to youth: on probation, discharged from custodial facilities, placed in Alternative Residential Placement homes, or otherwise at risk to entering the Criminal Justice System.

*Aboriginal Addiction Counsellors:* These counsellors are provided on an as needed basis, to meet individually with inmates.

*Mi'Kmac Family Resource Centre:* Counsellors provide support and counselling to men and women and their families on an as needed basis.

*Religious Services:* Available through request and facilitated by the Charlottetown Christian Council, sweetgrass ceremonies have been performed within the institution.

*Diversity Program:* We have taken part in this federal/provincial Program and have an Aboriginal woman on staff to develop a life skills and computer course for all inmates.

## **NORTHWEST TERRITORIES**

In 1998, the population of the Northwest Territories was 41,015 people, of which 20,570 were Aboriginal. The number of Aboriginal persons incarcerated is approximately twice the representation of Aboriginal persons in the population as a whole, and underscores the importance of providing a corrections system that is responsive to a primarily Aboriginal offender population.

Advances have been made to make the system more responsive. The effort to hire and train Aboriginal persons for employment has resulted in a work force where 44% of employees claim First Nation status. A recent review of the Corrections Service (Crime and Corrections in the Northwest Territories) revealed the need to build program capacity to meet the needs of the offenders, and this process is underway with the adoption of Cognitive Skills Training, Anger Management, Grief and Loss Workshops, etc. A key finding in the report was that the effectiveness of core programs is multiplied when they are linked to a process of healing within an Aboriginal context.

As a result, the growth in resources devoted to Aboriginal programming has doubled. Some of the personnel needed for this initiative were found within the employee group, and more are being found in the community. The involvement of Elders in spiritual programs has proven particularly effective, and this involvement is now considered essential for offender success in established programs such as the Sex Offender Relapse Prevention Program at Yellowknife Correctional Centre.

The construction of a replacement for the existing 132-bed adult male correctional Centre in Yellowknife is now underway. The central focus of the design is healing in an Aboriginal context. This is a radical departure from the mainstream corrections design that the jurisdiction was planning even a year ago. A group of Aboriginal Elders and Aboriginal persons presently working in corrections is providing design directions. The same focus is being achieved in the design of two new young offender's facilities.

The Corrections Service is taking approaches to justice for Aboriginal offenders that are different from other program designs. There will be no one program that is for Aboriginal offenders. Instead, justice for incarcerated Aboriginal offenders is conceptualized as a value system, a way of thinking about corrections that affects all aspects of the system, from hiring and staffing, to programs, to case management. These concepts affect the staff, the offender and the community, and add to the Department's commitment to restorative justice. In order to facilitate this approach, Aboriginal Liaison Officers (for lack of a better term) have been hired who provide input into all levels of what happens to an offender as he or she moves through the system.

If there is a single program to describe and share, it is the existence of a number of wilderness camps, operated by private contractors, who take two or three offenders on temporary absence. The offenders live a traditional life-style, on the land, where Aboriginal values are learned through daily living.

## **YUKON**

On any given day, the caseload within the Yukon is approximately 75% First Nation. Thus, programs and services are designed to meet the needs of all offenders.

### **Community-Based Corrections**

- Batterers Program - Aimed at those who Spousal assault, Cultural component;
- Sex Offender Risk Management Teams - Risk management on all sex offenders and group work.

### **Institutions**

- Alcohol treatment / Cognitive Skills
- Anger Management
- Based on OSAP programs

### **Justice Department**

- Restorative Justice: primary focus on funding Justice Committees;
- The Restorative Justice approach is receiving very positive feedback, very well received by communities and by the justice system;
- 6 active programs are running including circle sentencing and follow-up;
- Also a fair response from victims with Restorative Justice approaches.

### **Victim Services**

- One-on-one counselling from contact through to after trial;
- Focus has been on violent crime.

### **Cultural programming**

- Sweatlodges - the offering of sweatlodge ceremonies is in the planning stages;
- Elders will be involved in this process;
- Cultural programs are mainly at Correctional Institutions (Whitehorse Correctional Centre, Teslin Correctional Centre).

## **NUNAVUT**

On April 1, 1999, Nunavut became the newest territory in Canada. The population is approx. 35,000 - of which 85% are Inuit. The focus of the Corrections and Community Justice Division of the Department of Justice is to develop programs that would benefit Nunavummiut now and in the future.

On November 13, 1999, the Nunavut Corrections Planning Committee released a report that would provide the Department of Justice with the blueprint for the development of programs and services for Inuit Offenders in the communities as well as in the institutions.

Currently, programs being offered in the institutions are being developed to meet the needs of the Inuit Offenders. These programs include,

- Outpost Camps
- Sex Offender Treatment
- Substance Abuse Treatment
- Grief and Loss Programs
- Anger Management
- Cognitive Skills Training
- On The Land Programs

The Corrections and Community Justice Division is currently reviewing all the programs and looking at how we can make the programs more culturally relevant. This includes the hiring of Inuit contractors to work with staff on program development, as well as the delivery of some of the programs.

The Nunavut Corrections Planning Report has highlighted the following,

- Dedicated Community Corrections workers in communities to provide probation supervision, parole supervision and related services.
- Culturally relevant programs in correctional facilities, with an emphasis on healing.
- Training and development of Inuit and non-Inuit staff.
- Halfway Houses in regional locations.
- A joint planning process between Nunavut Justice and Correctional Services of Canada for a correctional facility in Nunavut so that eventually all Territorial and Federal Inmates could serve their sentences within Nunavut.

The Corrections and Community Justice Division is not only looking at culturally appropriate ways of program delivery, but also making every effort to hire and train Inuit to work in corrections. Hiring policies and practices are being reviewed with this goal in mind.

The Corrections and Community Justice Division is also undertaking to develop programs within Nunavut, or if taken from elsewhere, adapted to ensure they are culturally appropriate in design and delivery. Nonetheless, Corrections and Community Justice will be establishing closer ties with treatment programs in other jurisdictions, particularly those in the Corrections Service of Canada.

Within the area of Community Justice, the Corrections and Community Justice Division, will undertake to expand the role of Community Justice Committees that have been established in all the communities in Nunavut. The work by the Community Justice Committees will enhance the commitment to the development of Restorative Justice throughout the territory. Communities and Inuit groups will have an ongoing say in what happens within the Justice System, and in particular what is developed in the communities. This will include not only what programs are developed for offenders in the communities, but what services will be provided for victims. This direction will further enhance the holistic approach that Nunavut is taking in corrections.

## QUEBEC

Quebec was the province with the lowest rate of Aboriginal admissions in 1997-1998 (1.3% of convictions; Aboriginal people represent 1% of the population). Furthermore the number of Aboriginal admissions is declining: it was 1903 in 1994-1995 but only 1217 in 1998-1999. The probation rate was 6%, one of the lowest provincial figures (1).

There are 11 First Nations in Quebec, including the Inuit Nation in Northern Quebec (Nunavik). Of these nations, 3 have treaties: the Inuit and the Cree under the James Bay and Northern Quebec Agreement (1975) and the Naskapi under the Northeastern Quebec Agreement (1978).

The nations with the most offenders are the Algonquin, the Inuit and the Montagnais.

In 1998-1999, the Inuit accounted for 17.6% of admissions, the Algonquin for 26.6% and the Montagnais for 30.1%. Also in 1998-1999, the Algonquin accounted for 13.8% of open custody referrals (2), the Montagnais for 21.9% and the Inuit for 44.30%.

### **Programs and services for Aboriginal People**

#### ***Treatment for Substance Abuse and Violence:***

It should be borne in mind that because of the structure of government in Quebec, a number of services for both Aboriginal and non-Aboriginal offenders are provided by other departments, or by Aboriginal community agencies under agreements with government departments. Some nations have their own social service system.

(1) Canadian Centre for Justice Statistics (Statistics Canada). Correctional services for adults in Canada 1997-1998.

(2) Includes probation orders with supervision, suspended sentences, community work and parole.

There are services to prevent conjugal and family violence, substance abuse services, and treatment centres for addicts:

- Mawiomi Treatment Services for treatment of addiction
- Amerindian therapeutic community (Wapan) for addiction and conjugal violence
- Onentokon Centre for addicts
- Isuarsivik Centre for those with alcoholic and drug addictions in Nunavik.

More generally, Aboriginal community workers provide a variety of support services to Aboriginal families. There are also social workers, most of them non-Aboriginal professionals, who work on contract with a band council. Finally, there are psychological and psychiatric services.

These services are not, however, evenly distributed among the various nations, or among the communities within a single nation. When there is no service agreement between Aboriginal community organizations and the government, the services provided are those available to the general public.

#### *Court Services:*

The *Para-Judicial Services of Quebec* are funded by the Quebec Department of Justice. They provide assistance and support to Aboriginal individuals appearing in court on criminal charges.

#### *Police Service:*

Most Aboriginal communities in Quebec have their own police service funded jointly by the federal and Quebec governments.

#### *Justice Committees:*

The Quebec Department of Justice intends to set up justice committees in most Aboriginal communities in Quebec.

Recently, there was a sentencing circle in the Naskapi community in Schefferville.

#### **Correctional Services\***

The *Services correctionnels du Québec* [the province's correctional service] serves the general public throughout Quebec. It runs institutions where inmates and those awaiting court appearances are held, as well as probation services, and it funds half-way houses (which are run by community agencies). The half-way houses provide residency services, and the staff exercise community supervision over offenders who are under probation orders or have suspended sentences. All these services are provided to Aboriginal offenders.

The Inuit of Nunavik are a special case because of their geographical isolation and their culture, which differs from that of the other Aboriginal communities. Also, since they have a treaty, the Quebec Government has certain obligations to them with regard to corrections.

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*\*Only the adult clients of the correctional services are considered here.*

North of the 55<sup>th</sup> parallel, the following resources are available:

- Two Inuit community Reintegration Officers hired by the Kativik Regional Government work with offenders and are supervised by Probation Officers. This program is funded by the Quebec correctional service.
- A half-way house will be opening in Nunavik in January 2000. The staff will all be Inuit. This is an initiative of the Quebec correctional service, which is funding the project. The half-way house will be operated by the Kativik Regional Government.
- There are four Probation Officers residing permanently in Nunavik. They provide the customary services.
- At the St-Jérôme jail, there is a Community Liaison Officer present every day in the area reserved for Inuit.

Aside from the Liaison Officer, the following programs and services are also available at the jail. They are provided in English but designed for an Inuit clientele.

- AA meetings;
- life skills awareness group;
- individualized schooling programs provided by the Kativik school board.

Outside Nunavik, the following are available to Inuit and to other First Nations:

- Waseskun House, near Montreal, which has staff members able to speak Inuktitut.
- Onentokon Centre near Montreal, for addicts.
- Amos half-way house provides a relapse prevention program in English for Aboriginal offenders.

### NATIONAL PAROLE BOARD, OTTAWA

Addressing the distinctive needs and interests of Aboriginal offenders has long been of vital importance for the National Parole Board (NPB). Over the years we have paid particular attention to sensitizing Board members and staff by providing cross-cultural workshops and training on Aboriginal issues. The NPB has also introduced Elder-assisted hearings in the Prairie and Pacific regions as a means of providing an environment that facilitates a culturally sensitive hearing process for Aboriginal offenders being reviewed by the Board.

Elders provide Board members with information about Aboriginal cultures, experiences and traditions, and, when possible, the specific cultures and traditions of the Aboriginal population to which the offender belongs, or may return to. The Elder also often offers wisdom and guidance to the offender.

The Prairie Region has also held several community-assisted hearings, more commonly known as 'releasing circles'.

The National Parole Board strives for a representative Board and, as such, a very successful recruitment of Inuit applicants has occurred.

The NPB is currently involved in the following activities:

- The implementation of Elder-assisted hearings across the Board through regional consultation with Aboriginal communities;
- Public education through the development of an information booklet specifically targeting Aboriginal communities;
- The review of the NPB's Corporate Policy on Aboriginal Offenders;
- Undertaking consultations with women offenders with special attention given to the needs of Aboriginal women offenders;
- The evaluation of the Elder-assisted hearings program.

### **ABORIGINAL COMMUNITY CORRECTIONS INITIATIVE SOLICITOR GENERAL CANADA**

The Solicitor General's Aboriginal Community Corrections Initiative (ACCI) is a component of the federal government's five-year Strategy for Aboriginal Justice. The overall objectives of the ACCI are to: (a) increase the knowledge base in Aboriginal communities about healing and corrections; (b) support the development of community capacities to implement healing models involving offenders; (c) test and evaluate models of offender treatment in Aboriginal communities that are taking a holistic and healing approach to community wellness; and (d) support the development of urban corrections strategies for Aboriginal offenders.

To improve knowledge in Aboriginal communities, correctional officials and the public-at-large about healing and corrections, the ACCI has undertaken a number of activities, including:

- the publication and distribution of six (6) reports of the Aboriginal Peoples Collection, including, *Examining Aboriginal Corrections in Canada*, *The Four Circles of Hollow Water*, *Developing & Evaluating Justice Projects in Aboriginal Communities: A Review of the Literature* and *Issues In Urban Corrections for Aboriginal People*. To make this information more accessible, copies are also available on the Solicitor General's web site on the Internet. Further, a number of these and other reports of the Aboriginal Peoples Collection were made available to Aboriginal people, federal and provincial government departments and other interested parties, on the ACPU's CD-ROM *Healing*.
- completion of the *Getting Out* handbook series which are compilations of community resources for inmates preparing for release to urban areas.
- support to conferences and symposia with a corrections and healing focus.

- support to the production and distribution of film and video products relating to Aboriginal healing and corrections, including: a four-part video *Rage* produced by the Native Counselling Services of Alberta, *Healing the Spirit* produced by Nechi Institute, the *Nitinaht Chronicles*, a NFB production on healing in a B.C. First Nation, and *Within the Walls* which documented the views of Aboriginal inmates at William Head institution.
- sponsorship of two Gatherings with Aboriginal community representatives, researchers and corrections officials that (1) explored options and opportunities to improve corrections for urban Aboriginal offenders, and (2) discussed issues and opportunities for the improvement of community-based or clinical approaches to sex offender treatment.

To support the development of Aboriginal communities to increase their capacity to assume responsibility for restorative corrections and offender treatment in healing processes, the ACCI has supported:

- production and distribution of three technical manuals specifically designed to support the creation of healing processes in Aboriginal communities with a focus on sexual abuse treatment. These manuals are titled: *Responding to Sexual Abuse: Developing a Community-based Sexual Abuse Response Team in Aboriginal Communities*; *At the Time of Disclosure: A Manual for Front-line Community Workers Dealing with Sexual Abuse*; and *Making it Work: Planning and Evaluating Community Corrections & Healing Projects in Aboriginal Communities*.
- support to a community development process in Regina, under the leadership of the Regina Aboriginal Services Co-op (RAHSC), to develop a strategy based on healing principles for offenders and victims of crime.
- examination of the role the Department, and other government agencies, should play in community wellness strategies during and after project/program implementation.
- development and implementation of a strategic planning process with the Federation of Saskatchewan Indian Nations that resulted in a sorting of First Nation communities into three categories: (a) communities with the capacity to develop new or improve existing community corrections processes; (b) communities that are interested in developing community strategies but require capacity and infrastructure development; and (c) communities that are not prepared at this time to proceed with corrections processes.
- support for the development of the Waseskun Community Network (WCN), an internet-based network created in response to the need for communication among front-line workers, the desire to establish links between offenders and their home communities, and the requirement for additional distance education resources for Aboriginal people.
- access by community workers to expertise in other communities that have undertaken healing and restorative corrections processes.

- support for the development of the Native Counselling Service of Alberta's Certificate Program in Aboriginal Dispute Resolution Program - an accredited certificate program offered in partnership with York University.
- support for the development of an anger management program developed by the Native Counselling Services of Alberta, based on videos produced with ACCI support, that will train correctional officers and community members to deliver anger management courses to inmates and Aboriginal communities.

With respect to testing offender treatment in healing processes, the ACCI has contributed to a healing process on the Mnjikaning (Rama) First Nation which has built upon the principles of the healing approach developed in Hollow Water, Manitoba.

### ABORIGINAL ISSUES, CSC OTTAWA

CSC implemented and supported a variety of Aboriginal-specific offender services including the establishment of Aboriginal Elders and Native Liaison Workers in federal institutions and six Aboriginal-operated Halfway Houses.

More recently, CSC has also been involved in:

- Enhancing the role of Aboriginal communities in corrections including the establishment of Aboriginal Healing Lodges/Centres (Pê Sâkâstêw, Okimaw Ohci, Prince Albert, and Stan Daniels);
- Increasing federal, provincial and Aboriginal partnerships;
- Strengthening Aboriginal programming, and;
- Developing strategies to increase Aboriginal employment in the CSC.

CSC is expanding activity on the Aboriginal agenda and is currently:

- Developing strategies to address the successful reintegration of Aboriginal youth gangs in federal corrections;
- Working with additional Aboriginal communities to establish Healing Lodges (Beardy's & Okemasis, O-Chi-Chak-Ko-Sipi and, Sto:lo Chehalis);
- Working with additional Aboriginal communities to establish agreements under Section 81 of the *CCRA* to transfer offenders into the custody of Aboriginal communities (approximately 20 organizations and communities);
- Increasing the number of Aboriginal offenders released under Section 81 of the *CCRA* and establishing Aboriginal parole supervision capacities;
- Developing a joint strategy with the Women Offender Sector to address issues related to Aboriginal women offenders and Aboriginal community corrections;
- Introducing a framework on Aboriginal Employment to address issues around recruitment, retention, training and cross-cultural awareness;
- Developing additional Aboriginal recruitment strategies, including a search for Senior Managers for CSC;

- Creating additional partnerships with Aboriginal service deliverers, Aboriginal National, Regional and Local Leadership and restructuring the CSC National Aboriginal Advisory Committee;
- Establishing a permanent forum within the Heads of Corrections on Aboriginal Issues;
- Establishing a forum within the International Corrections and Prisons Association (ICPA) on Indigenous Issues.

Work continues with all direct and indirect clients to build partnerships for the successful implementation of the CSC National Strategy on Aboriginal Corrections.

Discussions are underway within various federal departments: co-operative efforts with the Departments of Indian and Northern Affairs, Health Canada, Human Resources Development Canada, the Public Service Commission of Canada, Privy Council Office, and the Department of Justice on the issues of Aboriginal over-representation.

### **Description of the Major Issues Affecting the Healing [Rehabilitation] Process for Aboriginal Offenders**



*(See two-part summary on next 2 pages)*

Aboriginal Issues Sub-Committee To Heads of Corrections		ISSUES AFFECTING THE HEALING PROCESS OF ABORIGINAL OFFENDERS (PART 1)			January 2000 - Page 43
INADEQUATE RESOURCES FOR PROGRAMS & SERVICES	POOR SOCIO-ECONOMIC CONDITIONS PARALYSES ABORIGINAL COMMUNITY	BUILDING CAPACITY WITHIN COMMUNITIES REQUIRES GREATER FOCUS	NO INVOLVEMENT = NO COMMITMENT FROM ABORIGINAL COMMUNITY TO PROVIDE SOLUTIONS	WILL TO BREAK JURISDICTIONAL LOG-JAMS IS WEAK WITHIN GOVERNMENT	
<p><b>Sustained</b> resources not provided by govt's;</p> <p><b>Cost</b> factors;</p> <p><b>No</b> guarantee of long-term funding for programs;</p> <p><b>Insufficient</b> funding to provide necessary services &amp; programs;</p> <p><b>Resources</b> to create Aboriginal Court Worker programs, support systems, &amp; victim services;</p> <p><b>Funding</b> to support programs &amp; services for offenders;</p> <p><b>Availability</b> of resources.</p>	<p><b>Major</b> health concerns/risks;</p> <p><b>Limited</b> cultural, educational, recreational, &amp; employment programming in communities;</p> <p><b>[Apathy]</b> or resignation;</p> <p><b>Ability</b> of Aboriginal specific resources to accept Aboriginal offenders;</p> <p><b>Little</b> opportunities returning to communities;</p> <p><b>Limited</b> capacity of damaged &amp; dysfunctional families, communities to support reintegration;</p> <p><b>Stable</b> environments to support successful parole or temp. absences lacking;</p> <p><b>Poor</b> social &amp; living conditions;</p> <p><b>Lack</b> of economic viability;</p> <p>Dysfunctional families &amp; communities.</p>	<p><b>Inadequate</b> support systems in home communities for offenders;</p> <p><b>The</b> will of Aboriginal community to support offenders returning to home community is weak;</p> <p><b>Uncertainty</b> about what constitutes appropriate programs &amp; services;</p> <p><b>Greater</b> focus &amp; priority needed on prevention for those "at risk";</p> <p><b>Lack</b> of community-based follow-up services;</p> <p><b>Need</b> for appropriate programming &amp; partnering;</p> <p><b>Need</b> for training &amp; resources enabling Aboriginal groups to have a role in supervision and reintegration.</p>	<p><b>Difficulty</b> recruiting &amp; retaining Aboriginal staff, especially on institutional side;</p> <p><b>Need</b> for on-going support for Aboriginal staff working with CSC;</p> <p><b>More</b> Aboriginal communities need to deliver Programming to Aboriginal offenders;</p> <p><b>Need</b> for promoting the development of supporting resources for First Nations;</p> <p><b>[Allow for]</b> Aboriginal identification of issues;</p> <p><b>Need</b> more involvement of Aboriginal people in delivery of correctional services;</p> <p><b>Difficulty</b> engaging Aboriginal community in rehabilitation of offenders;</p> <p><b>Need</b> for Community Justice Committees;</p> <p><b>Determining</b> services based on cultural needs;</p> <p><b>Lack</b> of coordinated Aboriginal services with defined responsibilities.</p>	<p><b>No</b> provincial protocol [to facilitate] involvement of Aboriginal community on offender issues;</p> <p><b>Communication</b> barriers;</p> <p><b>CSC</b> alone cannot meet all the needs of Aboriginal offenders i.e., housing, education, employment, etc.;</p> <p><b>Lack</b> of comprehensive reintegration protocol involving agencies &amp; levels of government;</p> <p><b>Uncertainty</b> about federal &amp; provincial roles in negotiating with Aboriginal communities;</p> <p><b>[Difficulty]</b> delivering services in remote and isolated First Nation communities.</p>	

DIFFERING WORLD-VIEWS PREVENTS MUTUAL COOPERATION	RESEARCH & INFORMATION IS SCARCE	MISTRUST STEMMING FROM HISTORICAL CONFLICT	OVERWHELMING NATURE OF ISSUES INHIBITS AWARENESS & UNDERSTANDING	CORRECTIONAL STAFF ATTITUDES, BELIEFS, & APPROACHES OFTEN DO NOT SUPPORT ABORIGINAL APPROACHES
<p><b>Restorative</b> vs. Retributive Justice;</p> <p><b>Language &amp; Cultural</b> barriers;</p> <p><b>Complexity</b> [&amp; impact] of Aboriginal gangs;</p> <p><b>Justice</b> system needs greater understanding of culturally appropriate alternatives;</p> <p><b>Literacy</b>;</p> <p><b>Need</b> for long-term solutions;</p> <p><b>No</b> multi-disciplinary approach;</p> <p><b>Community</b> links to CSC need to be strengthened;</p> <p>CSC programming requires assessment &amp; redesign to meet needs of Aboriginal offenders;</p> <p><b>Partnering</b> between gov't &amp; Aboriginal org's required to identify needs &amp; offer services.</p>	<p><b>Limited</b> availability of cognitive skills-based treatment programs specific to Aboriginal needs;</p> <p><b>Insufficient</b> research to identify needs;</p> <p><b>Limited</b> literature regarding programming supporting Aboriginal reintegration;</p> <p><b>Very little</b> empirical data.</p>	<p><b>Distrust</b> between First Nations &amp; Justice system;</p> <p><b>Conflict</b> between political groups;</p> <p><b>Aboriginal</b> people are not receiving fair, just, &amp; equitable treatment at all stages of the justice system;</p> <p><b>Residential</b> School syndrome</p> <p><b>Systemic</b> problems</p>	<p><b>Understanding</b> of the system;</p> <p><b>Lack</b> of public awareness of Aboriginal offenders &amp; their learning path;</p> <p><b>Lack</b> of understanding of legislation and Justice system by Aboriginal people;</p> <p><b>Lack</b> of Awareness by components of the Justice system of Aboriginal alternatives</p>	<p><b>Skepticism</b> by justice system of traditional Aboriginal approaches to justice;</p> <p><b>Community</b> directions [not] respected;</p> <p><b>Rigidity</b> &amp; inflexibility of CSC policies &amp; practices;</p> <p><b>Greater</b> recognition of the work of Reintegration Officers, Native Liaisons, &amp; Elders; <b>Support</b> &amp; respect for Aboriginal world-view &amp; traditional methods;</p> <p><b>View</b> by the system that leadership in some Aboriginal communities is reluctant to address criminal issues;</p> <p><b>Need</b> for [recognition of] alternative measures - healing circles;</p> <p><b>Limited</b> Knowledge of Aboriginal Specific resources;</p> <p>CSC needs to develop working environments to encourage Aboriginal staff to include traditional approaches;</p> <p><b>Circle</b> sentencing as an alternative [not fully recognized] and used.</p>

## ISSUES AFFECTING THE HEALING PROCESS OF ABORIGINAL OFFENDERS

### **British Columbia:**

- Developing programs specifically for Aboriginal peoples may address some cultural issues but not all Aboriginal offenders wish to access them either on or off reserve land; some prefer to access “generic” justice programs.; it is important to recognize this and allow the offender the choice of programming, rather than assume and impose apparent “appropriate” programs and services;
- Much of the understanding of problems within Aboriginal communities is based on anecdotal information; there is little empirical data supporting what appears to be key Aboriginal obstacles;
- Cost factors must be considered when implementing programs in areas where there is a relatively small Aboriginal population;
- A multi-disciplinary approach is needed to address Aboriginal issues, as with any offender population; this includes not only short term problem-solving but also long-term solutions;
- Lack of awareness by components of the justice system of Aboriginal alternatives to sentencing, and conversely, lack of understanding of legislation and the justice system on the part of Aboriginal people; and,
- Insufficient funding to provide necessary services and programs.

### **Alberta:**

Some of the issues affecting the rehabilitation of Aboriginal offenders are poor social and living conditions, coupled with inadequate support systems in place for offenders in their home communities. With the Dene Tha' First Nations, Alberta Justice is working collaboratively with other provincial government departments and the federal government in addressing some of the social issues faced by this First Nation community. These initiatives are intended to improve the support systems in place for offenders on the First Nation, assist in the reintegration of Aboriginal offenders, and help them in leading law-abiding lifestyles.

As a response to concerns expressed by Aboriginal people in Alberta about the Criminal Justice System, a Task Force was struck in 1990 to examine the impact of the Criminal Justice System on the Indian and Metis people of Alberta.

The objective of the Task Force, chaired by Mr. Justice R.A. Cawsey, was two-fold: 1) to complete a review of the Criminal Justice System in Alberta as it relates to Indian and Metis people, and; 2) to provide a report for the Solicitor General of Canada, the Attorney General of Alberta and the Solicitor General of Alberta. The report identified many problems and proposed solutions to ensure the Indian and Metis people receive fair, just and equitable treatment at all stages of the criminal justice process in Alberta.

With respect to Corrections, the Task Force concluded that Corrections should initiate programs and policies, which in the long-term result in correctional services being delivered by Aboriginal communities for Aboriginal peoples in the province of Alberta. They noted that programs and policies must be developed with the assistance and participation of Aboriginal people, must allow for an amount of flexibility, and must take into consideration local and regional social and economic factors.

Aboriginal correctional initiatives in Alberta have been and continue to be in keeping with the recommendations of this Task Force.

### **Saskatchewan:**

There are no easy or quick resolutions to the problems confronting the reintegration of Aboriginal offenders. The long-term systemic problems such as dysfunctional families and communities, poor social conditions, lack of economic viability, and major health concerns/risks, are major areas which have to be addressed to enhance the effectiveness of any Correctional program. Correctional programming needs to be assessed, re-designed and/or developed to meet the needs of Aboriginal offenders. Specific issues affecting the rehabilitation process for Aboriginal offenders include:

- Limited literature regarding programming which most effectively supports successful Aboriginal reintegration;
- Limited availability of cognitive skills based treatment programs in Correctional facilities specific to Aboriginal needs;
- Limited availability of external cultural, educational, recreational and employment programming and supports for offenders upon release into the community;
- Limited capacity of damaged and dysfunctional families and communities to support successful reintegration;
- Limited availability of resources to support damaged families and communities;
- The need for more involvement of Aboriginal people in the delivery of Correctional services;
- Limited training and resources to enable Aboriginal groups and organizations to take a more active role in the supervision and reintegration of offenders;
- The need for more awareness of correctional issues among band and Tribal Council leaders;
- Limited partnering between government (internal and external, Federal and Provincial) agencies, non-government agencies, and Aboriginal organizations in working in an integrated fashion to identify needs and to offer services; and,
- The need for additional funding to support programs and services for Aboriginal offenders.

From a broader perspective, priority should be given to prevention focusing on "at risk" Aboriginal children and youth, Aboriginal families, and the community. From a corrections perspective, more attention must be given to understanding the needs of the Aboriginal offender, the development of appropriate programming and partnering with relevant stakeholders to assess the needs and in the provision of services.

***Forums for Discussion Re: Aboriginal Programming***

Saskatchewan Corrections is a part of a Saskatchewan Justice Department committee that is meeting with the Prince Albert Grand Council to review issues, programs, and services related to Aboriginal people in the Prince Albert district.

Saskatchewan Corrections will be forming an Aboriginal Advisory Committee to discuss/review issues around Aboriginal services and programs.

A Federation of Saskatchewan Indian Nations (FSIN) – Saskatchewan – Canada Corrections Initiatives committee is into phase two of discussions on issues of broad reform for Corrections and Aboriginal people.

Two tripartite committees, one involving senior Metis representatives and the other the Federation of Saskatchewan Indian Nations, have had on-going discussions with senior Saskatchewan Justice and Federal Justice officials regarding issues related to corrections.

**Manitoba:**

- Uncertainty about what constitutes culturally appropriate programs and services;
- It seems that many Aboriginal clients become aware of cultural teachings, values and history only after becoming involved with Corrections;
- Lack of a comprehensive reintegration protocol involving other agencies and levels of government. For many offenders, regardless of ethnic background, Corrections alone cannot begin to meet all of their needs, e.g., smooth reintegration to the community, housing, education and training, meaningful employment, etc;
- Difficulty recruiting and retaining Aboriginal staff, especially on the institutional side;
- Not all Aboriginal offenders seek culturally-appropriate programming;
- Difficulty engaging the Aboriginal community in the rehabilitation of Aboriginal offenders;
- Insufficient research to clearly delineate Aboriginal specific needs;
- Little employment/educational/therapeutic etc. opportunities for offenders returning to some home communities;
- Lack of understanding by various components of the Justice system regarding culturally- appropriate alternatives;
- Opposing view on restorative vs. retributive justice;
- Self-government including devolution of correction services;
- Providing on-going support to Aboriginal staff working with Corrections continues to be an issue;
- Complexity of Aboriginal gangs and the co-ordination of the many services required to meet their needs;

- Delivery of services in remote and isolated First Nations communities where offender numbers are small;
- In some communities, there is reluctance by the leadership to address criminal issues such as family violence;
- Mutual distrust between First Nations communities and the existing Justice system, e.g., some First Nations communities are lukewarm to current Justice system approaches to programming and on the other hand, there is skepticism about traditional Aboriginal approaches to Justice matters; and
- The service needs to develop working environments that encourage Aboriginal staff to include traditional approaches in their work with offenders.

### **Ontario:**

- Poor social and living conditions of Aboriginal offenders, and lack of adequate support systems or stable environments to support successful parole and/or temporary absences;
- Limited knowledge of recognized Aboriginal specific resources to assist rehabilitation;
- Limited ability of Aboriginal-specific resources to accept correctional clients;
- The need to develop provincial protocol regarding involvement of community, Band council, and/or Tribal Council on offender issues and release planning;
- The will of Aboriginal community in wanting offenders to return to home communities upon release, (e.g., Band Council Resolutions);
- The lack of co-ordinated Aboriginal services with defined responsibilities;
- Uncertainty about federal and provincial roles in the ability to negotiate the responsibility for services with the Aboriginal community;
- Inability of Aboriginal offenders to access services, (e.g., welfare) due to literacy issues, communication barriers, understanding of the system, and ultimately resignation;
- Rigidity and inflexibility of correctional policies and practices;
- Aboriginal identification issues; and
- Support and respect for Aboriginal worldview and traditional methods.

### **Nova Scotia:**

There is conflict between the on-reserve and off-reserve Native political groups in Nova Scotia. This issue has created difficulty in the past in moving forward with programs which focus on Mi'qmaq language and culture.

In the past, most Mi'qmaq programs which were funded by the Tripartite Committee were demonstration projects (Adult diversion project, Native Council Community Legal Issues Facilitator Program) without guarantee of long-term funding. This created difficulties in both acceptance of the program and retention of staff. Establishment of the Mi'qmaq Justice Institute has been a step forward in overcoming this difficulty.

There is a need to determine justice related program services for Aboriginal people based on cultural needs. Some Native people prefer to access mainstream justice programs whereas others would prefer culturally-specific services. Variations exist between reserves and between off-reserve groups in this regard. Sensitivity must be used to avoid imposing unnecessarily on Aboriginal people simply because of apparent cultural background.

As programs are developed, cost considerations are important in view of the start-up, administrative and operation costs of operating programs for a comparatively small population dispersed over a wide geographic area. The Mi'qmaq Justice Institute has assisted in overcoming this concern although the Tripartite Committee will need to be mindful of this issue as work progresses.

### **Newfoundland & Labrador:**

Language and cultural barriers are common issues that impact adversely on most programs. A lack of community-based follow-up services is also cited as having negative repercussions on offender rehabilitation. On the upside, treatment programs delivered by culturally-sensitive facilitators and those that take place in traditional settings enjoy a great deal of popularity and positive feedback.

### **New Brunswick:**

To promote on a federal level, the positive and effective use of Community Justice Committees, alternative measures, healing circles, circle sentencing as an alternative to incarceration;

To direct specific funding toward provincial government projects so that global issues like Aboriginal Court Worker programs, support system and/or victim services can be created or enhanced within each province;

- To examine time-specific federal Aboriginal funding which sets up infrastructures and programs but upon completion of the federal commitment are unable to be sustained/maintained by the province due to lack of resources;
- To encourage community direction in social justice issues as a means of needs identification, community responsibility and individually focused action;
- To promote the development of supporting resources for First Nation territories such as adult-based education and employment programs; and,
- To strengthen community links inside correctional institutions, beginning the first week an offender enters an institution through contact with Elders, ceremonies and connections with traditional ways.

### **Prince Edward Island:**

Due to the small population of Aboriginal offenders incarcerated on Prince Edward Island, most programming and access to service is done on an individual basis with community-based resources. We have good working relationships with these resource providers, but service is not continuous. Gaps are seen only in that there is a "gearing-up" and reconnecting each time Aboriginal offenders are with us.

### **Yukon:**

The most pervasive factor affecting the healing process of Aboriginal offenders is the impact and legacy of Residential schools. There are multifaceted and multi-generational effects that have been debilitating on parenting skills, self-esteem, and self-worth leading to many forms of violence and abuse including alcohol, sexual, physical.

Another notable factor is the majority of First Nations are in process of negotiating land claims. What is happening in the community, in terms of the political or social developments, has both positive and negative impacts on program or service delivery.

### **Quebec:**

#### **Key issues**

- Socio-economic conditions are a major problem in many Aboriginal communities in Quebec. The numerous social problems include poverty, family violence, alcohol and drug abuse, and in some communities a high suicide rate.
- In 1988 the Quebec Government set out a new approach to its relationship with Aboriginals, the thrust of which was to have the various First Nations and the individual communities take charge of their own development, achieve greater autonomy (especially financial autonomy), and take on more responsibilities.
- The most important initiative in 1999 was that the Quebec correctional service developed a draft policy on correctional services for Aboriginals. In harmony with the Quebec Government's new approach, the correctional service wants to involve the First Nations and individual communities in administering services and programs and to do so on the basis of respect for their values, their culture, their rights and their desire for autonomy. The policy has recently been submitted for approval by departmental authorities.
- Language is often cited as a barrier when it comes to correctional services, because Aboriginal clients often have English as their second language.
- Another frequently mentioned problem for Aboriginal offenders is that non-Aboriginal caseworkers lack knowledge of their lifestyle, values and culture.

- Aboriginals also complain that White concepts of justice, and the way it is administered, do not match Aboriginal concepts.
- Beginning in January 2000, Nunavik will have a half-way house staffed entirely by Inuit. This project is being funded by the Quebec correctional service, but it will be administered by the Kativik Regional Government.

#### Canada - Aboriginal Issues, CSC:

One of the major issues facing the rehabilitation process for Aboriginal offenders is the lack of public awareness about their needs and their learning path while incarcerated, and the various options available under the *CCRA* to respond to their needs. Therefore, the Aboriginal Issues Branch has published a brochure for wide distribution entitled, *"Enhancing the Role of Aboriginal Communities in Federal Corrections"*.

The work of reintegration officers, Native Liaisons, and Elders in bringing attention to the needs of offenders is substantial in promoting effective community building for Section 81 and Section 84 agreements to be realized with various Aboriginal communities.

Internally, the federal Correctional Service of Canada department has struck a Security Task Force with a sub-committee called the Prison Culture Working Group, which is examining the research and practices related to Prison Culture. This committee will make recommendations for change in the fall of 1999.



## Appendix 1: Aboriginal Issues Sub-Committee to Heads of Corrections

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**Appendix 1: Aboriginal Issues Sub-Committee to Heads of Corrections (continued)**

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## APPENDIX 2: Aboriginal Issues Sub-Committee to Heads of Corrections

### **\* Draft \*** **Terms of Reference**

#### **Mandate:**

The Heads of Corrections Aboriginal Offender Sub-Committee [hereinafter referred to as the Sub-Committee] shall undertake activities that will contribute to the positive evolution and healing of Aboriginal offenders in Canadian institutions.

- The positive evolution of Aboriginal offenders in corrections is directed at achieving *key criminal justice aims*, including but not limited to:
- The use of imprisonment as the last resort;
- The reduction to the greatest extent possible, consistent with public safety, of the Aboriginal offender population through effective correctional interventions at both the young offender and adult level;

The establishment of a correctional environment that is responsive to the needs of those Aboriginal offenders who are sentenced to imprisonment in order to protect society.

With respect to issues of jurisdiction, the legal and operational autonomy in corrections of each province and territory and of the federal government is recognized and respected. However, it is noted that given the large number of Aboriginal offenders under correctional supervision, the jurisdictional divisions may present unique challenges to the effective development and delivery of programs, treatment interventions and other services for Aboriginal offenders. Therefore, the Sub-Committee establishes as *specific objectives* with respect to correctional program delivery for Aboriginal offenders, the following principles:

The identification of opportunities to eliminate barriers to effective program delivery;

- The sharing of expertise and resources;
- The development of joint initiatives.

The Sub-Committee shall report on their discussions at the regular meetings of the Heads of Corrections and otherwise by way of progress or special reports and make recommendations for action/implementation as required.

**Membership:**

The Sub-Committee shall be chaired by the Director General for Aboriginal Issues; (Director General, Gina Wilson) of the Correctional Service of Canada and include membership from the Heads of Corrections from any provincial/territorial jurisdiction that wishes to be part of the Aboriginal sub-committee. Heads of Corrections members may designate representatives from their organization to participate in the Aboriginal sub-committee.

As required, the support and resources of partner departments and agencies, including the Ministry Secretariat of the Solicitor General of Canada, the Department of Justice, the Canadian Centre for Justice Statistics, and other Agencies or branches will be requested.

The Office of the Director General, Aboriginal Issues, shall provide Secretariat support to the Sub-Committee. Assistance, as required, shall be requested from the CSC Inter-Governmental Affairs Branch.

**Activities:**

The Sub-Committee shall identify, develop and/or promote:

- The sharing of information and expertise on Aboriginal issues in corrections; best practices, Aboriginal programming, research projects, policies, innovative interventions; and strategies to address new and emerging issues of potential impact which may require further research;
- Inter-jurisdictional initiatives where cooperation and joint responses are desirable; and where action plans can be proposed, especially in the areas of reintegration, enhancing the role of Aboriginal communities in corrections and restorative justice;
- Opportunities for linkages and partnerships with other government departments, agencies and community partner agencies and service providers to enhance programs, treatment interventions and services for Aboriginal offenders;
- Communication strategies to increase knowledge within the broader criminal justice system on the risks and needs of Aboriginal offenders;
- Effective strategies for the recruitment and development of management and staff of institutions where Aboriginal offenders comprise a substantial population. Strategies such as staff interchanges or professional development training may be considered.

### Appendix 3

#### Adult Incarceration Rates per 100 Thousand Population Aboriginal Identity vs. Non-Aboriginal Identity for 1996

Jurisdiction	Estimated Rate of Adult Aboriginal Incarceration per 100,000 Adult Aboriginal Population	Estimated Rate of Adult Non-Aboriginal Incarceration per 100,000 Adult Non-Aboriginal Population	Differential between Aboriginal and Non- Aboriginal Incarceration Rates (see Note 2)
Saskatchewan	1,662.9	47.3	35.2
Northwest Territories	1,367.6	120.0	11.4
Alberta	1,236.4	90.1	13.7
Yukon	1,197.5	204.9	5.8
Manitoba	812.7	51.5	15.8
Ontario	737.4	84.6	8.7
British Columbia	477.0	74.3	6.4
Newfoundland	472.3	77.8	6.1
FEDERAL	416.8	57.6	7.2
Prince Edward Island	360.4	108.3	3.3
New Brunswick	321.3	71.5	4.5
Nova Scotia	269.0	57.3	4.7
Quebec	227.1	63.2	3.6
<i>National Average</i>	<i>735.0</i>	<i>85.3</i>	<i>8.5</i>

**Conclusion: All jurisdictions over-incarcerate Aboriginal [people] but some jurisdictions more than others. On a national average, we incarcerate Aboriginal [people] at a rate of 8.5 times greater than non-Aboriginal [people].**

**Notes:**

- (1) Aboriginal designation derived from the 1996 census of Canadians self-reporting Aboriginal identity and being 18 years of age or greater.
- (2) Numbers in the fourth column could be expressed as: "We incarcerate Aboriginal [people] at a rate of {X} times greater than we incarcerate non-Aboriginal [people]."

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