

## JUSTICE AND CORRECTIONAL SERVICES



### MESSAGE FROM THE DIRECTOR DONALD NICHOLLS

THE CREE NATION GOVERNMENT DEPARTMENT OF JUSTICE and Correctional Services is pleased to present its 10th submission to the Annual Report. The Department has grown each year in terms of programs, services, facilities, personnel and partnerships. While the provisions of the *James Bay and Northern Québec Agreement* on the Administration of Justice for the Crees went largely unimplemented for over 30 years, in 2007 a new relationship and dialogue on justice started with the government of Québec. It was shortly thereafter that the Cree-Québec Judicial Advisory Committee was formed with equal representation from the Cree Nation and the Québec Government. The Cree Nation Government Department of Justice and Correctional Services was formed shortly afterwards.

Much thought was put into the priorities for development of a pluralistic justice system in Eeyou Istchee. It was clear from the *James Bay and Northern Québec Agreement* and the Justice Agreement (2007) that any form of justice had to respect Cree usages, customs and psychology in its administration within our traditional territories. In the 1990s, a comprehensive three-part justice report had been completed, and we had hosted tours and conferences to listen, share and collaborate.

In the present year, the Department developed a new awareness tool. Through a timeline, an overview of levels of activities in the services we provide, and a series of information materials dedicated to each unit within the Department, we highlight the milestones reached in the last ten years. These were introduced to leadership, to staff and to key partners. It is a marker for where we are, halfway through our new Justice Agreement. As well, there are significant planning goals and milestones ahead for the next ten-year period.

The Department has continued to provide programming to support students and engage youth in the communities. The key to programming is to provide life skills that will help children and youth focus on and make decisions that will have positive impacts on their goals. There was an expansion of CAVAC (victims) services throughout the Cree communities in the past year. There continues to be support by a well-trained and dedicated team for Cree detainees throughout the provincial and federal correctional

systems. The partnership funds continue to provide opportunities for individuals and organizations to work collaboratively on identified issues of mutual concern.

Locally, our Justice Committees continue to expand their services and their capacity to provide a “Cree justice tribunal”, and to engage in building awareness and engagement in the areas of justice. We continue to make improvements on our facilities, and have opened the first of two Cree regional women’s shelters in Eeyou Istchee, and broke ground on a new Cree regional youth healing center.

The Department works with Human Resources to find local members for job opportunities in the Cree communities. We also continue to develop skills and expertise within our employees to complement the calibre of those partner organizations we find regionally and locally in each part of the Cree Nation. Some of the training is on administration, management, efficiency, relations with clients, working with trauma, mindfulness, cognitive therapy, rehabilitation, preparation of Gladue Reports, reintegration, conflict resolution, family conferencing, facilitation, conflict coaching, and restorative practices. We acknowledge the dedication of staff and the adaptability with the changes as the Department grows and further develops innovative ways to provide services in the Cree Nation.

This year has also seen the introduction of bills and legislation that will have an impact on the daily lives in the Cree Nation. The Cree leadership successfully appeared before the Standing Senate Committee on Aboriginal Peoples to present, with representatives of Indigenous and Northern Affairs Canada, on the *Cree Nation of Eeyou Istchee Governance Agreement Act*, the federal Act to give effect and force of law to the Cree Nation Governance Agreement and its companion, the Cree Constitution.

Member of Parliament Romeo Saganash introduced in Parliament private member Bill C-262, *An Act to ensure that the laws of Canada are in harmony with the Declaration on the Rights of Indigenous Peoples*. The Declaration on the Rights of Indigenous Peoples was negotiated over many years with Indigenous Peoples, and Canada took a leading role at the time. However, there was a change in government as the UN document was being adopted

and Canada reversed its position and voted against it in the end.

The Declaration contains important provisions to begin dialogues between the government and Indigenous peoples, at a level of discourse where real nation-to-nation relationships can develop. Considering the federal government's implication in the long negotiation and the fact that it was considered acceptable to Canada and the sudden turn back at the moment of adoption, this new Bill C-262, if adopted, will bring us back to that understanding and discourse.

Recent changes to the law in Québec on customary adoption and guardianship has led to the Cree Nation developing internal protocols to recognize customs that have always been within our Nation. As of June 2018, the provincial legislation allows Indigenous groups in Québec to determine their way of recognizing customary adoptions and guardianship, so that the legal effects of these customs can be more easily recognized, including by government officials and services.

The proposed federal legislation on cannabis (Bill C-45) is expected to be adopted in the summer of 2018. Ultimately, this new legislation will lead to regulated changes in activities of sale and distribution of cannabis, among other things.

The Department would like to express its sincere condolences to the families of Demerise Blacksmith and Francois Gunner. Demerise and Francois worked for many years in providing translation services to the Court of Québec that travel throughout the Cree Nation. A provision of the *James Bay and Northern Québec Agreement* was that court services should be provided in the Cree

language. Their work was key to ensuring that people understand the justice system, and can answer appropriately. Moreover, Demerise and Francois went beyond their duties often connecting with the people they worked with, and wanting to do more. They were valued, and the Department wishes to acknowledge their contribution to the Cree Nation and the Court of Québec in their long service. They will be missed.

Finally, we thank our leadership in the Cree Nation Government, the leadership in the Cree communities, the Cree School Board, the Cree Board of Health and Social Services of James Bay, and the many other Cree organizations we work with on a yearly basis for their continued commitment and support. We would also like to acknowledge the Cree-Québec Judicial Advisory Committee for their support and contributions to the Department. We thank the many people we work with and those to whom we provide services. We value the relationships we build, and continue to believe in collaboration as the key to making an impact.

Meegwetch.





The 7<sup>th</sup> CICR graduating class

## INCREASING CAPABILITY IN THE DEPARTMENT AND THE CREE COMMUNITIES

Since its creation, the Department invests on a yearly basis in the continued professional development and growth of its staff. In 2017-2018, we invested time and resources to strengthen efficiency and expertise of our personnel in the areas of justice and corrections. We also trained community members in key areas to make our communities safer.

### Training Curriculum

Last year, the Department offered a number of different training sessions adapted to the role each staff member plays. On a yearly basis, we offer mediation and conciliation skills, facilitation, community dialogue and other forms of client intervention. Our goal is to have trained frontline resources in each community to resolve interpersonal conflicts who have knowledge of underlying human identity needs when working with our clientele. For example, this year, we offered to our staff *Dealing with Difficult Situations and People, Time Management and Records Management, Report & Business Writing*. These training sessions were specifically chosen because they corresponded with identified needs of our staff to successfully and efficiently help our clientele.

### CICR and Conflict Resolution Coaching

The Canadian Institute for Conflict Resolution (CICR) training is offered in partnership with the Department of Justice and Correctional Services. This essential training helps individuals and groups to recognize and acknowledge the underlying needs of people in conflict,

and to empower them to find solutions for their issues. It is about engaging with, and building the capacity of the people we work with in the community to help them deal with difficult and often highly stressful situations. It encourages individuals and organizations to resolve conflicts without external or adversarial mechanisms that take the power of resolution out of their control. The approach of dialogue, coaching, creating neutral processes, and conciliating with people follows principles and values in Cree society. The program is designed to prepare participants for their actual work in the Cree communities.

The partnership between us and the CICR allowed us to adapt the program to reflect the needs, realities and ways of Crees. The Cree conflict resolution program has run successfully for the past seven years, resulting in over 100 Crees in the Department, justice committees, partner organizations and local governments developing the skills to intervene locally to de-escalate emerging conflicts. As well, the partnership has led to members of the Cree Nation co-teaching the lessons, which means that the concepts and discussions have now migrated to the Cree language. Each year, an Elder has participated as well, this adding to the integration of Cree values and knowledge. It is amazing how the concepts and understandings become clearer when taught in one's own language.

Beyond the core program, advanced conflict resolution programs have been offered to those who work at a deeper level dealing with conflicts. With this, the Department has been engaging in mediation exercises with Cree organizations, and has established a new level of work and understanding on conflicts that arise. A new offering in conflict coaching has also been introduced. Individuals are coached to find solutions to personal or professional

conflicts. It is specifically for people who work closely with individuals with a serious conflict that often immobilizes them and keeps them from moving forward.

In all aspects of its work, the Department is committed to empowering individuals and organizations with skills and processes to deal with conflicts. The option of an adversarial system remains available, but a community-oriented approach to conflicts is preferable, as it leaves the power over the solution in the hands of the people.

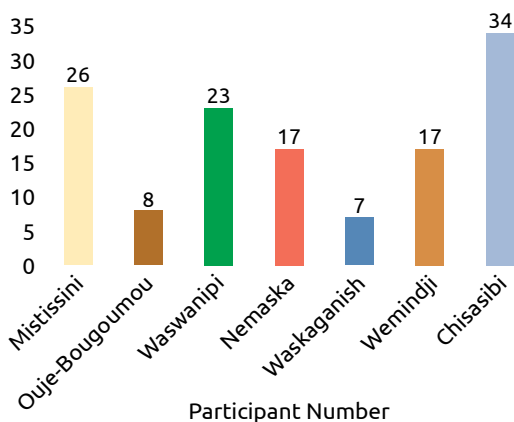
To this end, Community Dialogues have also started last year in some communities. The facilitator meets with local leaders and establishes a core group to start a process for community discussion. The subject matter discussed can be anything the community finds important enough for key individuals or groups to come together. This type of engagement is important at times when communities may be divided on issues or at loss with the steps to be implemented to move forward. The process was first introduced by Vern Redekop from Saint-Paul University who has worked extensively with communities around the world, including our own.

### Violent Threat and Risk Assessment Level 1 Training

In an effort to enhance community safety in the Cree Nation, the Department has funded a number of workshops in Violent Threat and Risk Assessment to develop skills in frontline individuals internally and from partner organizations, such as the EEPF, Cree School Board, and Cree Health Board. The training helps the individuals assess the level of risk for a violent incident to occur in the community by recognizing a number of indicators of escalating behaviour.

Tom Connolly from the Canadian Centre for Threat Assessment & Trauma Response provided a 2-day training session and our Prevention Program Officers (PPO) helped coordinate training in seven (7) Cree communities this past year. This means that 132 participants from the Department and from various Cree entities within the Cree Nation have acquired certification and skills in trauma intervention and threat assessment.

#### Demographic of participants trained



Participants gained a comprehensive understanding of the effects of serious violence on human systems, as well as effective methods for assessing threats and identifying appropriate interventions that will prevent an escalated level of violence. Although most threats do not result in violence, every threat must be taken seriously. Participants learned that contrary to the widespread belief that “no one just snaps,” there are recognizable signs when someone is moving along a pathway to violence.

## COMMUNICATIONS

### Websites

The Cree Nation Government launched a new website ([www.cngov.ca](http://www.cngov.ca)) this year. It includes an easily accessible section on the Department of Justice and Correctional Services with useful information for the public. This is consistent with the mandate to provide more information to the public in the area of justice and corrections services.

The Department keeps expanding the platforms it uses to reach the largest demographic in the Cree Nation. This year, the Department’s website was also modified. We have strategically positioned the court calendar, the CAVAC community visits, and relevant current news items. The Department has also been making a number of videos on the services it provides, and on issues of importance in the communities. These videos, produced in Cree and English, can be viewed by interested individuals on their computers, smart phones, or other devices.

### Other Platforms

The Department regularly uses Cree radio to advertise events and to discuss topics of interest related to justice and community well-being. Radio is an important vehicle of communication in the Cree Nation as it supports the transmission of language and culture. We remain committed to utilizing this valuable resource.

To inform the public, we also use print media, such as news magazines, pamphlets and other printed material we create. All are available at each local Justice Facility. Furthermore, the Department manages two Facebook pages – one on the Cree Stop Now And Plan Program, and one on the Cree Alternative to Suspension Program. They target the public using social media and are used to share information and to post events related to these programs.

### Internal Communication: Our newsletter

The Department aspires to offer to its employees a well-structured and enjoyable work environment where staff members are informed. They can, in turn, inform the public of services, events and developments. In 2017-2018, the new departmental newsletter was launched. Rightfully named *Justice Dialogue*, the objectives of this new tool are to:

- contribute to strengthening communication within the team, by having an ongoing internal dialogue,
- increase knowledge and awareness about what the Department has done, is doing, and is going to do,
- increase comprehension of the organizational orientation, as well as introduce any new services, pro-

grams, policies, procedures, and laws,

- strengthen the team's engagement to offer the best services to the Cree Nation.

### Awareness tools

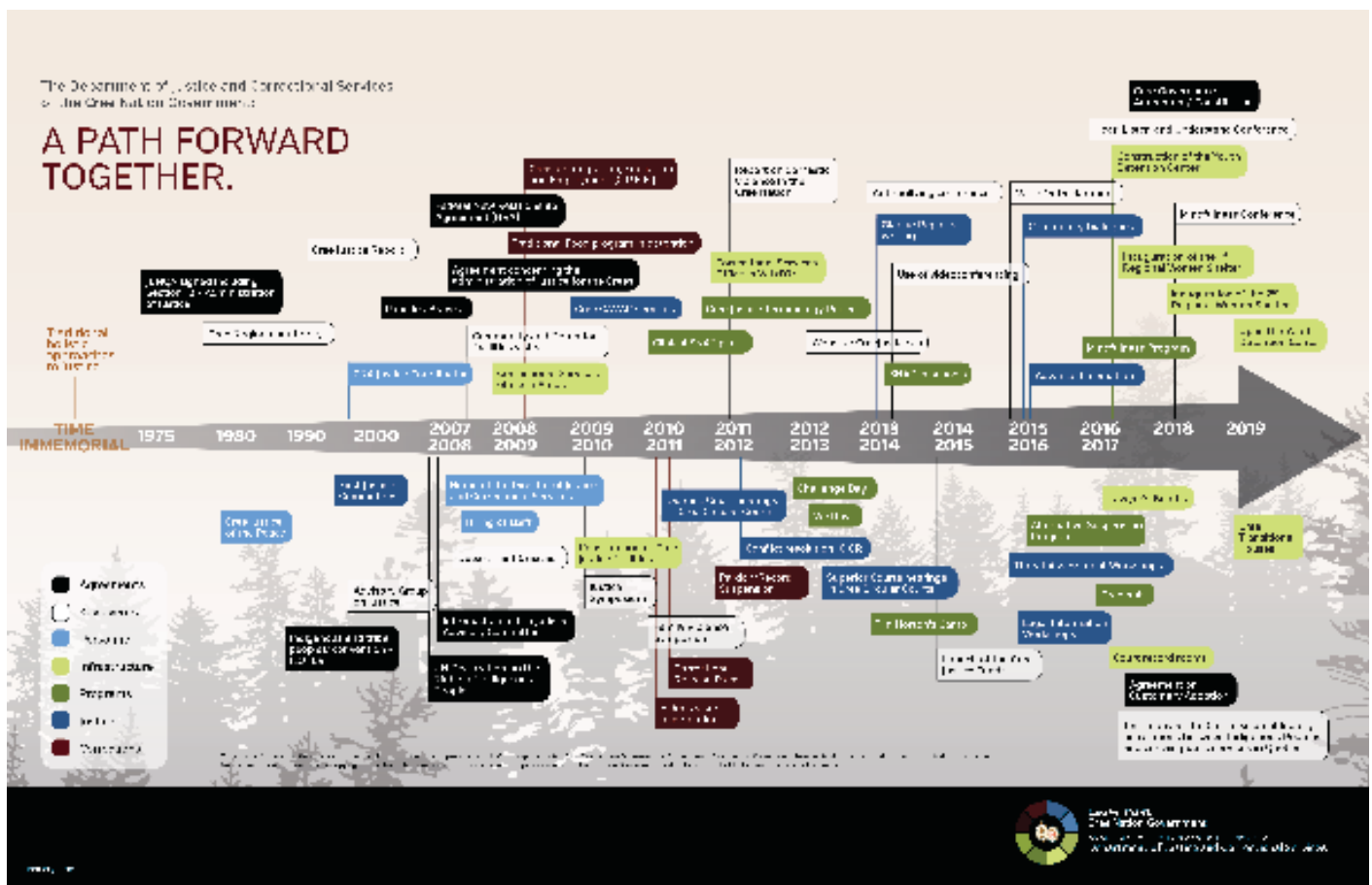
In December 2017, the Department created new Awareness tools to mark the first 10 years of our working together for equity, justice and stronger communities. Presented in a folder, each of the five (5) tools provide an overview of the work performed by the Department. The first, titled *A Path Forward Together*, presents a timeline summarizing the milestones of Cree accomplishments since 1975, from the signature of the *James Bay and Northern Québec Agreement* to today. On the reverse side of the timeline, key statistics give an overview of the activities and services provided by the Department. The number of interventions and clientele served is impressive and this is only possible because of the breadth and commitment of the staff in justice, corrections and victims services. This first tool makes it possible at a glance to see what we do.

The other four (4) awareness tools focus on the work performed by each of the Department's units. One tool

outlines the work we do in corrections, reaching out to the clientele wherever they are, and providing support and services that we introduced which never existed before. We regularly visit our community members, and provide services in Cree culture and language. Another tool describes the services provided for justice, such as the Gladue reports we produce to change the way courts sentence Cree members, the work of justice committees which allows for more cases to be heard by a local body, and the use of videoconferencing for youth protection hearings to reduce hardships on families and individuals. A third tool features victim services, and how support is provided through over 100 visits per year in all the communities.

The final tool focuses on youth engagement and on their programs. It describes the early intervention and support we provide to youth, creating an environment that allows them to grow, learn, change and focus on the goals they wish to achieve. These toolkits are used with staff, partners, communities and governments to raise awareness and bring about a dialogue on justice and our services so that we can continue to build important services in the Cree Nation.

*The first of the five awareness tools, showing the milestones of accomplishments since 1975*





*(From left to right) Kenneth Gilpin, Frédéric Desrosiers, Denis Blanchette, Chair Daisy House, Deputy Grand Chief Mandy Gull, Irene Neeposh and Donald Nicholls at Opening of Robin's Nest, Cree Regional Women's Shelter (missing Jacques Prigent, Hughes Tremblay, Nathalie Ouimet, and Claude Turgeon)*

## KEY PARTNERSHIPS IN NATION BUILDING

The Department continues to develop and establish key partnerships with the Cree School Board, Cree Health Board, Cree communities and other organizations to provide a network of support and collaboration in the Cree Nation towards common and complementary goals. For example, the SNAP Program and Alternative Suspension, as well as Camps, We Days and conferences are done in collaboration with the Cree School Board. On other occasions, we work closely with the Cree Health Board in the area of Youth Protection, domestic violence, mental health, addictions and youth healing services.

The Department also partners with the Cree School Board for the funding of the Mik Chiyam arts concentration program delivered in four communities in Eeyou Istchee – Nemaska, Waskaganish, Chisasibi and Mistissini. The portion of contribution from the Cree Nation Government is to fund activities with high-risk youth who would benefit from a program of this nature. Art therapy is a recognized discipline that provides support for people who may come in contact with the justice system. A researcher is working closely with the program to recommend measures for improving the positive impact of the youth program.

### Community Hub

The Department, the Cree Health Board, the Cree School Board, the EEPF, local leadership and youth cre-

ated a Community Hub in Mistissini, using funding from the ACCESS network which aims to provide support for youth with mental health issues in remote areas. The HUB is a model we would like to replicate in all communities. Actors from the key services come together to review situations emerging in a community that could grow and cause larger issues. The Hub reviews the issue to determine if it is serious enough to warrant multi-organization collaboration. It then decides which agencies should work together and requires these agencies to report back on any issue that was referred to them by the Hub.

### Women's shelters

In September 2017, Robin's Nest, the first Cree regional women's shelter located in Waswanipi, was opened. It was built by the Cree Nation Government, while the delivery of services will be primarily assumed by the Cree Health Board as a result of a partnership and Framework Agreement between the Cree Nation Government and the Cree Health Board signed in 2014. It was a long process and took the collaboration of many partners to look at a design suiting the needs of the Nation. The second regional shelter will be opened in Waskaganish in 2018. The shelters are meant to provide a safe and engaging environment for women and their children to continue on with their daily lives, while healing, growing, and learning. At the shelter, we are in a position to provide to our own people services in their own language, culture and within traditional lands.

### Building a Youth Facility

With a similar concept in mind, the Cree Nation Government is building a Youth Healing Facility for Cree youth in Eeyou Istchee. The Crees as a Nation will provide services to their own within the Cree traditional territories using their language and culture. There were years of consultations and visits of similar centers before a concept emerged which suited our needs. The center, located in Mistissini, will balance traditions, safety, learning, healing, and will also provide essential tools for the future. It is an investment in our people, organizations, and capacity to provide services at a higher and more culturally appropriate level. Ground breaking for this facility took place in September 2017 and its construction will be completed in 2019.

The Department and key partners continue to have discussions on complementary collaborative services to maximize the impact we can make on individuals, families and communities. As the old proverb says: “you can run faster alone, but together you can go much further”. The delivery of services will be primarily assumed by the Cree Health Board/Director of Youth Protection as a result of a partnership and Framework Agreement between the Cree Nation Government and the Cree Health Board signed in 2016.

### CAVAC: Support for Cree Victims and Witnesses of Crimes

Cree CAVAC (Crime Victims Assistance Center) is one of the additional frontline services that makes the justice system more aligned with our values of inclusiveness and community-oriented delivery. The Cree CAVAC

Officers provide a number of support services in the Cree communities. They travel regularly with the Court of Québec to provide support and guidance for victims, their families and witnesses throughout the proceedings.

They have offices in Mistissini, Eastmain and Chisasibi, and visit all of the Cree communities more than one hundred (100) days per year for office hours. The officers have provided services to more than 233 individual victims of violence or their relatives. As the communities are small, the victims or witnesses may also be related to the family of the offender, or even the CAVAC officer. So, having a team of three allows us to work effectively when dealing with conflicts that arise naturally out of closely connected communities.

The delivery of CAVAC services is unique to the Cree Nation in the traveling, its adaptation of approach to victims and witnesses, and the ability to provide support on site by trained Cree professionals. Having Cree employees providing these essential services supports the healing of individuals and families and helps acknowledge the harm and grief caused by a criminal act in the community. From there, people can start a process of healing.

In January 2018, the Department of Justice and Correctional Services took part in Montreal in the Québec province’s celebration marking the 30th anniversary of the creation of the CAVAC. The Minister of Justice, Stéphanie Vallée, gave recognition in her speech of the outstanding work the Cree CAVAC offices are doing to provide quality services and coverage of a large geographic area of Québec (Eeyou Istchee.) In 2009, the Department of Justice and Correctional Services hired its first of eventually three Cree CAVAC officers to deliver specialized services in Cree to crime victims or witnesses and

*The Youth Healing Centre under construction*





Minister Vallée at the 30<sup>th</sup> anniversary of the creation of the CAVAC

## COURTS AND COMMUNITY JUSTICE

### Court Statistics

Each year, the Department, through its justice facilities built and operated by the Cree Nation Government, hosts the itinerant court services within the Abitibi judicial district of Québec. In all communities, itinerant courts can hear cases under the Court of Québec, including the Criminal and Penal Division, Civil Division, Youth Division and Small Claims. The justice facilities can also host sittings of the Superior Court of Québec, and there are special By-Law Courts. In the past year, we continued to be vigilant in providing services and ensuring that their delivery reflects usages, customs and psychology of the Cree, as per Section 18 of the *James Bay and Northern Québec Agreement* on the Administration of Justice for the Crees.

Statistics presented in this report show various trends regarding the number of files opened in the courts over a ten-year period (2007-2017). They are provided each year by the Judicial District of Abitibi office in Amos. While the level of activity may fluctuate by year, the statistics give an overall sense of the number of cases in criminal law, youth protection, by-laws, provincial statutes, and federal statutes the courts see in a given period. The fluctuations may be due to increased policing resources, new laws and by-laws, crime prevention programs, intervention and diversion initiatives, awareness campaigns, or an increased sense of community involvement. So when reviewing these statistics, one might think of what local and regional activities may influence the increase or decrease of numbers. As a society, we decide what level of activity is acceptable given the resources we have to devote to them, as opposed to other areas we are concerned with.

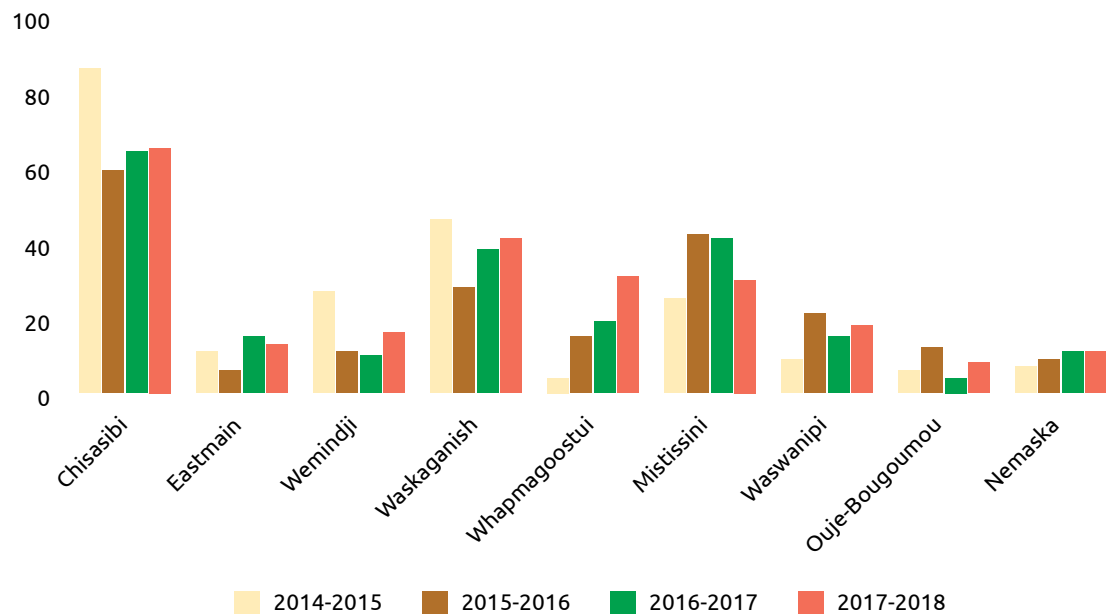
The 2017-2018 year was another busy Court year. In the latest statistics from the Court of Québec, the number

to their families, regardless of whether the perpetrator of the crime has been identified, arrested, prosecuted, or convicted.

In 2017-2018, the CAVAC officers also took training and established a connection with a national organization on Elder issues. More specifically, they looked at issues such as Elder Abuse, attending a conference and meeting with other communities in Canada with similar issues and realities.

There continues to be a focus on domestic violence in the Province and our territory. Most recently the Government of Québec has been looking at sexual violence and harassment. These are areas that the Cree CAVAC offices will also look into to develop more support and awareness.

### CAVAC services provided to Cree victims and witnesses of crime (by community)





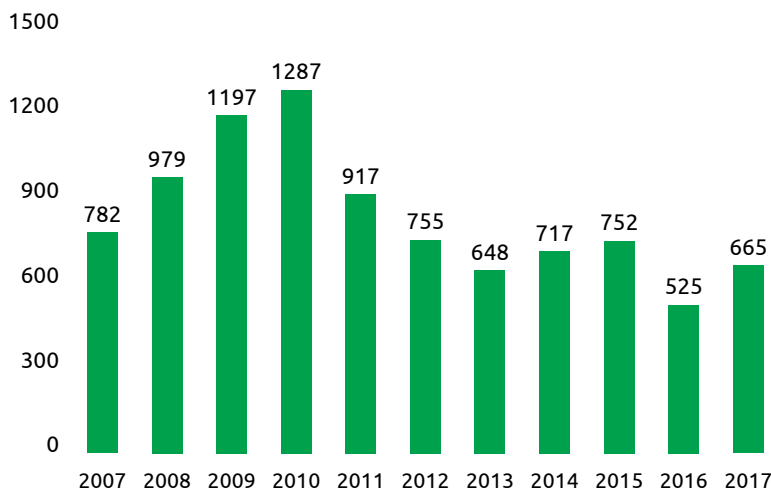
of files opened were as follows: 665 files regarding criminal cases, 126 files regarding federal statutory offences, 173 files regarding provincial statutory offences, 43 files regarding young offender cases, and 445 files regarding cases involving Cree community laws being heard. This does not include any civil law cases heard in the 9 Cree communities. In total, there were 158 court dates of all types of offences heard during the year.

The court schedule has increased in response to an increase in caseload, more so in the last few years. Previously, cases could wait too long in the criminal justice system. When cases are heard in the Cree communities, the judges and crown attorneys, by looking at the caseload, determine which cases are to be heard in priority. This prioritization may mean that other cases of lesser offences may take longer to be heard. In such situations, the Department can impress upon the courts to add more court

dates to hear all cases, and when citizens contact us over the long periods between charge and appearance, the Department can address the subject with the judiciary and crown attorney's office. Timelines of justice are important for individuals, families and communities to move forward after incidents that may have caused harm. This fact has been highlighted in court decisions, in a recent Senate report, and elsewhere.

The Cree Nation Government hosts courts in its justice facilities, it supports local justice committees' agreements with the crown attorneys to hear cases locally; and it has made available in justice facilities videoconferencing equipment to provide more accessible and timely justice in the Cree communities. The Department continues to work towards having Cree judges and courts put into place in the future to better accomplish this task as well as other objectives.

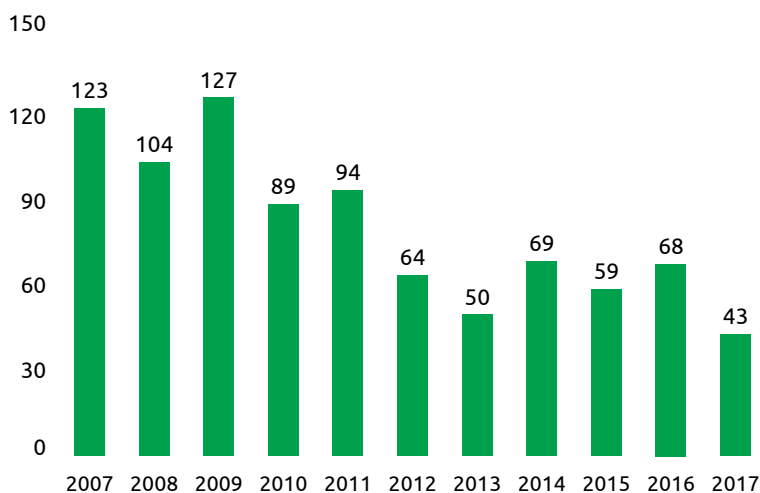
### Evolution of the Number of Criminal Offence Cases



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

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

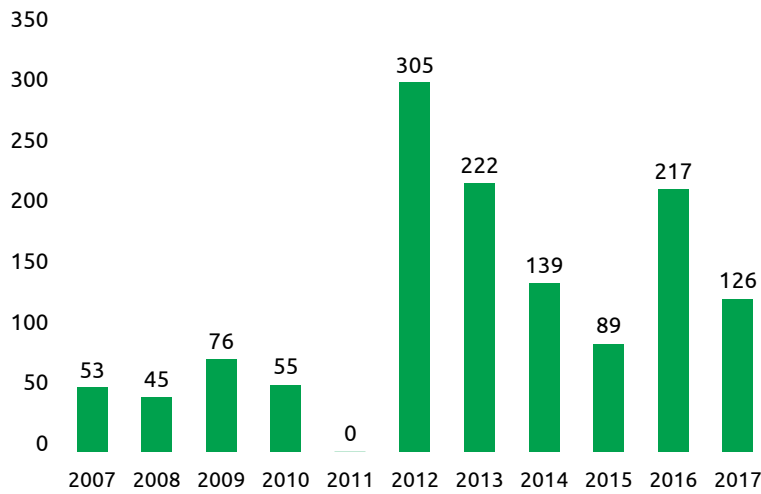
### Evolution of the Number of Young Offender Cases



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

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

**Evolution of the Number of Statutory Offence Cases (Federal)**

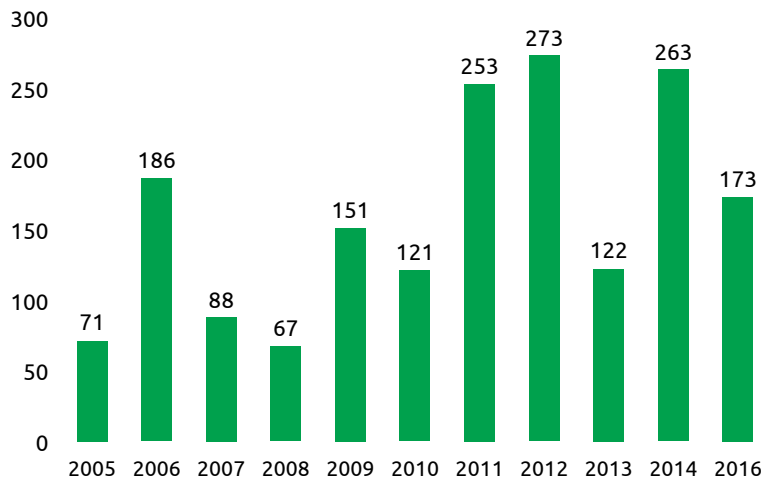


Statutory Offences (Federal) include the files opened for offences under federal statutory laws, other than *Criminal Code*, such as:

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

Offences mostly committed by non-Cree

**Evolution of the Number of Statutory Offence Cases (Provincial)**

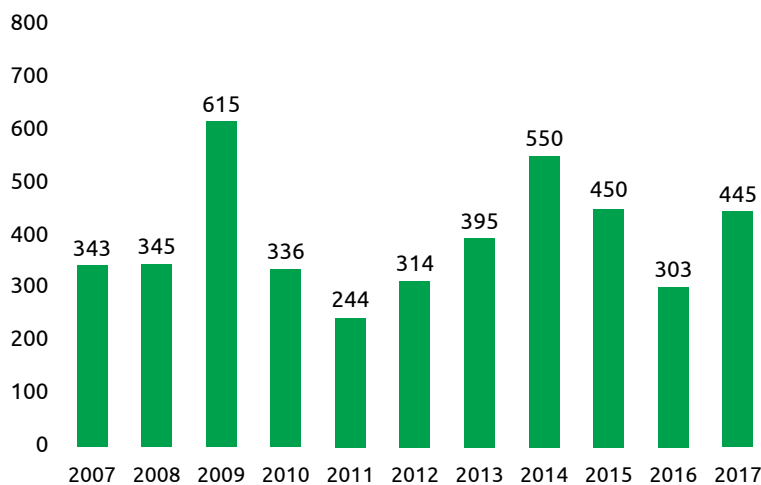


Statutory Offences (Québec) may include files opened for offences under Québec statutory laws and regulations, such as:

- *Highway Safety Code*
- Laws and regulations regarding fishing (provincial aspects, e.g. fishing license, period, catch). May also include offences under Regional Municipal by-laws
- By-law No. 148 concerning Safety, Peace and Order (e.g., use of firearms across or towards a road)
- By-law No.149 concerning Nuisances (e.g., eviscerating and leaving animal carcasses on the road or on a snowmobile trail)

Offences mostly committed by non-Cree

**Evolution of the Number of Community By-Law Offence Cases**



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

- Nuisance
- Road Traffic
- Alcohol
- Curfew



*Videoconferencing in our Cree circular courts*

### **Videoconferencing**

Videoconferencing technology is an important tool for connecting our people and processes. The secure fiber optic network, known as the RITM, allows for faster and more secure communications. This means that highly confidential processes, like court hearings, lawyer-client conferences, professional sessions, and other such meetings, can take place without having to travel to be present in person. This is a great advantage, considering the large geographical area of the Cree territory. Actions can in this way be carried out in a timely fashion and without substantial costs.

Allowing for a trial or testimony to take place locally by videoconference also reduces stress for the youth and their families, and minimizes the overall costs of the procedure. In Youth Protection alone, there were more than 88 videoconference hearings throughout the Cree communities in the past year. This translates into huge savings for the Cree Health Board, the courts, the police, families, and individuals, not to mention timeliness and the reduction of stress.

We continue to use videoconferencing to bring together staff without travel, for meetings and workshops, to reduce costs and maximize the use of our resources. We have also encouraged partners in the community to take advantage of this technology, using the simple and easy to follow operations guides that we produced. It was an investment for the Department that now allows local organizations to allocate resources into other areas. It constitutes a good example of how much we can do, as a Nation, with what we have.

### **Gladue Reports**

The Department has devoted time and resources to the production of Gladue Reports within the Québec justice system. Gladue Reports look at the social, cultural and historical background of an Aboriginal offender before a court hands down a sentence. This allows judges to determine an appropriate sentence for an offender and look at measures that do not contribute to the overpopulation of Indigenous Peoples in the corrections system. At present, there are more Indigenous people in detention per capita than non-Indigenous even though Indigenous people only comprise a small segment of the national population.

The Government of Canada in the 1990s made amendments to the Criminal Code and introduced paragraph 718.2(e) to provide an environment where judges could look at alternatives to placing more Indigenous people into detention. Further, the Supreme Court of Canada in the Gladue decision made it a requirement that judges consider alternatives to incarcerating Indigenous offenders. A Gladue Report requires extensive work to complete since offenders, family members and other key resources are interviewed in the community. This report is then used to recommend a plan of action that balances the objectives of Gladue to reduce Indigenous People in detention and the best interest of the public in the community.

The Department trained 13 more staff and community justice members on Gladue Report writing in February 2018. Gladue Report writers must receive training and be accepted as such by the Ministère de la Justice du Québec. In the past year, 18 Gladue Reports were prepared for Cree members going through the justice system. Some of the Gladue Reports produced in the Cree Nation have been cited in decisions in other parts of Québec.

## JUSTICE A PART OF THE COMMUNITIES

### Community Justice Committee

The Department continues to hire and promote employees locally; our staff members are part of their community and they strongly root our services by their understanding of the local specificities. This profound understanding of the context and of the nuances allows the Department to offer the best adapted services and to continuously improve its ways. Our local staff members have the knowledge of trends and issues and can guide us in offering additional support and well-adapted local activities of great value.

Furthermore, the eighty-five (85) members of the Community Justice Committees, the independent bodies composed of volunteers present in all nine communities, assist the Department in the administration of justice at the community level, and in restoration, when affected members reconcile or right the wrong. The mandate they are given, as part of the CJC, is to improve judicial outcomes and safety for all people in the community. In 2017-2018, 20 were elders and 15 were youth.

This year, Community Justice Committees met with more than 196 individuals through crown, court or other types of referrals to decide on the most appropriate course of action in accordance with Cree justice. When offences are less serious, through agreements and a funding arrangement, a local Community Justice Committee may take over a case to be handled within the community. This contributes to the reduction of the over-representation of Aboriginal Peoples in detention, reduces the types of cases that have to go to courts, and gives the local community a voice in how justice is done locally.

The Community Justice Committees are trained to handle cases for adults and youth, and can require an individual to complete a number of actions in order to dispense with their case. One of the members manages files so that cases can be diverted by the Crown Attorney to the committee rather than going through the court system. Sanctions can include retributive, restorative, and conciliatory actions. The Committees help youth and adult offenders take responsibility for their actions and repair harm created locally, and are active in the prevention of crime and victimization.

### Justice Symposium

The skills of the Community Justice Committees (CJC) need to be continuously evolving to improve their overall effectiveness and ability to support a system that integrates Cree values, language and understandings. It is even more important to develop the CJC members when one understands how their role is pivotal in the local delivery and accessibility of a justice system that integrates and respects Cree values and way of life. It is also important since these bodies represent a traditional form of justice unique to the Cree, and they give voice to community-oriented justice solutions.

Last January, 44 Community Justice Committee (CJC) Members and Community Justice Officers (CJO) coming from all nine (9) communities participated in a three-day symposium organized by the Department of Justice and Correctional Services. Since their role is key in improving judicial outcomes and community safety for all Crees, they were offered a multi-faceted program, including presenters from different spheres.

*44 Community Justice Committee (CJC) Members and Community Justice Officers (CJO) attended the Justice Symposium*



Gayle Desmeules, Métis, Master of Arts in Leadership and Training, and a residential school survivor, discussed *Decolonizing our Spirit: Reconciling Relationships*. She explored with participants the meaning of decolonizing our spirit to reconcile and promote healthy relationships. Those present got acquainted with the power of listening, and compassionate witnessing process, to create space for deeper dialogue. CJO and Committee members also experienced peacemaking circle exercises with her, which can be adapted in their community restorative justice program.

To heighten participants' awareness on the ongoing Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress, Stella Masty-Bearskin, Aboriginal Liaison Officer with the Commission, made a presentation on the ongoing exercise which should be concluded next year.

James Bobbish and Mathew Sherrard presented an overview of the new provincial legislation on customary adoption and guardianship (Bill 113) as well as on proposed options for implementation of this regime for Eeyou Istchee. This is the result of many years of negotiations and work with Québec by Cree organizations and by other Indigenous groups. It represents a recognition and integration of Cree traditions and practices in the areas of adoption and guardianship. In Cree society, arrangements are made between families, and children would be raised by families and in environments most beneficial and appropriate to their needs. Customary adoption and other forms of customary care, such as customary guardianship, have been done for generations in the Cree Nation and the legislation, which will come into effect in June 2018, provides a way to affirm and clearly recognize the legal effects of practices and customs that already exist within the Cree communities. This is an example of how, as Nations, we move beyond ideals or principles imported from other societies that do not always align with our definitions of what is in the best interest of the child nor in recognition of long-standing traditions in the Cree Nation.

The symposium ended with Robert Auclair, Director of Youth Protection at the CBHSSJB, who was present this year to talk about Second Line Services and the Network of Services developed with key stakeholders to ensure that quality services are offered for youth. Nicolas Bigué-Turcotte, Crown representative of the Directeur des poursuites criminelles & pénales, and Sabrina Girard, lawyer with Cain Lamarre, clarified for the CJC members and the CJO the overall functioning of the Court process.

### Relationship Workshop

The justice committees provide a host of programs throughout the year that brings clients and community members together to build relationships and deal with key issues. These events can include traditional activities with at-risk youth, crime prevention weeks, and specialized workshops. One of these workshops was the Relationships Program, which was offered in February 2018 by the Whapmagoostui Community Justice Committee.

The workshop was given by Kelly Parnett, working closely with Ruth Masty. It examined the relation-

ships we have with ourselves and others. It also looked at intergenerational trauma, and the impact of violence in relationships. Interpersonal violence has been one of the most prevalent issues in the communities. Intimate partner relationships can become complicated when chaos, substance abuse, domestic violence, incarceration and skewed beliefs play a part. The relationships program looked at these elements and helped participants find a better way to interact with each other. In summary, the program brought a unique level of healing to the community and met the participants' goals. It would be useful in other communities as well.

### PROGRAMS AND SERVICES INSIDE AND OUTSIDE DETENTION FACILITIES

The Department is pleased to welcome this year Losty Mamianskum as the new Coordinator of Corrections. Losty has been involved with our Department for a long time and was previously community reintegration officer in Whapmagoostui.

In 2017-2018, corrections liaison officers, corrections release support workers, community reintegration officers, and accredited Elders and counselors visited Cree individuals in provincial and federal detention or halfway houses on a regular basis. Counselors and a Cree psychologist also make regular visits to Cree individuals to offer support and guidance, and do needs' assessment.

This year, our psychologist almost doubled the number of visits she made to detainees in Federal Corrections Services penitentiaries (61 visits). She also went to the Provincial Public Security Department detention centers 32 times, visited half way houses 11 times and met individuals in their communities for 104 follow-up sessions. The feedback the Department gets is that clients appreciate the fact that the Department's psychologist offers services in Cree. This allows them to express themselves in their mother tongue to address challenges and start healing.

The land plays a strong role in the healing process. We bring the land to detainees, in the form of traditional foods. It is a way to feed them physically, emotionally and spiritually. The traditional food program is about building trust, understanding and contributing to the recovery process for Cree detainees who will reintegrate in our communities in the future.

Last year again, we brought more than fifty (50) meals to Cree detainees, and we also share with other Aboriginal and First Nations detainees in the same facilities. It helps our clients connect back with their values, teachings and traditions and reminds them of what is important, and what could be done with better choices.

Workshops on addiction and violence are offered to detainees to ensure a thorough healing process and future reintegration in a Cree community. Our Cree corrections staff continue to work with detainees on their holistic reintegration and release plans. The document identifies the different relevant resources within a community that will be present to support a person in this transition. The Cree detainee has a chance to express goals for the future that are attainable when following their release plan.

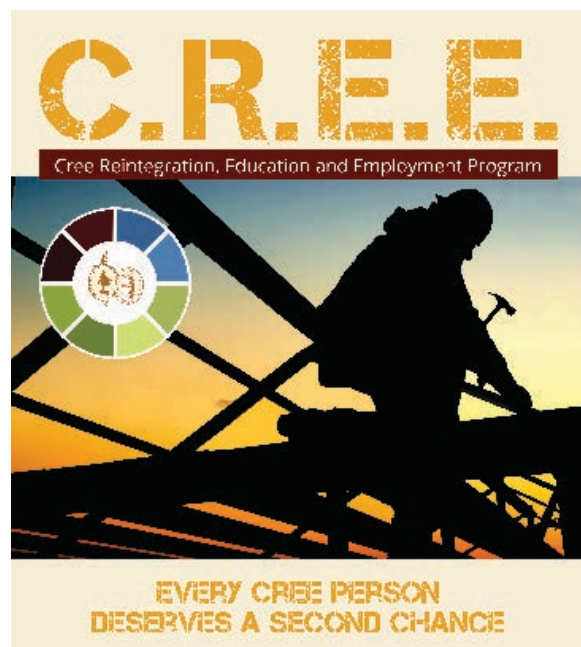
## CREE Program (Cree Reintegration, Education, and Employment)

At the community level, the Corrections unit in partnership with CHRD started delivering the CREE program, which stands for Cree Reintegration, Education, and Employment. The goal is to support individuals who face significant barriers to employment because of a criminal record. By facilitating these individuals' successful reintegration into Cree Society, the program strives to break the cycle of criminal behavior and empower individuals to lead productive lives.

The program was launched in Waswanipi, Ouje-Bougoumou and Waskaganish in January 2018. So far, there have been 21 participants in the three communities. The local Community Reintegration Officer works with participants and offers some skills certification to make them more employable. For example, the workshops included Microsoft computer training, boat licensing, first aid/CPR, construction safety, and financial skills. The Corrections Administrator and Coordinator of Corrections provided support in the implementation of this reintegration programming.

The Department continues to accompany detainees in detention to hearings, and translating for our clients when needed. As our staff has extensive knowledge of the functioning of the correctional system, they also help families in need on a variety of topics: how to visit their loved ones, how to check on their welfare, or when there is important news that needs to be conveyed. The staff is also involved in requests for compassionate leave.

Furthermore, year after year we do a number of intakes with Cree detainees. This was the case this year as well. These intakes allow the Department to collect valuable information. With it, we identify the needs of the offenders, which in turn allows us to offer targeted programming, either in the facilities or after release in the communities. It is also an opportunity to establish a dialogue with detainees and build a wider circle of support and services based upon it.



## Cree Justice Funds

Through the Justice Agreement, Québec provides funding to the Cree Nation Government to facilitate and improve the administration of justice for the Cree and for initiatives related to the justice system, pursuant to Section 18 of the JBNQA. Consequently, the Department set up funds four years ago to help community members implement initiatives aimed at reducing criminal activities, creating environments for rehabilitation and reintegration programs, creating safer communities, engaging communities and youth to partner in solutions, and providing initiatives to address issues of concern across Eeyou Istchee.

Each of the four funds has a specific objective:

- The Crime Prevention Fund aims to prevent and combat crime and support the creation of safer communities.
- The Youth Engagement Fund aims to empower Cree youth while promoting general welfare.
- The Corrections Fund is established to support rehabilitation and reintegration of Cree offenders.
- The Land Based Camps Fund seeks to build land-based camps to support justice-related activities and rehabilitation of Cree offenders.

Sub-Committees of the Judicial Advisory Committee (JAC), created to assist with the review of applications for the justice funds, review the projects presented and offer recommendations as to which projects should be approved as well as final funding amounts. This recommendation then goes to the Cree Nation Government for final approval.

In 2017-2018, 28 applicants submitted projects, and 18 projects were accepted: in Crime Prevention (7), Correction (1) and Youth Engagement (10) Funds. Through these applications, we recognize the willingness of Cree applicants and organizations to actively participate in prevention, engagement, intervention, rehabilitation and reintegration. It is our philosophy, as incidents have an impact on many parts of a community, to establish partnerships and collaborative approaches in prevention or reintegration. As we are partners in our education and health care systems, we strongly believe that involvement with community organizations and members has a great impact on the safety and welfare of our communities.

All selected initiatives have to meet the requirement of reflecting Cree values, ways of life and culture. The Corrections Fund, for example, has run successful programs on training and reintegrating offenders into a local economy, while giving back to the community where harm might have occurred. Furthermore by having Elders speak and interact with the offenders, and by conducting traditional activities, such as fishing or hunting, we help youth learn about and engage in their culture and identity. It also teaches alternative healthy activities for young adults. Through this type of involvement, we give them alternatives to crime and recidivism. These activities also allow participants to discuss decisions they have made in their lives.

This year, 10 projects were accepted in response to submissions for the Youth Engagement Fund by local



*Youth and other participants learning the traditional skills of birch bark biting*

youth councils, sometimes in collaboration with other communities' youth council. The key to success remains the reduction of high-risk activities, raising awareness on issues, and integrating Cree culture and values. This often involves the pairing of youth with Elders, which creates bonds and networks for the youth and gives Elders an occasion to transmit Cree values, culture and way of life. Projects have included canoe brigades, camps, workshops and special artistic projects led by Cree youth themselves. The projects empower them to address issues impacting them within the communities and builds a sense of leadership and ownership of the objectives.

### **Birch Bark Biting**

In the 2017-18, the Ouje-Bougoumou Youth Department, in association with the Aanischaaukamikw Cree Cultural Institute (ACCI) and in collaboration with the school, submitted a project to the Youth Fund. This project was aimed at children ages 10-12 and their caregivers in the hopes of attracting those involved in previous episodes of vandalism in the community. It was also open to all unaccompanied youth aged 13-35, as well as Elders.

Birch bark biting is a traditional art form practised by the Cree, Ojibwa, Odawa and other Algonquin peoples. Using the canine teeth to bite, pressure can either imprint or pierce the lace thin white sheets of bark into a preconceived pattern or design. In total, fifty-one participants, youth, adults and elders, took part in the four workshops.

An unexpected positive outcome of the birch bark biting workshops was the atmosphere and the positive exchange which took place between Native and non-Native female members of the community. By participating in the activity, non-native teachers showed their engagement. As the workshop was held in Cree, the students helped the teachers to understand the process and the story behind how the facilitator came to practice the art. It allowed them to see the importance of preserving their language and culture while participating in oral history sharing.

### **From schools to communities**

One of the very successful Crime Prevention projects is called *From schools to communities*: A youth engagement program to encourage school perseverance and reduce juvenile delinquency. Ran by Youth Fusion, it involved 5 different projects in 7 different schools, for a total of 1,048 youth. Through this initiative, we are contributing to the creation of a safer community by offering alternative activities to high risk behaviours, and helping to reduce the risk of youth coming to the justice system.

Some of the key achievements linked to this series of projects include students who are now beginning to have an open dialogue, youth developing better behaviours and more self-confidence, the hiring of local animators who are in tune with Cree culture, the introduction of Healthy Day (Healthy lunches) and healthy habits, the decrease in bullying, the development of a sense of belonging in their school and community, the creation of student council, etc.

The Department continues to build through these funds upon the establishment of the relationships with community partners. As illustrated, they serve a need, helping community members, as well as regional entities, to initiate projects and build strong networks aimed at the prevention of crime, rehabilitation, awareness, and reintegration with a connection to Cree land, values, and traditions. We encourage people to apply, and you can learn more about the funds at [www.creejusticefunds.ca](http://www.creejusticefunds.ca).

### **PREVENTION FOR A BETTER FUTURE**

A forward investment of the Department of Justice and Correctional Services is to ensure safe and healthy communities through the prevention of crime and victimization. The Department therefore invests a portion of its resources and time to working with children, youth and adults at early stages of interventions in order to reduce their interactions with courts and corrections down the road. Preventative measures, such as educating, building awareness, intervening and engaging youth, are a priority that we have discussed with communities, Elders, and our partner organizations.

Through programs and activities that rely on the use of the land, Cree culture, language and tradition, we empower our People at an early age to acquire or strengthen protective factors necessary to make healthier decisions and to reduce their likelihood of coming into contact with the justice and corrections systems, leading to positive changes in their lives and making our communities safer and stronger. The ultimate goal is to reduce harm caused in individuals, families and communities to make a stronger and more vibrant Cree Nation.

### **SNAP® (Stop Now and Plan)**

STOP NOW AND PLAN (SNAP®), the evidence-based, cognitive-behavioral program developed by the Child Development Institute (CDI) in Toronto, helps children regulate angry feelings by getting them to stop, think about the consequences of their behavior, and plan positive alternatives before acting impulsively. It teaches life skills that everyone could use in coping when con-

fronted with difficult or frustrating situations. It goes beyond the skills by building positive and supportive relationships with the children, and introducing positive experiences based on good values in their lives.

The Pitimaa Maamituneyiht SNAP® Program began as a three-year pilot project and was the first SNAP® in the world to be offered in remote locations. Pitimaa Maamituneyiht or *think before you act* has proven to significantly lessen the number of suspensions and expulsions by training children to deal with conflict in a healthy manner, rather than acting on impulse. When children cannot cope with their anger and anxiety effectively, their ability to learn new skills and absorb knowledge is inhibited. Thus, SNAP® can also help children learn more effectively in the classroom. The Cree SNAP program is an adaptation of the initial program, delivered in the Cree language, with examples more relevant to the realities of Cree society, and with the integration and reinforcement of Cree values. The changes made to the program were made through dialogue with CDI, since we wanted to make the lessons resound more with our children and youth, and reflect the values that an Indigenous community would naturally build upon.

This program continues to grow and draw interest on a yearly basis. The number of followers on its Facebook page continues to increase. Last year, more than 2,400 Cree children and youth in 153 classrooms participated in these programs in all of the communities.

While each community has a primary worker and an assistant in the program, certification by CDI is required to deliver a program in a school. Beyond the school-based programs, the Prevention Officers worked one-on-one with youth that are referred throughout the year. Last year, 47 students benefited from this service. Further,

the counselors for the summer literacy camps are given workshops by staff on SNAP techniques and lessons to further reinforce these with the youth who have been in the Program. To ensure strong participation by teachers, they will also be given workshops and awareness sessions in the new school year.

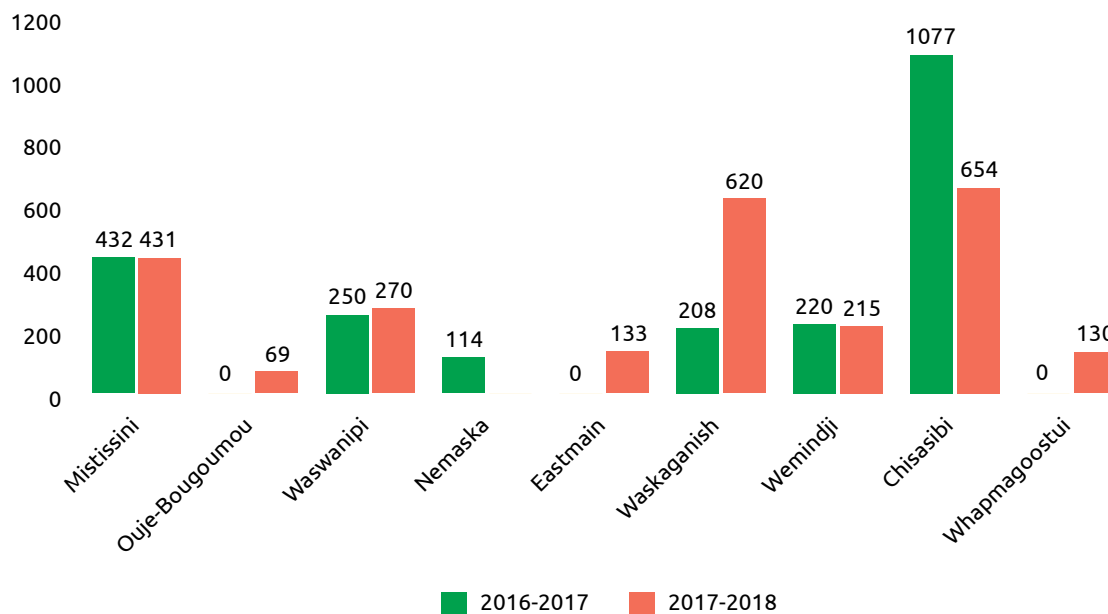


### An Alternative Suspension Program

We were pleased to welcome Wade Gilles as the new Alternative Suspension Program coordinator. Wade brings to the initiative a focus on students' success, support for the workers, and a love for the communities.

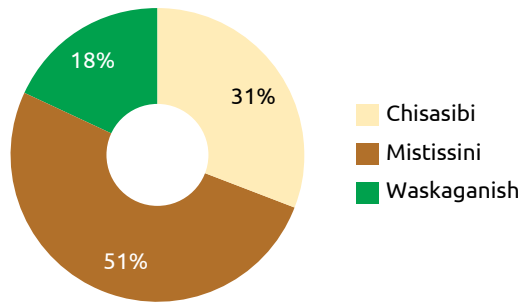
The Cree Alternative Suspension Program (Taap-waachaayimiisu) provides a supporting environment to assist teachers and parents to bring about positive change and outcomes for their children. *Suspension* is a word that means to suspend or freeze a moment in time. It is what the program's philosophy is about. If we could take a moment in our lives, to listen, reflect and plan how to achieve our goals, this is what we would all do.

### Students impacted by our SNAP program





## Distribution of the Youth participating in the Alternative Suspension Program



Working in collaboration with the Cree schools, the Department has trained staff to work closely with students for any number of reasons. Youth may need time and support to think about goals, they may need trained personnel to help them catch up with their academic work but also to accompany them in a number of life-skills-oriented workshops. The parents and school are kept up-to-date about progress made, or plans the student may want to initiate in order to initiate changes they would like.

The key to this program is to work collaboratively with the schools and homes to create a supportive environment for students who may benefit from this approach. Our focus is to create relationships by listening, understanding, and engaging youth in a space that we can build upon. The program started in the YMCAs of Québec, but for Eeyou Istchee it was adapted to Cree values, realities and sense of community. The program is not the answer, it is the start of a process of growth and positive change.

In 2017-2018, sixty-eight (68) youth, mostly from secondary schools, benefited from the program. The statistics and graphs shown for the program are year-to-date, as the school year runs until June. The numbers of students in the program fluctuate for various reasons throughout the year. However, the primary support for youth transformation and the help provided to refocus on goals continue to develop.

### Dymond Girls: building self-esteem

Dymond Girls has been serving girls and women since 2003 and has been offered in Eeyou Istchee since 2015. Dymond Girls is a self-esteem mentorship program designed specifically for girls/women in need of the tools necessary to build and maintain a healthy self-esteem. During the workshops, girls learn how to develop a sisterhood with others, embrace and celebrate their body type, increase their self-confidence, discover their unique “Dymond Potential” and much more.

The Dymond Girls’ mandate is to empower each and every girl/woman to discover their most authentic self, develop leadership skills, self-confidence, critical thinking skills and assist them on their journey towards bettering their lives and the lives of others through community service. In 2017-2018, the program was offered in 6 of the 9 communities and 137 Dymond Girls participants attended. Through the intervention, the girls feel com-

fortable sharing their struggle of loving themselves and dreaming for a bright future. By the end of the program and through the exercises, participants become verbal and dreaming out loud.

### Kings Dream: positive leadership skills

Kings Dream was also offered in six (6) of the nine communities. Boys of the community, aged 10 to 15, are invited to participate in a five-day basketball leadership development program designed to empower them to develop the leadership and life skills necessary to make healthy choices, positively impacting their academic and personal future. As well, it is proven that youth, especially boys that age, need to move. Playing sports on a daily basis is therefore definitely beneficial.

In the program’s philosophy, there is a KING, a true leader, waiting to emerge in every young boy and young man. It is simply that youth are looking for the guidance and opportunity needed to discover this part of themselves. The program’s basketball and life coaches impart fundamental principles that will give each young man the tools needed to discover and develop positive leadership skills needed to find success in school and their personal lives. Youth leave this program empowered with a new perspective on what the standard is when becoming a KING.

But being KING also comes with lots of responsibilities, so youth are taught and encouraged, through exercise and lessons on life skills, to respect and to treat each other and their peers like brothers, on the court and in real life. 143 young men were impacted this year through the program.

### Camps and We Day

Last year, the Department collaborated with external partners to provide Cree children with the opportunity to attend camps. The camps work with them to develop values, character, life and social skills, as well as to address issues such as bullying, resilience, resistance to peer pressure, and positive role modeling. We work each year with a variety of partners to provide the most diverse experience possible for the youth who attend these events.

### Take Action Camp

In the summer of 2017, the Department sponsored 19 youth from the Cree communities to participate in the Take Action Camp, run by Me to We and Free the Children, in Bethany, Ontario. The campers are encouraged to explore local and global issues, to make a difference locally and in the world in general. Every Wednesday our youth had the opportunity to participate in volunteer work and come into contact with the less fortunate. Afterwards, they discussed issues such as poverty, cultural difference, education, and environment. Camp teaches leadership skills. They came back to Eeyou Istchee with a desire to bring awareness to their peers and their community. As a matter of fact, many continued afterwards to perform volunteer work, such as picking up garbage or helping elders.

This year, coinciding with Canada’s 150th Year celebration, the theme of the camp experience was reconciliation. The Department engaged two Elders, a couple, to



attend camp for a full week with the Cree children. The Elders set up a traditional camp, with teepees, and introduced campers to Cree culture and way of life. They spent time demonstrating Cree traditional activities and sharing their culture, wisdom and experience.

The presence of Cree Elders at the Take Action Camp was a resounding success, and the campers' experience was enriched by it. While the theme was about reconciliation between two societies with past histories, it became more about forging new relationships based on understanding and respect.

### YMCA Camp

For two weeks, from July 24-August 4, 2017, 15 youth from Eeyou Istchee attended the YMCA Kanawana Kamp in Saint-Sauveur. Unfortunately, this was not as successful an experience as we had anticipated. In other camps, we usually have Cree chaperones accompanying youth for the duration of their time at camp. This measure is intended to give support to the youth when they are so far from home and to provide support to the organization to better understand the realities and cultural values of our society. The camp did not see the need for this initiative, and within the first few days, it became evident that our campers were not receiving the support needed. As a consequence, this led to a good portion of them not wanting to complete their time.

After the Take Action Camp, our Elders joined the YMCA Camp for a week of activities and traditional cooking. The non-Cree campers loved the addition. We were even told that some vegetarian campers went back for second helpings of goose. Other positive highlights resulted as well from the experience: one of our campers

from Whapmagoostui was named *Camper of the Year* by the staff, and one of our youth stayed the whole summer and went through the counselor-in-training program, completing it with outstanding merit.

### We Day

The National WE Day Ottawa, which took place on November 15, 2017 at the Canadian Tire Center, was attended by 15 Cree youth from all of our communities, along with chaperones. Over 16,000 students and educators gathered in this event, which encourages youth to make a change in the world, starting with their local communities. The We Days celebrate the accomplishments of students from across the country who take steps to make a difference in the lives of others. A few students from the Cree Nation were also identified as youth that have made positive impacts in some way. We also sponsored a number of youth to attend the Montreal We Day on February 21, 2018.

### RELATIONS WITH OTHER GOVERNMENTS

#### Commission of Inquiry into certain public services provided to Indigenous Peoples in Québec

On September 15, 2017, the Director of the Department of Justice and Correctional Services, Donald Nicholls, presented a brief to the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec. He was accompanied by Denis Blanchette, member of our Judicial Advisory Committee and legal counsel with the Department.

The Commission's mandate is to investigate, analyze and make recommendations concerning measures to prevent or eliminate any form of violence, discriminatory practices or different treatment in the provision of certain public services (police services, correctional services, justice services, health and social services as well as youth protection services) to the Indigenous people of Québec.

The brief of the Department presented to the Commission built on, and was intended as a complement to, the initial brief of the Grand Council of the Crees (Eeyou Istchee) and Cree Nation Government presented to the Commission by former Grand Chief Dr. Matthew Coon Come and Cree representatives on June 14, 2017. In the preparation of its brief, the Department reviewed agreements, programs, services and experiences of its staff and clientele. The Department used the data obtained to outline a more specific perspective on certain issues related to justice and correctional services to the Crees. It provided examples of collaboration between the justice, social and youth protection services, which could serve as a useful model for addressing some of the issues before this Commission.

Director Nicholls outlined more specifically a path forward which revolves around four (4) important areas to significantly improve services to the Crees, while preventing and eliminating any form of discrimination and violence. They are: (i) *CAVAC services*; (ii) *Investigations of Complaints or Allegations of Misconduct against Police Force Members*; (iii) *Violence against Indigenous Women and Sexual Exploitation*; and (iv) *Services in the Correctional System*.

As related social issues that contribute to the vulnerability of Indigenous Peoples and impact the incidence of criminal behaviour, Director Nicholls also highlighted the overcrowding in housing, and the need for an immediate and long-term solution to housing issues in Cree communities.

As a summary of the two and a half hour-long presentation, the path forward leading to improvement and to address some of the issues relevant to the work of the Commission included the full implementation of the provisions of Section 18 of the *James Bay and Northern Québec Agreement* by and in collaboration with Government of Québec.

On his presentation to the Commission, Donald Nicholls commented: "A key element for social justice is actually to have a Nation-to-Nation collaborative approach to the delivery of justice in Eeyou Istchee, as the discussions lead to change. This is the path forward and there are great opportunities to immediately improve services to Indigenous people."

### **Customary Adoption and Customary Guardianship**

Customary adoption and other forms of customary care, such as customary guardianship, have always been a part of Cree society, and this has not changed. However, the general rules and regulations in matters such as education, health care, family benefits and other services often do not include legal recognitions for these practices, and this has created problems for customary adop-

tive parents, guardians and the children they look after. The Cree organizations were, therefore, in discussions for many years with different Ministries of Québec, along with other Indigenous groups, to have a clear formal recognition of these customs.

In June 2017, the Québec Government effectively recognized, in Bill 113, the rights of Indigenous Peoples in Québec to practice customary adoption and customary guardianship, and to have legal recognition of these customs. The new law will come into force in June 2018, and it creates an optional regime for an Indigenous group to have legal effects of these customary practices clearly recognized. It is up to an Indigenous group in Québec to inform the government if and when they are ready to implement an internal regime to recognize customary adoptions or guardianships. For each group, Bill 113 may therefore come into effect in accordance with their readiness and their desire to do so.

A Cree working group was established to look at different options and considerations relating to implementation, and the Department of Justice and Correctional Services is part of it. Today, adoptions and guardianships (known as "tutorships" in the Civil Code of Québec) may take a while and are heard and recognized by the Québec courts. A new customary adoption and guardianship process would not require the same type of review. Once a customary adoption is officially recognized by the Indigenous group according to this legislation, the adoptive parents have the full rights of parents. The same case would apply to customary guardians once a guardianship was officially recognized, but in this case they would assume the rights and obligations of parents on a temporary basis.

At present, consultations are ongoing in Cree communities and regionally to discuss the recognition of these customary practices and what they may mean to families in Eeyou Istchee. Once these are concluded, the Cree leadership will be presented with a plan for implementation in the Cree Nation. At the center of a process is the safety and protection of the child, and an affirmation of the importance of these cultural practices. Our role is to help define how it will be done to answer Cree families' needs and then how we will support the body which will review the adoptions and guardianships.

### **Legalization and Regulation of Cannabis**

On April 13, 2017, the federal government introduced in Parliament Bill C-45 respecting the legalization and regulation of cannabis in Canada. This legislation has been referred to Parliamentary Committees for review and public hearings. Its implementation will require that provinces adopt complementary legislation. The purpose of Bill C-45 is to create a strict legal framework for the control of production, distribution, sale and possession of cannabis in Canada. It is intended to prevent youth's access to cannabis, to provide avenues for legal production of a controlled version of the product, to raise awareness and address health and public safety concerns, and finally to reduce the burden on the criminal justice system in relation to cannabis.

Among other things, Bill C-45 enables the federal Minister to authorize the possession, production, distri-

bution, sale, importation and exportation of cannabis, as well as to suspend, amend or revoke those authorizations when warranted. It also authorizes persons to possess, sell or distribute cannabis if they are authorized to sell cannabis under a provincial Act that contains certain legislative measures.

In order to complement Bill C-45 in areas of provincial jurisdiction, the Québec Government introduced in the National Assembly, on November 16, 2017, Bill 157 to regulate cannabis in Québec. If adopted, Bill 157 would regulate various aspects of cannabis, including its possession, cultivation, use, sale and promotion. This new legislation is intended for the general public and does not contain specific provisions relating to Indigenous people or communities, with one important exception.

The Act would authorize the government of Québec to enter into an agreement on any matter within the scope of the Act with a “Native nation” represented by, among others, the Cree Nation Government. Such an agreement may also cover the adaptation to “Native realities” of other cannabis-related government measures that are not provided for in the Act or a regulation, such as cannabis harm prevention programs.

Once concluded, the agreement with the “Native nation” would have precedence over the Act and the regulation in the event of an inconsistency. This is unusual and it recognizes the importance and precedence of agreements with First Nations in this case. Certain concerns were expressed by Indigenous communities that a demographic within their membership may already have addictions and social issues. The introduction of another substance would exacerbate an already preoccupying situation of concern without additional resources to deal with it.

The Cree leadership continues to look at the impacts that these proposed cannabis Bills may have on the Cree population. The federal government expects the proposed cannabis legislation to be adopted by the summer of 2018. Regardless of the legality of the substance, the Department will continue to work with partners to inform the public of the possible negative impacts of consuming cannabis.

## United Nations Declaration on the Rights of Indigenous Peoples

Member of Parliament Romeo Saganash introduced in Parliament private member Bill C-262, *An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples*. Work on the Declaration started in the 1980s with the Working Group on Indigenous Peoples under the UN Economic and Social Council of the Human Rights Committee. At the time, Mr. Saganash and Dr. Ted Moses worked to negotiate the text with Member States of the United Nations. An Indigenous Caucus of representatives from various Peoples had numerous meetings with member States.

The *Declaration on the Rights of Indigenous Peoples* contains provisions on self-determination, protection of language, culture, education, environment, religion, lands, and participation in politics and governance. After 25 years of negotiations, such was the level of discourse

reached by the States and the Indigenous Peoples. The provisions were not seen as favouring a side disproportionately.

In June 2006, the Declaration was adopted at the Human Rights Council, and on September 13, 2007, at the United Nations General Assembly. There were 144 countries in the world that voted in favor of the Declaration, while 4 opposed its passing. Canada, although an active proponent of it, voted against its adoption.

MP Saganash’s proposed Bill C-262 would serve to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples. Although there is already a level of recognition, this legislation affirming the Declaration as a universal international human rights instrument with application in Canadian law would allow people to move forward in further building nation-to-nation relationships.

## GATHERINGS AND CONFERENCES

### Mindfulness conference

Mindfulness is something echoed through many of the programs that the Department delivers in the community with youth and adults we work with. The ability to focus, be present and choose the outcomes one wants for life is a part of the life skills we build with Cree clients, regardless of their age or where they are. At the start of the year, when everyone typically puts their minds to resolutions for change, the Department invited experts to speak on how to encourage mindfulness and the possibility of change on the frontline with clients.

To create the broadest platform possible to reach the most people, the Department started early to collect video

*Top Photo: Gayles Desmeules, Peter Levesque, Dr. Harry Stefanakis, Dr. Tara McGee, and Donald Nicholls*

*Bottom Photo: Allowing the mindful participants to be creative*





*Attentive participants of the WIPCE*  
(photo credit: WIPCE)

interviews from Elders, youth, leaders, community members and experts in the field of mindfulness. Although we already employ mindfulness techniques in the work we do, this event was meant to widen the conversation to partners and the general public. The conference presentations were live streamed, and recorded to be uploaded on the Justice website to further reach those interested in the topic in the Cree Nation.

Dr. Harry Stefanakis discussed topics from 15 years of working with clients in detention, and from his latest book “*Core Living*” the eight choices we can consciously make to improve our life daily. Leah Parsons shared her personal tribulations, and explained how, in the darkest and deepest moments of grief, she found ways to connect with herself and move through the hardship through mindful practices.

Dr. Rosy Khurana of the local medical services spoke of healthy practices we need to use each day for our physical, mental and emotional health. Dr. Tara McGee, who is a therapy team leader at the Pine River Institute for youth with addictions and mental health issues, spoke of how mindful approaches help youth mature to a level where they can manage their own issues. There was a host of other presenters as well. We invite you to visit our website ([creejustice.ca](http://creejustice.ca)) to view the conferences.

Through events such as this one, we continue to improve the way we provide services in the Cree Nation,

and further strengthen the work we do with individuals – helping them move beyond past trauma in their lives. We invite them instead to focus on the present and what they can do today to make a positive difference in their lives, and the lives of those around them.

### **World Indigenous People’s Conference on Education (WIPCE)**

In July 2017, twelve (12) of our staff attended the World Indigenous People’s Conference on Education (WIPCE) in Toronto, Ontario. It was a rare occasion for this international event to be held within close proximity to us. It attracts Indigenous education experts, practitioners, scholars and those that work with programming in schools with Indigenous children. Since the Prevention Program Officers deliver Cree programming in schools, we felt it was a good way for them to attend a number of workshops and network with other Indigenous programs all over the world.

As a part of the sharing, Celina Jimikin, Prevention Program Administrator, Sheena Costain, Youth Program Administrator, and Donald Nicholls, Director, held a presentation workshop entitled *Empowering Our Youth, A Way of Life*. As well as describing the specific programming that the Department has implemented in order to prepare youth to make healthier decisions, we spoke about community awareness and education, the impor-



*The Department of Justice and Correctional Services' team in December 2017*

tance of strong support systems for youth, the healing nature of land-based programming, parenting skills, life skills, and focusing on strengthening protective factors to deter youth from a path in the justice system. We received questions and feedback from participants, and were acknowledged for the work that we do in our communities.

## CONCLUSION

It was the pleasure of the Department to provide this overview of highlights of the many activities and accomplishments over the past year. The Department continued to provide an increased level of support in justice, corrections and services for victims throughout the Cree Nation. We are able to do this with a highly trained staff, dedicated to making a difference in their communities, and the lives of the individuals they work with. Whether it be with children, youth, or adults, we work to develop relationships and environments that will assist all our clients in establishing and reaching new goals.

We have built and leased to the Cree Board of Health and Social Services the first of two regional Cree Women's Shelters, Robin's Nest. The second one will be opened in the next year. We seek to use our skills to take care of our own needs in harmony with our own ways. We also broke ground for a new regional youth healing facility which will replace the regional reception center. With these initiatives, we meet the need to increase our capacity in current services, and to provide an environment conducive to expanded services and engagement.

To strengthen relationships and partnerships, we initiated a community hub in one of the Cree communities. Through this hub or meeting of key frontline services, such as justice, policing, youth protection, social services, youth council, and local government, we address rising incidence of concern in the community. Once a local is-

sue reaches a specific threshold, the partners involved decide jointly on the appropriate collaborative services required to address the issue, and report back to the hub. Cree entities work as a community to address concerns before they escalate, and limit options for individuals and organizations.

When we open a local dialogue, it is with the hope that the focus is on making a difference in people's lives, families and communities. As a society, we are connected in our shared sense of loss, pain, grieving, as much as in our successes. We also heal and grow as a community. Our Department has worked to bring programs like CICR into our communities and organizations to give people an understanding of our underlying human identity needs, and the tools to help each other and ourselves identify those needs and move beyond them. We seek to empower our community members to be a part of positive change.

The Department wishes to thank partners like the Child Development Institute, the Canadian Institute for Conflict Resolution, the YMCAs of Québec, the Department of Justice Canada, the Ministère de la Sécurité publique, the Ministère de la Justice, and others that we collaborate with on issues, trainings and concepts. While Cree solutions and programs never look like those elsewhere, we can adapt the tools that speak to the same underlying needs and goals we may share.

In the year to come, we will continue with our commitment to the Cree Nation to improve upon existing services, and to build new services that honour and respect Cree culture, psychology, and way of live, as well as the Cree language. ●