

Report of the Program Director

There will come a time when the AGM Report for the Programs Unit at Aboriginal Legal Services will not highlight with new programs and initiatives, but fortunately this is not the year as once again we added new positions to our existing programs and also created new programs.

Gladue Program

This year our Gladue program continued to grow. We now have Gladue Caseworkers (formerly Aftercare Workers) along with Gladue Writers in all our eleven locations. This expansion of the Caseworker program allows us to offer a broader range of services to our clients.

Where the crown is seeking a sentence of 90 days or less, we now provide Gladue Letters to the court prepared by the Caseworkers. These letters are less focused on the circumstances of the person's life and instead look at the sentencing options that address the immediate presenting issues. The Gladue Letters have been very well received by the courts.

The Caseworkers also assist our Gladue clients both pre and post sentence. We are looking forward to discussions with the Ontario Parole Board about the role that Caseworkers might be able to play at parole hearings. Our limited experience with Caseworker participations at parole hearings has been very positive.

Of course the Gladue Reports we write also continue to be very helpful to all parties in court. We have had many positive statements from the bench as to the importance of the Gladue Reports in fashioning appropriate sentences for Indigenous offenders.

Community Council Program

The Community Council continues to be the busiest Aboriginal justice program in Canada. The continued commitment of the program's volunteers is remarkable. The success of the program is truly owed to our volunteers. We are heartened that not only do people continue to volunteer year after year, but we are also able to add to our volunteer pool every year as well. For people interested in volunteering with the Council, our application is on our website.

Of course, while the volunteers are crucial to the success of the program I do not mean to slight the very important work done by our staff. Council staff not only support the volunteers at their Council hearings, but also work with clients after their hearings and assist them in meeting the terms of the decision.

Council staff are also responsible for organizing our annual Honouring Ceremony which takes place every year in March. The Honouring Ceremony is one of my favourite evenings of the year. We invite successful Council clients, their friends, and family as well as judges, crowns and duty counsel a wonderful feast. The evening features drumming and very heartfelt short speeches from clients who agree to share a bit of their lives with those who have gathered. It is always an amazing experience.

Giiwedín Anang

The Giiwedín Anang program continues to work with more and more families. The program has been very successful in terms of its ability to resolve cases involving Indigenous families and children and child welfare authorities. Interest in the program continues to grow. As with the Community Council, the commitment of the volunteers, Elders, aunties and uncles, along with a small dedicated staff, deserve all the credit for the program's growth.

The success of the program has been recognized by the Ministry of Children and Youth Services who has increased our core budget significantly over the past two years. These increases allow us to try to keep up with the demand for our services.

Aboriginal Courtworker Program

The Aboriginal Courtworker program continues to work with any and all Indigenous people who find themselves in the adult criminal, youth and family courts in Toronto. The Courtworkers are really the key point of entry for many clients seeking the services of our other programs or of the Legal Clinic.

The Courtworkers also are at the frontlines of the increasing use of sentencing circles and other initiatives that are designed to see that courts in Toronto are better able to provide meaningful justice for Indigenous people. Recently the Courtworkers helped facilitate a smudge at the start of each Gladue Court day at Old City Hall and College Park. While these initiatives have symbolic value as part of a reconciliation process that sees mainstream institutions recognize the value of Indigenous practices, we also believe that the smudge will help our clients (and the other court staff) through what is inevitably a stressful experience in court.

Law Foundation of Ontario

Thanks to funding from the Law Foundation of Ontario, this year we are able to complete a video entitled “Not Just Another Case.” The video, a collaboration between ALS and No More Silence, and produced and directed by Audrey Huntley, was developed to assist Indigenous families who have had a loved one go missing. With more and more attention focussed on the situation of murdered and missing Indigenous women and girls, this half hour video provides practical advice about what families can do if they find themselves in this unimaginably horrific situation. The video is available on our website along with extended interviews from some of the participants in the video.

The other project funded by the Law Foundation, a booklet for lawyers on how to work effectively with Indigenous clients will be available early in the New Year and will be reported on in more detail in next year's report.

New Programs

Thanks to funding from the Ministry of the Attorney General's Indigenous Justice Division we have been able to launch three new programs this year.

Yoha:Te Ne Kahsen:Na - The Road to Your Name - is offered through our Brantford office. The eight week program is offered in the evenings and provides an introduction to Indigenous cultural teachings for people involved in the justice system who want to learn about the significance of culture and traditions. The program is grounded in the knowledge that when people learn about who they are and their place in their culture, the better grounded they become and better able to transition to a healthier lifestyle. The program is currently in its second cycle.

The FASD Caseworker program is based in Toronto and builds on the work we have done over the years working with clients with FASD. The FASD Worker works intensively with a small group of clients who are either diagnosed with FASD or suspected of being affected by FASD. We know that those affected by FASD have a greater chance of being involved in the justice system and require more intensive assistance. Our FASD Caseworker provides that service.

The program also is able to provide diagnoses for up to 10 individuals a year. This is a significant aspect to the program as it is almost impossible for adults to obtain an FASD diagnosis. The diagnosis identifies challenges and gifts the person has and allows for everyone to work more effectively with the person. It also helps the affected person him or herself better understand why they are the way they are and what strategies they can adopt to address their particular needs. In addition, if someone receives an FASD

diagnosis, they become entitled to funding from the Ontario Disability Support Program.

The Welcome Home program allows ALS to have a fulltime Elder/traditional teacher on staff and available for clients who would like her assistance. This is a program we have long wanted to offer and we are thrilled that we can now provide this service to clients. In addition to individual counselling, our traditional teacher, Dorothy Peters, also leads group programming as well. She has also made herself indispensable in the sentencing circles that are currently being held in the Toronto and area courts. In addition to her work in the Toronto courts, Dorothy has led sentencing circles in Milton and Wallaceburg.

International Connections

ALS has strengthened our relations with Indigenous service providers outside of Canada, particularly in the Southern Hemisphere. This fall, Promise Holmes Skinner, our Senior Manager of the Gladue Writer program, was invited to a conference in New Zealand to discuss some of our innovative programming in criminal justice and child welfare. We will be welcoming some Maori visitors in March or April and look forward to having them see our programs in action.

Our relationship with Victorian Aboriginal Legal Services (VALS) in Australia continues to grow and flourish. In June and July, Alister McKeich from VALS worked at our office learning more about Gladue Reports. His plan was to take what he learned back with him and see how VALS could bring a similar program to their state. We remain in close touch and hope to see the launch of their program in the near future.

In addition to undertaking his Gladue project, Alister also spent time with our staff in Branford and in the Barrie area and also was hosted by NAN Legal in Thunder Bay and was able to experience the fly-in courts. As part of our staff exchange agreement with VALS we hope to have someone to go to Australia in the next year or so.

Funders

We are, as always, very grateful for the funding we receive to operate our programs from our funders: The federal Department of Justice; The Indigenous Justice Division of the Ontario Ministry of the Attorney General; the Ontario Ministry of Children and Youth Services; Legal Aid Ontario; Miziwe Biik Aboriginal Employment and Training and the Law Foundation of Ontario.

To them, to our staff, to our volunteers and to our clients, from whom learn so much, chi miigwetch.

Jonathan Rudin

Program Director