

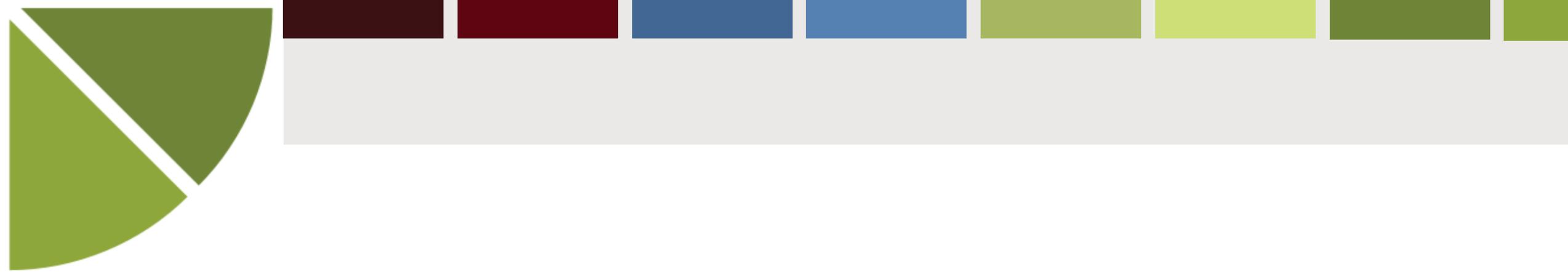
Presentation of the Department of Justice and Correctional Services of the Cree Nation Government on the Cree CAVAC and the Community Justice Committees in Eeyou Istchee

Public Inquiry Commission on relations between Indigenous Peoples
and certain public services in Québec: listening, reconciliation and progress

Mistissini – June 15, 2018

Donald Nicholls, Director, Department of Justice and Correctional Services, Cree Nation Government
Anna Neeposh, Cree CAVAC worker, Cree Nation Government
Louise Coonishish, Community Justice Officer (Mistissini), Cree Nation Government
Ruth Masty, Community Justice Officer (Whapmagoostui), Cree Nation Government



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- On September 15, 2017, the Department of Justice and Correctional Services of the Cree Nation Government (“**Justice Department**”) presented to this Commission a **brief** on issues related to justice and correctional services in Eeyou Istchee
 - Purpose of presentation today is to address specifically the **Cree Victims of Crime Assistance Centre** operated by the Cree Nation Government (Cree CAVAC)
 - **Community Justice Officers** also here today to provide an overview of the experience of **Community Justice Committees** in the Cree communities



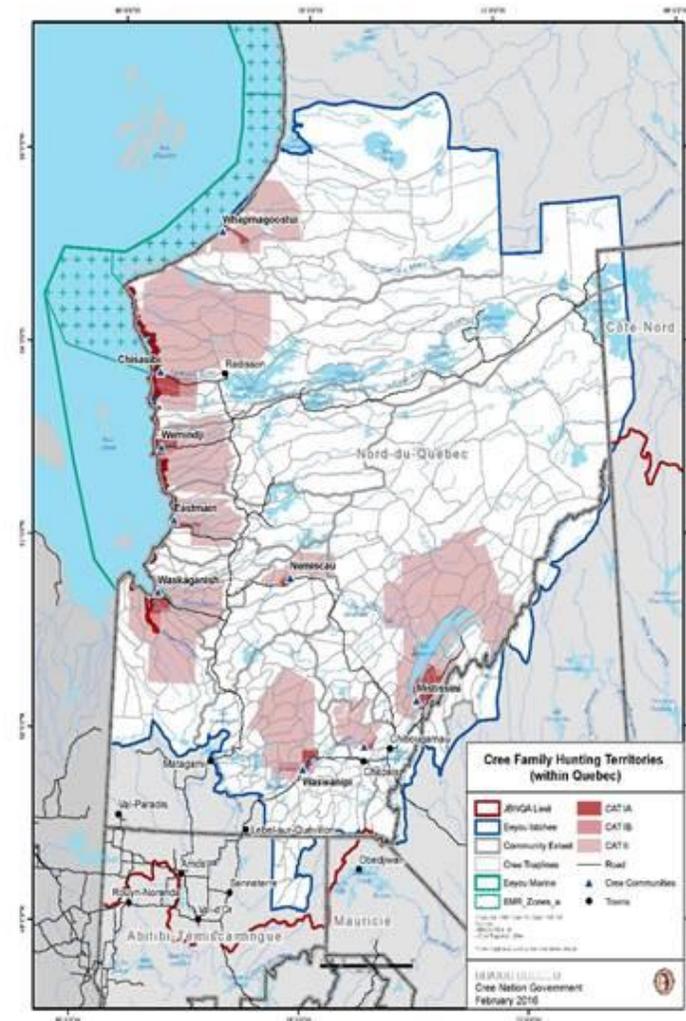


CRIME VICTIMS ASSISTANCE CENTRE

- CAVACs are generally non-profit organizations operating throughout Québec
 - Governed by the *Act respecting assistance for victims of crime*
- Mission of CAVACs includes providing confidential front-line services to victims of crimes, their immediate families and witnesses, free of charge
- CAVAC workers are often the first “point of contact” of a victim following a crime
- In small communities, any event will come to the attention of Cree CAVAC services fairly rapidly



- The **Cree CAVAC** is operated in Eeyou Istchee by the Cree Nation Government, through its Justice Department
- The Cree CAVAC serves primarily **Cree individuals** in the nine Cree communities of Québec
- 3 Cree CAVAC workers based in 3 different communities (Mistissini, Eastmain and Chisasibi) located in different regions of Eeyou Istchee



- CAVAC workers also hold office hours 100 days per year in other 6 Cree communities to meet the needs of victims and families – covering a vast geographic area
 - Schedule can be found on the creejustice.ca website
- They accompany clients in the judicial process when the **Itinerant Court** holds hearings in Cree communities
 - Also conduct outreach activities when Itinerant Court in session in community to raise awareness on CAVAC services



- **CAVAC workers are all Cree** and they provide services in a manner **adapted to Cree culture and realities**
 - Essential and critical strength of the Cree CAVAC program
- **Cree workers are in best position** to provide help and support through these services in a culturally and **linguistically** appropriate manner
- They also **coordinate** with community services, and direct victims to complementary services, such as local services or services offered through other regional Cree entities like the Cree Board of Health and Social Services of James Bay



www.creejustice.ca

CREE CAVAC SERVICES Crime Victims Assistance Centre

**Are you a victim or witness of a crime?
Are you a family member of a victim of crime?**

The Cree CAVAC Officers serve the nine communities who deliver specialized services to crime victims or witnesses and to their family, regardless of whether the perpetrator of the crime has been identified, arrested, prosecuted, or convicted.

Cree CAVAC Officers provide a wide range of assistance services, including:

- Post-trauma and psychological intervention
- Information on the rights crime victims have and the remedies available to them
- Technical services
- Referring victims to specialized services
- Accompanying crime victims

Our front-line services are free of charge and strictly confidential with you.

Cree Southern CAVAC

301 Queen Street,
Mistissini, QC G0W 1C0
Toll Free: 1 (855) 603-6137
Mistissini, Ouje-Bougoumou,
Waswanipi

Cree Northern CAVAC

461 Wolverine Road,
Chisasibi, QC J0M 1E0
Toll Free: 1 (855) 603-6136
Whapmagoostui, Chisasibi,
Wemindji

Cree Central CAVAC

31 Mewaben Meskino,
Eastmain, QC J0M 1W0
Toll Free: 1 (855) 603-6168
Waskaganish, Nemaska,
Eastmain



- Provision of services by **Cree personnel** is critical – to be able to express deep emotions, grief and trauma in your **own language** is important
- Needs and circumstances of vulnerable Indigenous persons (e.g. victims, women and girls) require sensitivity and often **special approach**, as the circumstances, realities and values will be different than any other group



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- Cree CAVAC also implements **information programs** – including materials produced in Cree dialects and in accessible format
- Development of **pamphlets** on issues of importance for Cree communities
 - Elder abuse
 - Domestic abuse
 - Sexual harassment
 - Human trafficking

How can someone know if he or she is a victim of domestic violence?

Do you have the impression that you are on your guard and must be cautious to avoid any discussion?

Do you feel that you cannot visit your friends and relatives without asking permission?

Do you feel helpless, trapped, alone, and isolated?

Has your spouse threatened to hurt you or anyone you care about?

Is your spouse jealous or always accusing you of having an affair?

Does your spouse constantly criticize your appearance, behaviour, what you say, or what you wear?

Does your spouse demand to have sex even if you do not agree?

Does your spouse put you down, call you names, or make you feel like you are crazy?

When you come home late, does your spouse pester you with questions about the people you have seen?

Does your spouse hit, kick, punch, push, choke, or use physical force against you?




If you answered yes to any or all of these questions, you should seek help. You are not alone.

For more information, contact the Crime Victims Assistance Centre in your area.

All services are confidential and free of charge.



creejustice.ca



Cree Southern CAVAC
301 Queen Street,
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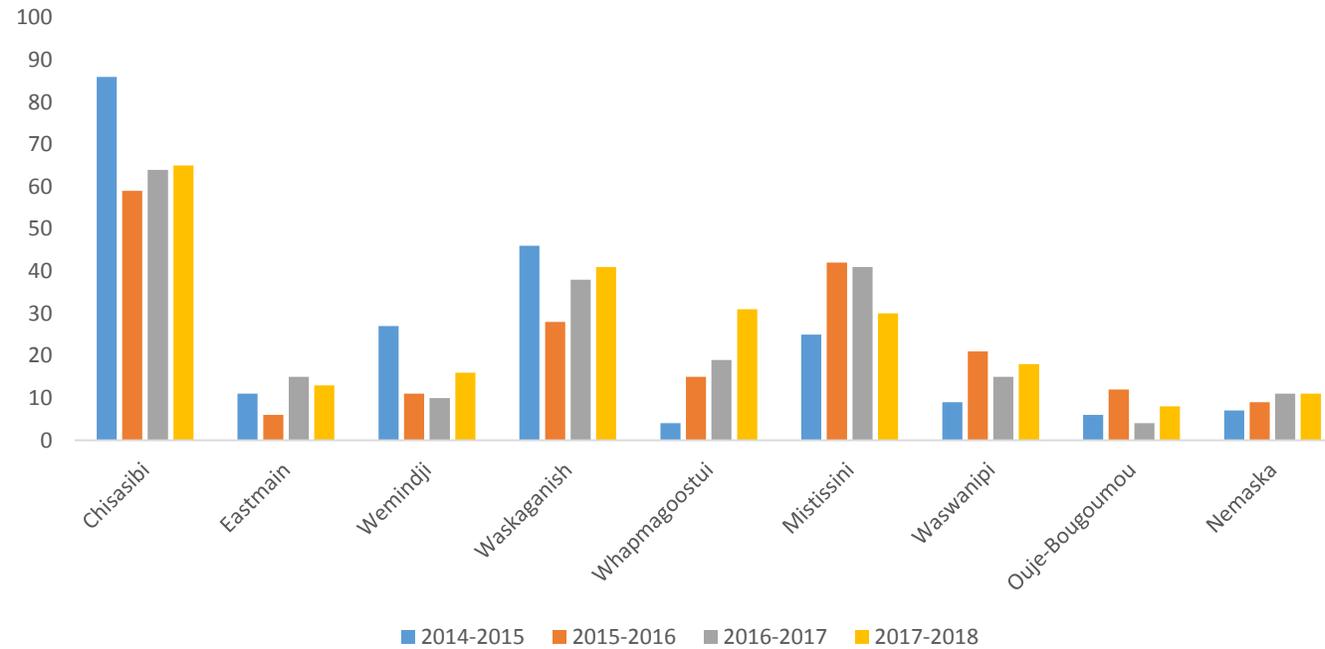
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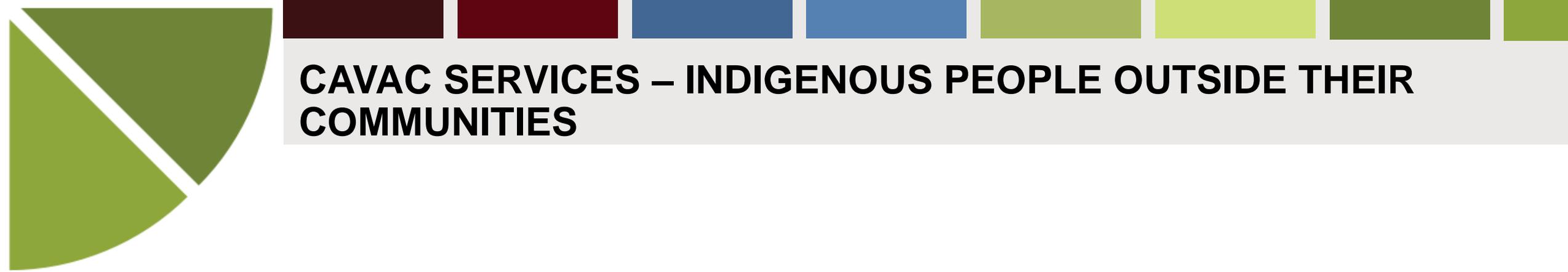
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- Services are **accessible** to the Cree population through:
 - **Local justice facilities** in each community
 - Consistent **availability** of Cree CAVAC workers by cell phone, including when travelling among communities
 - Dedicated service lines and call forwarding to cell phones in view of mobility of Cree CAVAC workers
- Cree CAVAC officers have also made a number of **videos in Cree** to explain their services on the creejustice.ca website



- In **2017-2018**, Cree CAVAC workers provided services to more than 200 individuals

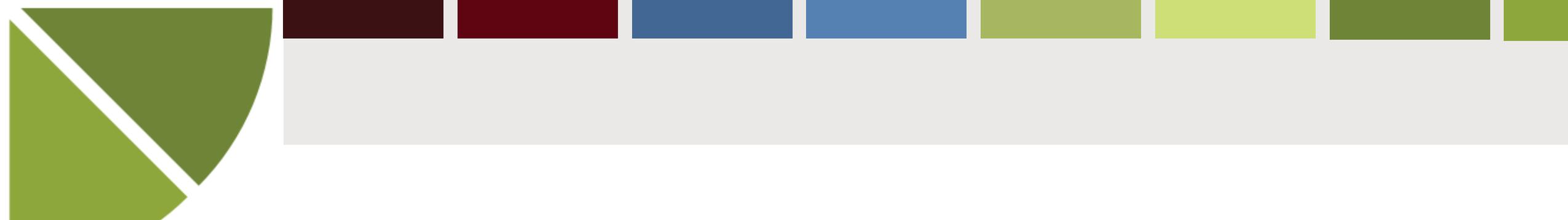




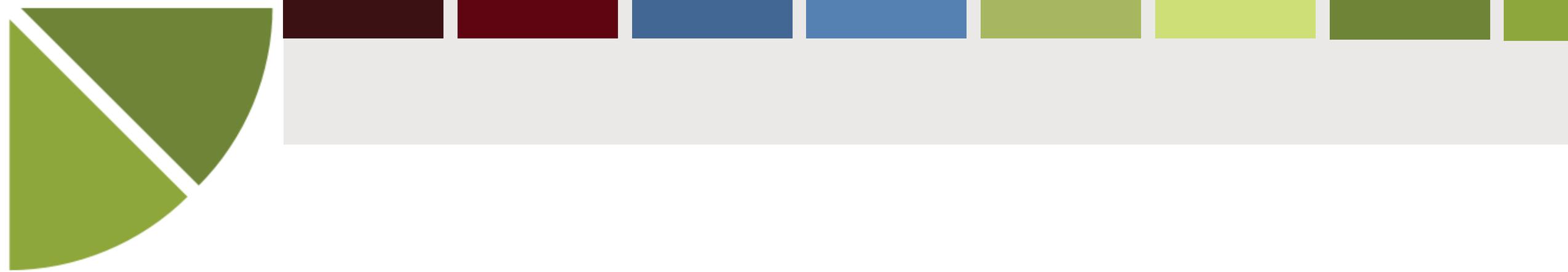
CAVAC SERVICES – INDIGENOUS PEOPLE OUTSIDE THEIR COMMUNITIES

- Indigenous people also obviously present **outside of their communities** as well
 - In urban centers such as Gatineau, Val-d’Or, Amos and Montreal
- Important that all CAVACs in Québec be sensitized to vulnerability of Indigenous people
- It is known that Indigenous women and children are one of the most **targeted groups for human trafficking** in Canada, and homelessness in urban centers in Québec is also well documented
- Following “Val-d’Or events” in 2015, Cree CAVAC issued recommendations to other CAVACs in this regard



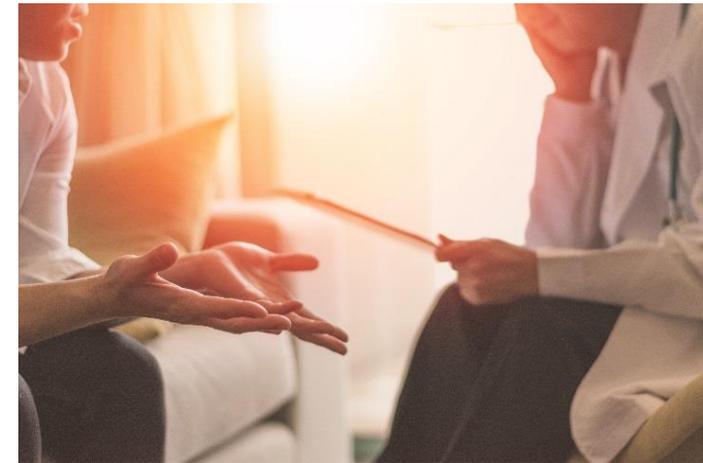
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- Recommendations included:
 - **Additional training** for CAVAC workers to increase awareness and sensitivity to issues affecting Indigenous clients
 - Establishment of a **working group** to identify particular needs and approaches to better serve Indigenous clients
 - Working group should include Indigenous CAVAC representatives
 - Sufficient resources should be provided by Québec to support the group
 - Other CAVACs should also:
 - Offer services to Indigenous clients at least in both French and English, to serve a broader segment of the Indigenous population, and if necessary bring in Indigenous CAVAC officers or Indigenous frontline services to assist

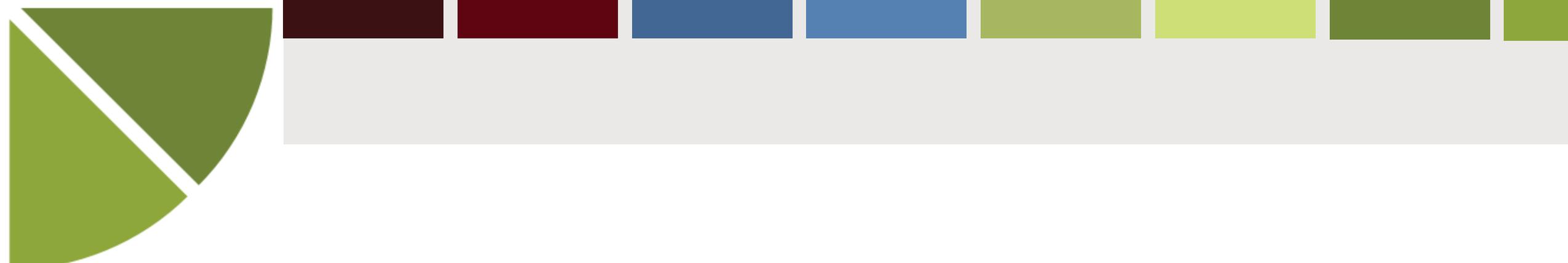


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- **Other CAVACs should also** (*cont'd*):
 - Be able to provide services through a **female CAVAC worker** – to promote safer environment for women seeking support
 - Identify resources in their region that can provide **additional assistance to Indigenous clients**, such as through Native Friendship Centers
 - Adopt a **protocol** with respect to **criminal complaints against a police officer**
 - To ensure that complaints are addressed to authorities in timely manner

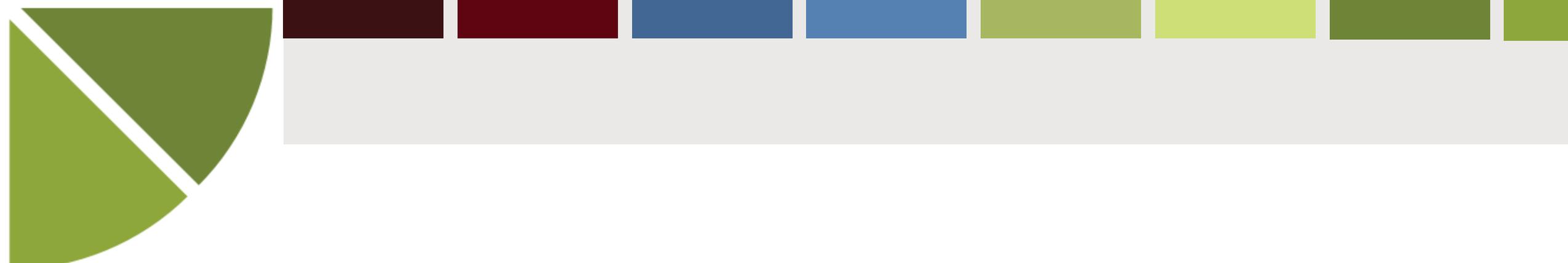


- CAVAC workers provide **counselling services** to victims of crime
- There are increasing requests from clients for additional services, such as **mental health support and counselling**
 - There seems to be an understanding that the regional health board presently has insufficient mental health professionals to provide the necessary level of support for victims
- Need for **additional financial resources** for Cree CAVAC to address needs of its clientele, including the hiring of a **psychologist** or counsellor
- This matter has been raised with the Cree-Québec Judicial Advisory Committee

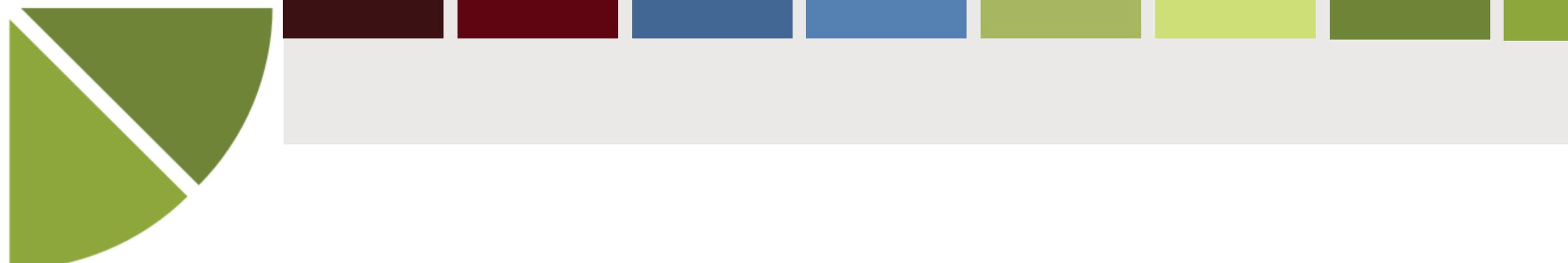


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- Training provides CAVAC workers with appropriate tools for better assisting victims of crime – important to providing effective services
 - It is critical that **BAVAC** (*Bureau d'aide aux victimes d'actes criminels*) **training** be offered to Cree CAVAC workers **in English**
 - **Limited access** by Cree CAVAC workers to BAVAC **training**, as mostly **offered in French** only
 - **Materials** produced by BAVAC also in French – needs to be in English also

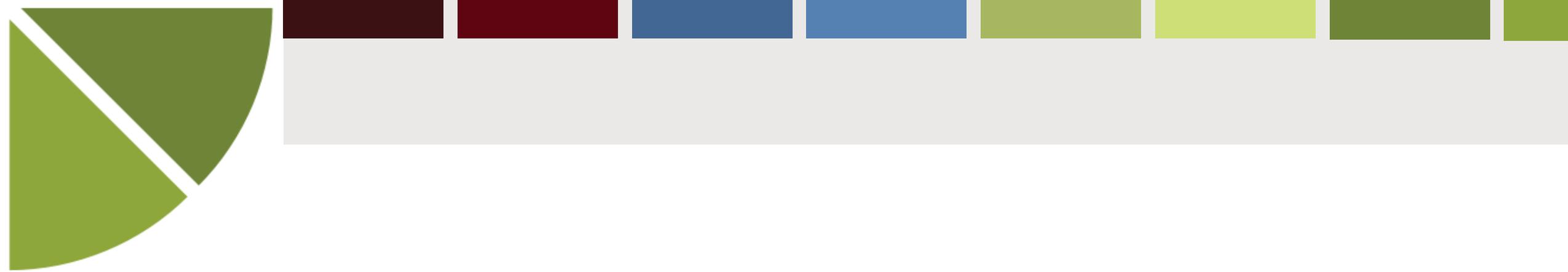


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- Further **technical training** required for Cree CAVAC workers with respect to **compensation-type programs** for victims of crime (i.e., IVAC, SAAQ, CSST)
 - Training on “**IVAC**” (*Indemnisation des victimes d’actes criminels*) is particularly important given number of client requests
 - This training is important for Cree CAVAC workers to carry out their functions effectively

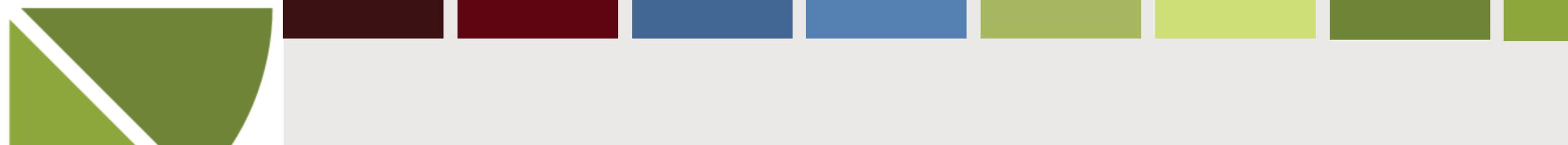


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- **Lack of translation** services throughout BAVAC-CAVAC activities (French to English) has reduced the level of possible engagement of Cree CAVAC officers in the provincial support for Cree services
 - Within the diversity of Indigenous Peoples understandings, ways and approaches to grief, harm, healing, wellness, community, and holistic or restorative justice solutions, this can translate to effective processes for other services in the province



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- The Justice Department participated in a celebration in Montreal marking the **30th anniversary** of the creation of CAVAC
 - Québec **Minister of Justice**, Stéphanie Vallée, recognized the outstanding work of the Cree CAVAC in providing **quality services** and **covering a vast geographic area of Québec** (Eeyou Istchee)
 - Minister Vallée stated that a Sexual Violence Liaison Officer position would be added in the Québec CAVAC offices
 - Cree CAVAC looks forward to discussing extra resources that would be required to add a CAVAC Sexual Violence Liaison Officer to the Cree CAVAC





Meegwetch!

Questions?





Overview of Community Justice Committees in Eeyou Istchee

**Louise Coonishish, Community Justice Officer (CJO), Mistissini
Ruth Masty, Community Justice Officer (CJO), Whapmagoostui**



- CJOs **oversee and support** the work of the Community Justice Committees, including to:
 - Assist in recruitment of members
 - Assess suitability of cases brought to the committee
 - Plan and implements crime prevention programs and community activities
 - Provide guidance and support for reintegration of offenders in the community
 - Provide administrative support (e.g, general coordination) to the committee



**WHAPMAGOOSTUI
JUSTICE COMMITTEE**

WHAT IS THE PURPOSE OF THE COMMITTEE?

- 1- PROMOTE** and maintain **social peace** and **harmony** in our community of Whapmagoostui.
- 2- HELP** administer **justice** using culturally adapted approaches, which put emphasis on healing individuals, families and the community, in order to deal with the underlying causes of problems in the community rather than just the symptoms.
- 3- OFFER alternatives** or complements to the mainstream Justice System while including the people that have been affected by the crime or conflict.
- 4- ENCOURAGE** a social reaction to crime and conflicts that favours accountability, reparation, restoring balance and the re-establishment of **relations** among affected individuals.
- 5- PROMOTE understanding** and **respect** of laws, socially acceptable behaviours, cultural values, and traditions.




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- CJOs work **in collaboration** with other **entities and partners**
 - communities, court personnel, probation officers, police, social services and health care professionals, CAVAC workers
- CJOs are hired **locally** (community members)
 - Greater understanding of local context
 - Allows adapted local services to be provided to community members



- Community Justice Committees are intended to deliver community-based, restorative and alternative justice solutions
- Purpose includes to:
 - Promote and maintain **social peace** and harmony in the community
 - Help administer justice using **culturally – adapted approaches**, incorporating Cree values and approaches in the process
 - Offer **alternatives**, or complement any approaches, to the mainstream justice system



- Purpose of Community Justice Committees includes to:
 - Encourage a **social reaction** to crime and conflict that favors accountability, reparation and **re-establishing relations** among affected individuals
 - Real healing for all participants can occur through this process
 - Promote **understanding and respect** of laws, socially acceptable behaviours, cultural values and traditions



- Compared to mainstream justice-related approaches, the Community Justice Committee costs less and services can be implemented rapidly
- Community Justice Committees can ensure that sanctions or resolutions incorporate **traditional Cree practices**, such as:
 - **land-based programs**
 - peacemaking
 - healing circles



- Victims, and the community, have a **greater voice** in the justice process
- Deeper understanding of the incident
- Helps to reduce the **over-representation of Indigenous peoples** in detention



- Community Justice Committees based on **participation of community members**
- Community members have a good understanding of the **values and traditions** of the people in their community
- Independent body composed of **volunteers**

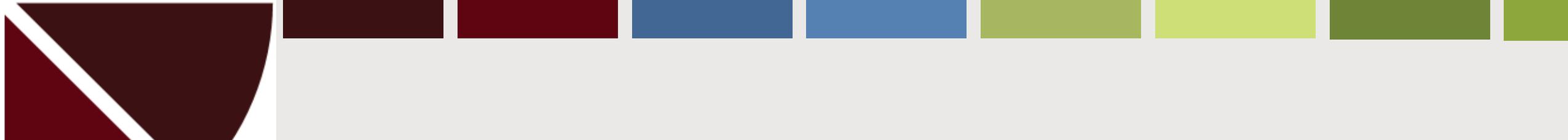


- Normally consists of 5 to 8 members
 - Mistissini Justice Committee presently consists of 8 members
 - Members come from various organizations and include Elders, women and youth
- Committee members attend workshops and receive training through the Justice Department
- Usually meet 2-3 times a month



- **Community Justice Committee activities apply to cases involving both young persons and adults and include to:**
 - Attend meetings for case hearings, case resolutions, mediations, healing circles, discussion of alternative measures
 - Meet with people in need of support, and involved in conflicts
 - Inform them of the different possibilities to solve these matters of conflict in a **peaceful** and **restorative** manner
 - Support victims and offenders in getting the services they need to repair harm, and to restore harmony in the community





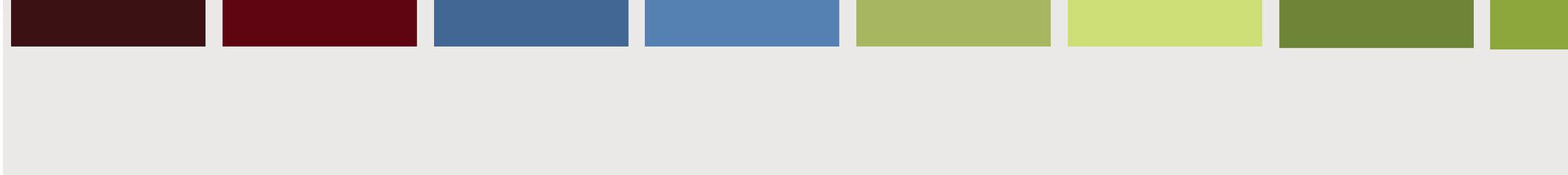
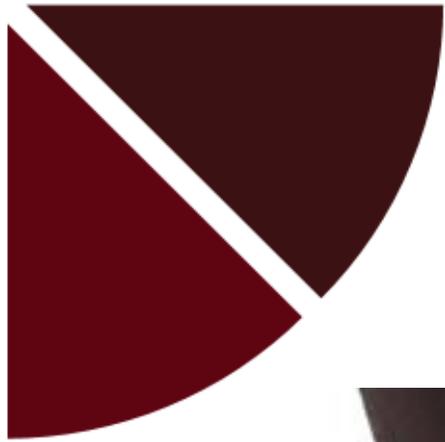
- **Community Justice Committee activities also include to:**

- Encourage people to participate in the *Eenou Nadamaaduun* and to support its objectives
 - Participate in community events to raise awareness
- Assist with monitoring **diversions** and **alternative measures**, and also supporting paroles
- Participate in training and conferences related to its mandate, such as:
 - Justice Symposium
 - “Mindfulness” conference
 - Gladue report writing



- **Community Justice Committee activities include:**
 - Implementation of community crime prevention and reduction programs
 - **Land-based programs, such as:**
 - canoe expeditions
 - moose hunting excursions
 - Preparation of **Gladue reports**
 - Helps to reduce the over-incarceration of Indigenous people





COMMUNITY JUSTICE COMMITTEE – COMMUNITY REINTEGRATION

- Justice Committee mandate includes to help youth and adults of the community after release from custody
- Important to also provide support to community members **after** the end of the Community Justice Committee process
 - For example: halfway houses, reintegration into the community



COMMUNITY JUSTICE COMMITTEE – COMMUNITY REINTEGRATION

- **Community reintegration programs** for offenders are also critical
 - For instance, C.R.E.E. (*Cree Reintegration, Education and Employment*) Support Services, administered by Justice Department
 - Helps individuals with a criminal record and facing employment barriers to reintegrate into Cree society by promoting employment for them
 - Currently there are workshops and trainings for offenders being held in communities throughout the Cree Nation



- Courts and Crown attorneys should **divert cases to the Cree Community Justice Committees more often**
- Cree Community Justice Committees have the **capacity**, including appropriate training, to handle more cases



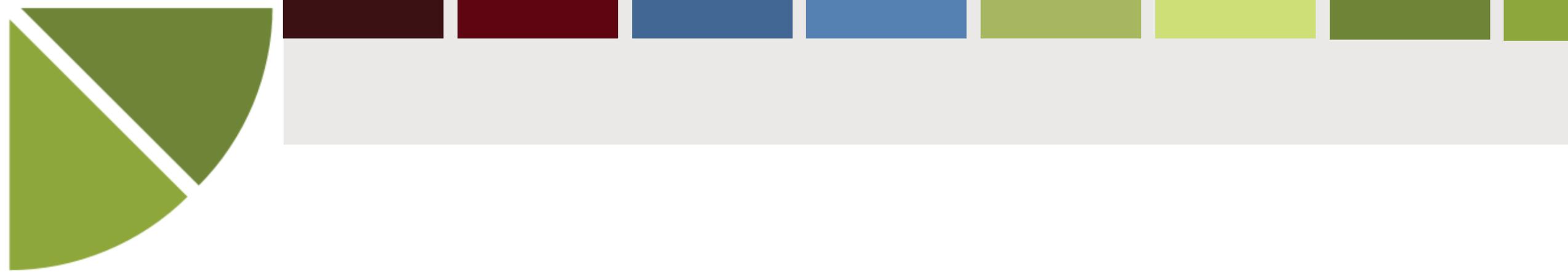
COMMUNITY JUSTICE COMMITTEES – GOING FORWARD

- There are types of cases where a **community approach** is superior as it addresses the harm, and some offences such as those dealing with domestic violence, will **repeat** unless ongoing **support and education** are provided
- Someone who may have done a harm will **return to that small community** after their sanctions, so the **community may be crucial throughout the process** if members are to move beyond the event
- Although restorative justice processes in their current form may not be appropriate for all offenders



- Need to ensure consistency of the **process related to the preparation of Gladue reports** in the Cree communities
 - Process administered in part by the SPAQ (*Services Parajudiciaires Autochtones du Québec*)
 - Certain aspects (e.g., payment; submission of report) applied differently in some Cree communities
- The Cree Nation has a **large number of Gladue Report writers**, and produced 18 Gladue Reports last year for the Courts of Quebec through the current process
- A representative of the **Québec Parole Board** has indicated they may wish to have Gladue Reports when reviewing information for hearings as well in the future





Meegwetch!

Questions?

This presentation is provided for information purposes only, and expresses the views of the presenter only. It may not be used for purposes of interpreting the *James Bay and Northern Quebec Agreement* or any other agreement and it is without prejudice to any rights of the Cree.

