

Val-d'Or, March 26, 2018

To : Mr. Donald Nicholls
Department of Justice and Correctional Services, Cree Nation Government

From : M^e Marie-Andrée Denis-Boileau, Counsel

Subject : Request for information within the scope of the work conducted by the *Public Inquiry Commission on Relations between Indigenous Peoples and certain Public Services in Québec: listening, reconciliation and progress*

File N° : DG-0138-C

Mr. Nicholls,

Within the scope of its work, the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec: listening, reconciliation and progress (Public Inquiry Commission) solicits your collaboration in order to obtain information on the **funding of Community Justice Committees.**

The Public Inquiry Commission aims at documenting Justice Committee's operations and funding resources and needs throughout the province in order to recommend appropriate changes in public services.

For this purpose, we are hoping to get your perspectives and experiences on the field regarding the following questions:

1. How many Justice Committees do you represent (names, contact information, communities included)?
2. Could you describe how the Cree Nation's Justice Committees operates? Including :
 - Any agreement with the provincial or federal government;
 - A description of the activities of each Justice Committee and statistics documenting these activities;
 - Any statistics regarding the cases that are accepted and handled by the Justice Committees;
 - Any information on the nature of the criminal charges that are diverted (through the alternative measure program) to the Justice Committees;
 - Any collaboration between the *Directeur des poursuites criminelles et pénales* and the Justice Committees outside of the diversion program (alternative measure program) and the nature and context of these collaboration, for example :
 - Sentencing recommendations
 - Probation and conditional sentence
 - Follow-up on parole and absence with or without escort;
 - Crime prevention
 - Community support – healing circles
 - Offender reintegration
 - Citizen mediation

- Any report or evaluation made by the Justice Committees;
 - Any information on the trainings of the Justice Committees members;
 - Any other information on the Justice Committees activities.
3. Could you describe the current financial situation of the Cree Nation's Justice Committees? Including:
 - What is your annual budget (for each Justice Committee, if applicable)?
What has been your annual budget in the last five years?
 - What are your current sources of funding (governmental partnership, subvention, foundations, and programs)? What is the amount received for each source of funding? Regarding government funding, please specify the level of government involved (federal, provincial, municipal, reserve), as well as the name of the financial program.
 - Was the Cree Nation Government approached in order to create Justice Committees, or did you create it and seek funding on your own initiative?
 - Are your sources of funding recurring, or are they rather in the short or medium term? If so, for how long are your sources of funding secured for?
 - In the last fifteen years, or since the creation of the Committees, has your financing increased or reduced? For what reasons?
 4. How many employees are working full time or part time for the Cree Nation's Justice Committees?
 5. In terms of spending, what is the annual payroll of the Cree Nation's Justice Committees?
 6. Do you have volunteers working in the Cree Nation's Justice Committees? If so, how many, and what are their main roles and tasks?

Please consider sending also any information or documents supporting the information in response to this request, even if they are not included in the aforementioned list, to help the Public Inquiry Commission fulfill its mandate, which reads as follows :

Taking into consideration the issues mentioned in the preamble of decree 1095-2016, to investigate, address facts and conduct analyses in order to make recommendations concerning concrete, effective, lasting remedial measures to be implemented by the Government of Québec and indigenous officials to prevent or eliminate, regardless of their origin or cause, all forms of violence, discriminatory practices and differential treatment in the delivery of the following public services to Québec's indigenous people: police, correctional, legal, health and social services, as well as youth protection services.

We greatly appreciate your contribution to the mandate of the Public Inquiry Commission.

Please confirm the reception of the present letter. We would greatly appreciate an answer to the above questions **within the next thirty (30) days**.

You may send the information and documents by email to Mrs. Nicole Durocher nicole.durocher@cerp.gouv.qc.ca. If the documents are tagged as confidential, we suggest making our Secure Document Sharing (SDS) platform available to you. If you find this solution convenient, please confirm by email nicole.durocher@cerp.gouv.qc.ca so that we can send you the procedure for using our SDS platform. If you prefer to send the information in an envelope, please have it delivered by **courier service** to the following address :

Mrs. Nicole Durocher
*Public Inquiry Commission on Relations between
Indigenous Peoples and certain Public Services in Québec*
600, avenue Centrale, Val-d'Or (Quebec) J9P 1P8

If one or more of the requested documents cannot be communicated to us for whatever reason, please notify us in writing and state the reasons. For any questions concerning this letter of request, please contact Mrs. Marie-Andrée Denis-Boileau by email marie-andree.denis-boileau@cerp.gouv.qc.ca or phone 819 354-4014.

We thank you for your attention in this matter.

Sincerely,

M^e Marie-Andrée Denis-Boileau

Procureure / Counsel

Commission d'enquête sur les relations entre les Autochtones et certains services
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De: Donald Nicholls <dnicholls@cngov.ca>
Envoyé: 10 septembre 2018 12:25
À: Denis-Boileau, Marie-Andrée
Objet: Re: Requested Information
Pièces jointes: CJO's Contact List.xlsx

Marie-Andree,

This is to provide additional information in response to your request in a letter dated March 26, 2018. Please note that I had sent you a first response on May 11th about Community Justice Committee members and Community Justice Officers (Cree Nation Government employees) coming to the Commission to testify. So, on June 15, 2018, we had the Justice Officers from Mistissini and Whapmagoostui testify before the Commission on their experiences with the Committees that they coordinate. And further the Whapmagoostui Justice Officer said she would also provide the Commission with more information while they were in Whapmagoostui.

As we have 9 Justice Committees, one in each of the Cree communities, we selected some of the more active ones to present before the Commission on June 15. These Justice Committees were started by an initiative with the Québec Ministry of Justice and the Department of Justice Canada in the 1990s. At that time, the coordinators had an internal budget of around \$65,000 per year for coordination and programs they would develop. In Mistissini, the Justice Committee was under the public health department of the Cree First Nation, and in Whapmagoostui it was called the "Justice and Healing Committee". The agreements with respect to the referral of certain criminal offences to Justice Committees were made with the DPCP in Amos, as they are today, although they have changed a few times over the years. The types of offences that are admissible for referral to a Justice Committee are normally specified in the agreement with the DPCP but the scope of offences can change based on the willingness and preparedness of each community.

From the 1990s, the training was started with Taiga Vision as recommended by the Quebec Ministry of Justice for case management. Taiga, under Lyne St-Louis, would also host a conference every year funded by the Department of Justice Canada that would provide training and workshops on a variety of issues (usually in February and March). These early trainings could address, besides case management, domestic violence, counseling, two spirited individuals, healing and sentencing circles.

Today, the training offered to Justice Committee members includes family group conferencing, Gladue Report writing, alternative measures with Youth Protection, how the justice system works, healing circles, CICR Third Party Neutral Mediation, Complex Emotions, Conflict Coaching, among others.

A Justice Committee is typically composed of 6-8 individuals chosen by local leadership to represent the values of the community. There is a cross section of Elders, men, women and youth typically in a Justice Committee. As in our report to the Commission in June, there are 85 members of Justice Committees, 20 of which are Cree Elders, and 15 are Cree Youth. They would deal with a variety of offences, some committees were doing up to 90 cases per year. However, more recently, this would be higher as they do a combination of cases, monitor adult community service hours, monitor young offenders hours, help select individuals to take prevention and rehabilitation programs and meet with them afterward to report on their progress, writing Gladue reports on individuals and present these written

or orally to the court, work with offenders reintegration plans when requested, and help develop the local programs for the year, which could be relationship workshops, wellness walks on addictions and mental health issues or canoe brigades for youth or couples.

The Justice Committees are coordinated by the Cree Nation Government Justice Department's Community Justice Officers, so there are no payroll costs for Justice Committee members within the budgets allocated to Justice Committee. The budgets for each Justice Committee will cover operations, local programs, and some honoraria typically. These budgets are done each year at a strategy planning session for each community. Typically, a Committee will have a local budget of \$100,000 to \$150,000 depending on the level of activity stemming from the planning sessions. This funding, which is fairly constant over the years, is provided by the Cree Nation Government from funds that flow from the Agreement concerning the Administration of Justice for the Crees between Québec and the Crees signed in 2007 (Cree-Quebec Justice Agreement). Canada provides certain funding for training of Justice Committee members under its current Aboriginal Justice Strategy Fund.

Please find attached a list of the Community Justice Officers for the nine Cree communities, they are located in each of the respective Justice Facilities. We are pleased to say that we have agreements with the DPCP for all of the Justice Committees-(Chisasibi, Eastmain, Mistissini, Nemaska, Ouje-Bougoumou, Waswanipi, Waskaganish, Wemindji, and Whapmagoostui). We are currently updating the agreements with the DPCP to reflect changes to the Alternative Measures Program for Adults in Aboriginal communities, which is authorized by the Québec Minister of Justice, and to look at expanding the role of Justice Committees.

On statistics, the Cree justice committees deal with over 250 Cree files per year. Our staff and Justice Committee members have produced 133 Gladue Reports since 2013. Please let me know if there are any further information or specific statistics that you would need. As you know if they have been going since 1990s, we cannot provide all decisions of the Committees since that time given it predates the Department.



Donald Nicholls, B.A., LL.B., B.C.L., LL.M.

Director of Justice and Correctional Services

Cree Nation Government

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Website: creejustice.ca

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COMMUNITY	NAME	TITLE	EMAIL	TELEPHONE	EXT
Mistissini	Louise Coonishish	Community Justice Officer	lcoonishish@cngov.ca	(418) - 923 - 2661	1102
Ouje-Bougoumou	Rene Coon-Come	Community Justice Officer	rcooncome@cngov.ca	(418) - 745 - 2260	1302
Waswanipi	VACANT	Community Justice Officer		(819) - 753 - 2770	1202
Nemaska	Edna L.Neeposh	Community Justice Officer	eneeposh@cngov.ca	(819) - 673 - 2400	1402
Eastmain	Redfern Mark-Stewart	Community Justice Officer	rmark-stewart@cngov.ca	(819) - 977 - 2400	1702
Wemindji	Bradley A.J Georgekish	Community Justice Officer	bgeorgekish@cngov.ca	(819) - 978 - 3300	1602
Waskaganish	Nancy Spencer	Community Justice Officer	nspencer@cngov.ca	(819) - 895 - 2126	1502
Chisasibi	Marlene Bearskin	Community Justice Officer	mbearskin@cngov.ca	(819) - 855 - 2120	1802
Whapmagoostui	Ruth Masty	Community Justice Officer	rmasty@cngov.ca	(819) - 929 - 3796	1902