

Overview of Department of Justice Canada Policy and Program Initiatives to reduce violence and increase safety for Indigenous women, girls and 2SLGBTQQIA people

**Prepared to provide information to the Commissioners of the National
Inquiry into Missing and Murdered Indigenous Women and Girls under
Rule 33**

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Mandate of the Department of Justice Canada

The *Department of Justice Act*¹ establishes the powers, duties and functions of the Minister of Justice for Canada as “the official legal adviser of the Governor General and the legal member of the Queen’s Privy Council for Canada”,² as well as the powers, duties and functions of the Minister as *ex officio* Attorney General of Canada.³ The Department of Justice Canada (Justice Canada)’s responsibilities reflect this dual role of the Minister of Justice.

The Minister of Justice has direct responsibility for developing policy and interpreting and reforming laws within certain areas, including criminal law, family law, human rights law and Indigenous justice. Departmental officials also develop policy and interpret and reform relevant laws. A great deal of this work falls within areas of divided jurisdiction under the Constitution, requiring close collaboration with provincial and territorial officials through a number of key federal-provincial-territorial working groups. The Department of Justice also uses grants and contributions to contribute to the development of policies and to test fresh approaches to improving Canada’s justice system. The Department provides grants and contributions funding in areas such as the Indigenous Justice Program, the Indigenous Courtwork Program, youth justice services, victims of crime, legal aid and family violence. To identify new ways to work with Canadians to improve the justice system, departmental officials consult the general public as well as various groups and organizations through a variety of different forums. Justice Canada also assists the federal government in fulfilling its responsibilities on the international level, providing advice and support in areas such as Canada’s human rights and other international treaty obligations.

As the Attorney General of Canada, the Minister acts as the government’s legal adviser, providing legal counsel and assisting federal government departments and agencies to develop policy and to draft, interpret and reform laws as needed. Departmental officials provide centralized expertise and advice in specialized areas of the law (including with respect to the *Canadian Charter of Rights and Freedoms*), provide specific expertise in legal service units in some 40 other departments and agencies and draft Bills and regulations for federal departments and agencies.

As Attorney General of Canada, the Minister is also responsible for representing the Government of Canada in court and conducting all litigation for the federal government, except for the powers, duties and functions that the Director of Public Prosecutions is authorized to exercise or perform under subsection 3(3) of the *Director of Public Prosecutions Act*.⁴

Since 1995, all employees of Justice Canada are responsible for ensuring that GBA+ is an integral part of their work, as part of the commitment of the Government of Canada in the first objective of the *Federal Plan for Gender Equality*.⁵ In 1997, Justice Canada was one of the first departments to develop and approve a Gender Equality Analysis Policy, which led to GBA being integrated into all the work done at Justice Canada. In 2009, the Office of the Auditor General (OAG) released a report reviewing

¹ R.S.C., 1985, c. J-2.

² Ibid, s. 4.

³ Ibid, s. 5.

⁴ S.C. 2006, c. 9, s. 121.

⁵ <http://publications.gc.ca/collections/Collection/SW21-15-1995E.pdf>.

how GBA is conducted at several government departments, which recommended that departments, including Justice Canada, improve how they conduct and document GBA.⁶ The most recent policy came into effect in 2017.⁷ A GBA Unit, based in the Priorities and Planning Division of the Policy Sector of Justice Canada, provides advice and guidance to help Justice Canada officials incorporate GBA+ into specific initiatives.⁸

Since May 2017, the online GBA+ Awareness course offered by Status of Women Canada is mandatory for all Justice Canada officials. Since June 2017, annual Indigenous (First Nation, Inuit and Métis) awareness learning is mandatory for all Justice employees, in keeping with the Truth and Reconciliation Commission's Call to Action #27 and #57, to foster a more inclusive, respectful and supportive work environment for Indigenous people and to contribute toward reconciling Canada's relationship with Indigenous peoples.

Relevant Policy and Program Initiatives

The following highlights a number of Policy and Program Initiatives that are relevant to the mandate of the Commission that seek to:

- reduce crime and victimization of Indigenous Peoples;
- respond to crime and victimization affecting Indigenous Peoples; and
- strengthen Indigenous justice and recognition of rights.

1. Initiatives to reduce crime and victimization of Indigenous Peoples

1.1 Community-based interventions to break intergenerational cycles of violence and abuse

Since 2002, a series of policy and program initiatives were taken by Justice Canada to respond to the higher levels of violence, and of vulnerability to violence, in some Indigenous communities resulting from intergenerational cycles of violence and abuse, linked to cultural disruption from colonization and institutional violence, including residential school legacies. This work recognizes that the experience of living and witnessing these intergenerational cycles has resulted in community-wide trauma in many instances, that can affect the behaviour and experiences of individual victims, offenders and witnesses, but also other community members. Justice Canada worked with Indigenous partners to produce two Indigenous-specific family violence prevention booklets in the Department's *Abuse is Wrong* series, one for First Nations and Métis Peoples (available in English, French and Michif – Denesuline, Montagnais, Ojibway, and Plains Cree versions are in development),⁹ and one for Inuit (available in English, French, Inuktitut, Inuinnaqtun and Labradorimiut),¹⁰ focussing on the fact that family violence is not a part of traditional Indigenous culture or values. These booklets have been used by many Indigenous organizations in their community awareness workshops and counselling programs. Justice Canada has also worked with the Aboriginal Research Institute to create an on-line *Compendium of Promising*

⁶ http://www.oag-bvg.gc.ca/internet/English/parl_oag_200905_01_e_32514.html.

⁷ https://www.justice.gc.ca/eng/rp-pr/cp-pm/rpp/2018_2019/supp/gba-acr.html.

⁸ <http://jusnet.justice.gc.ca/eng/about-apropos/portfolio/poli/gba-acr.html>.

⁹ *Abuse is Wrong in Any Culture for First Nations and Métis Peoples* (developed with the National Aboriginal Circle Against Family Violence) - http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/culture2/pdf/cult_fn_met.pdf.

¹⁰ *Abuse is Wrong in Any Culture – Inuit* - http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/culture/pdf/cult_inuitEN.pdf.

*Practices to Reduce Violence and Increase Safety for Indigenous Women and Girls.*¹¹ This on-line inventory of promising, innovative, community-based practices across Canada was developed to assist Indigenous communities in their search for solutions to specific community challenges, so that they could build on what other Indigenous communities had already developed to address similar challenges, reducing their timelines and cost.

Justice Canada also works closely with provincial and territorial officials on specific issues related to violence. For example:

- the work of the Missing Women's Working Group¹²
- the Subcommittee on Violence Against Indigenous Women and Girls of the FPT Aboriginal Justice Working Group work resulting in the *FPT Justice Framework to Address Violence Against Indigenous Women and Girls* (approved by FPT Ministers responsible for Justice and Public Safety in January 2016, to inform work by justice officials),¹³ and
- work on Fetal Alcohol Syndrome Disorder and the Justice System.¹⁴

Justice Canada also makes funding available for Indigenous communities for projects to break inter-generational cycles, through the Justice Partnership and Innovation Program (JPIP).¹⁵ From 2010-2020, the program specifically contains an additional component for community-based projects that contribute to reducing violence against Indigenous women and girls.¹⁶ These funds support Indigenous community-based organizations in efforts to break intergenerational cycles of violence and abuse through the development of models and programs, awareness activities, pilot projects, tools and resources to empower Indigenous women, to reduce vulnerability to violence and to build healthy relationships. Examples of initiatives currently being funded include:

- *Native Courtworker and Counselling Association of British Columbia* - The project is addressing the root causes as well as developing effective solutions to violence against Indigenous women and girls, providing an innovative multi-pronged approach involving a series of workshops in the city of Prince George. The goal of the project is to help participants to break the cycle of domestic and systemic trauma and to begin to build a new foundation in life.

¹¹ *Compendium of Promising Practices to Reduce Violence and Increase Safety of Aboriginal Women in Canada* (an inventory of promising, innovative, community-based practices across Canada intended to assist Indigenous communities facing similar challenges, developed with the Aboriginal Research Institute) - <http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/comp-recu/index.html> (also available in French).

¹² Report and Recommendations on Issues Related to the High Number of Missing and Murdered Women in Canada (2012) - <http://www.scics.ca/wp-content/uploads/CMFiles/831-016005-we11HOP-1262012-7454.pdf>; Missing Women Working Group – Implementation Plan Summary Report (2013) - <http://www.scics.ca/en/product-produit/missing-women-working-group-implementation-plan-summary-report/>.

¹³ *FPT Justice Framework to Address Violence Against Indigenous Women and Girls* (developed by the Subcommittee on Violence Against Indigenous Women and Girls of the FPT Aboriginal Justice Working Group, approved by FPT Ministers responsible for Justice and Public Safety in January 2016) - <http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/publications/fpt-justice-framework-english.pdf>.

¹⁴ Final Report to Federal-Provincial/Territorial Ministers Responsible for Justice and Public Safety on Fetal Alcohol Spectrum Disorder (2016) - <http://www.scics.ca/en/product-produit/final-report-to-federalprovincialterritorial-ministers-responsible-for-justice-and-public-safety/>

¹⁵ <http://www.justice.gc.ca/eng/fund-fina/jsp-sjp/jpip-pipi.html>.

¹⁶ <http://www.justice.gc.ca/eng/fund-fina/acf-fca/aw-fa.html>.

- *Tobique First Nation, Wolastoqewiyik Healing Lodge* – “Tobique First Nation Community Violence Prevention Program for Young Women and Girls”
The organization is developing a model program to prevent violence and abuse against pre-teen and teenage girls (ages 12 to 18) in their community. The program is based on a combination of established best practice prevention tools for Indigenous youth and Maliseet cultural teachings and counselling interventions. The goals of the program are to empower female youth to take control of their lives; reduce their vulnerability to violence; educate and counsel them about recognizing signs and symptoms of abuse; and avoiding risky social situations. The organization is also carrying out a community-wide awareness campaign about the problems of violence and abuse among young women, and the commitments and measures required to prevent their occurrence.

The Family Violence Initiative (FVI)¹⁷ portion of the JPIP has available funding for organizations to conduct pilot projects to develop, test and assess models, strategies and tools to improve the justice system’s response to family violence. Justice Canada is one of 15 partner departments and agencies working to prevent and respond to family violence as part of the Government of Canada Family Violence Initiative, the federal government's main collaborative forum for addressing family violence since 1988. The Initiative is led and coordinated by the Public Health Agency of Canada. Examples of initiatives currently being funded include:

- *Aboriginal Women’s Association of PEI Lennox Island* – “BALANCE: Balance Aboriginal Lives”
The organization is evaluating the causes, contributing factors and effects of gender-based violence in Aboriginal communities on Prince Edward Island. The objectives of the project are to increase awareness of what constitutes family violence; what are the effects on all family members; what needs to be done at a community level to address this problem; and to develop culturally specific tools to promote healthy family structures.

The Measures to Address Prostitution Initiative (MAPI)¹⁸ portion of the Victims Fund aims to create or enhance services to support exit strategies for those exploited through prostitution, which disproportionately and negatively impacts women and children as well as other marginalized groups (funding was made available from 2016-17 to 2019-20). Thirteen non-governmental organizations were funded under the MAPI. Most work with some Indigenous clients, but three NGO projects have or expect to have Indigenous sellers of sexual services as their primary participants. Examples of initiatives currently being funded include:

- *Street Worker’s Advocacy Project (SWAP) Regina Inc.* - “Raising Hope, Moving Families Forward”
The project is enhancing an existing program that provides housing and related supportive services for pregnant women and those who have recently given birth, and who are involved with prostitution and struggling with addiction in Regina. The enhancement pertains to the provision

¹⁷ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fv-vf.html>.

¹⁸ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/asa.html>.

of intensive therapeutic services that is helping women to move forward in their lives and exit prostitution.

- *New Opportunities for Women (NOW) Canada Society, Kelowna* – “The Essentials Program”
The project is supporting an existing program that helps women in British Columbia exit prostitution by providing support and services to help them deal with addictions and develop life skills.
- *Métis Child and Family Services Society, Edmonton* – “Walking Together, Our Healing Journey”
The project is supporting an existing culturally focused program in Edmonton for women, men, and transgendered individuals involved in prostitution, as well as high risk youth. Services provided are offered in collaboration with other community agencies and aim to reduce harm, address addiction and mental health issues and provide resources, support and guidance to help clients exit their lifestyle.

Relevant Documents:

- Recent evaluation reports on the JPIP:
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2017/jpip-pjpi/jpip-pjpi.pdf>.
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/12/jpip-pjpi/jpip-pjpi.pdf>.

1.2 Contributing to healthier and safer communities through Community-based Indigenous Justice Programming

The Indigenous Justice Program (IJP)¹⁹ (formerly the Aboriginal Justice Strategy) supports community-based justice programs that offer alternatives to mainstream justice processes in appropriate circumstances. Its objectives include contributing to decreasing the rates of victimization, crime and incarceration among Indigenous people. IJP is a federally-led program that is delivered in a cost-shared partnership with all 13 provincial and territorial jurisdictions. The IJP currently supports 197 community-based justice programs that serve over 750 urban, rural, and Northern communities, both on- and off-reserve and reach approximately 9,000 individuals each year.

For example, the IJP supports:

- The *Community Justice Program of Akwesasne*, which straddles the Ontario, Quebec and New York State borders. The program’s objectives are to resolve conflict, repair harm, and restore peace and harmony. The Program works with both victims and offenders and offers alternative dispute resolution, diversion, traditional circles, and sentencing alternatives/recommendations to the courts. The Program also works with the Akwesasne Court Mediation Services, which organizes mediators that work with the Program.
- *Aboriginal Legal Services in Toronto’s Community Council Program*, which is a criminal diversion program for Indigenous offenders - adult and youth - who live in Toronto. The project takes Indigenous offenders out of the criminal justice system and brings them before members of the Indigenous community. The members of the Council are men and women who represent a

¹⁹ <http://www.justice.gc.ca/eng/fund-fina/acf-fca/ajs-sja/index.html>.

cross-section of Toronto's Indigenous community. The focus of the Community Council is to develop a plan by consensus that will allow the offender to take responsibility for his/her actions, address the root causes of the problem, and reintegrate him/her into the community in a positive way.

IJP-funded Indigenous community-based justice programs are developed by communities for the communities that they serve, making these programs unique in their ability to address specific justice-related issues and concerns in a culturally-relevant manner. This community-based design and management enables Indigenous communities to assume a greater responsibility for the local administration of justice.

Activities of community-based justice programs can fall at any point along the justice continuum including: prevention, pre-charge, post-charge and reintegration. Programs work to address root causes offending and deliver programming that reflects the justice values, traditions and culture of their community. Much of their work focuses on repairing harm and brings together victim, offender and community, often by using restorative justice approaches and processes. Community justice programs have been shown to reduce recidivism and contribute to healthier and safer communities. A recidivism study done as part of IJP's most recent evaluation (2016) found that 70% of IJP program participants had not reoffended eight years following participation. Additionally, program participants were 43% less likely to reoffend than a comparison group of individuals who were referred to an IJP funded program, but did not participate.²⁰

Relevant Documents:

- Recent evaluation reports on the IJP (AJS):
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/11/ajs-sja/ajs-sja.pdf>.
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2016/ajs-sja/ajs-sja.pdf>.

1.3 Responses to youth in conflict with the criminal justice system

The Youth Justice Fund (YJF)²¹ supports projects to address issues faced by youth in the criminal justice system. Funding is used to help maintain an array of programs and services put in place to implement the *Youth Criminal Justice Act* and to position the youth justice system to respond effectively to emerging issues in keeping with the Act, including the over-representation of Indigenous youth. In 2018-19, the Youth Justice Fund is funding 18 multi-year projects that focus primarily on supporting culturally relevant programming for Indigenous youth in the criminal justice system.

Some examples of innovative initiatives that have been funded include:

- *Ka Ni Kanichihk's* "Root Connections Project" offers a culturally-relevant rehabilitative program to 12-17 year old Indigenous girls involved in the justice system and in gang activities in Winnipeg. The program is comprised of classroom-learning sessions, employment training and mentoring, academic tutoring and connection to community resources including counselling and drug and alcohol treatment. Learning activities cover land-based traditional knowledge and

²¹ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/vj-jj/index.html>.

practices, life skills, pre-employment training, career exploration, community volunteering as well as drama therapy. The project is working with 45 female youth in conflict with the law over a three year period.

- *Kwanlin Dun First Nation's* “Land-based Youth Treatment” where participants engage with outpatient counselling inclusive of culture-based and experiential methods using wilderness, adventure and other clinical methods, including short periods of time in a land-based setting. This outpatient programming will include a high level of family involvement and development of comprehensive methods for working with youth in the context of family.
- *Restorative Circles Initiative of Saskatoon Inc.'s* “New Horizons (Possessing Personal Power)” aims to address gaps in the youth justice system by focusing on the period where youth are most at risk of accumulating administration of justice offences, i.e. between the youth's first appearance and the resolution of any process (for example, sentencing hearing). Over the course of the project, approximately 75 youth and their families will be supported to meet court obligations and prevent further charges. Two evidence-based models will be used: (i) the Family Group Conferencing to assist in developing supportive and tailored intervention plans, and (ii) the Intensive one-on-one Mentorship to help youth and their families to navigate the justice process and access community resources.
- *STR8 UP 10,000 Little Steps to Healing Inc.'s* “Provincial Gang Strategy Phase 1 (Saskatchewan)” will develop a community-based, integrated provincial gang strategy for Saskatchewan, in partnership with the Saskatchewan Ministry of Justice. Funding is being provided to support the developmental phase of the strategy, including research and community engagement activities. STR 8 Up will organize and host a forum that will bring together over 50 stakeholders from different sectors including youth representatives, non-profit organizations, Indigenous communities, governments, police, health and social services, businesses and education authorities. The goal is to discuss collaborative approaches on policy, programming and community projects to prevent youth from engaging in criminal gang lifestyles, and to provide exit strategies for those who are already involved in gang activities.
- *Prince George Urban Aboriginal Justice Society's* “Indigenous Youth Clubhouse” will provide a safe, structured and supervised environment with recreational and leisure activities to approximately 100 Indigenous youth involved with the justice system and who are struggling with mental and/or psychological issues including FASD and addictions. Culturally-safe programs and interventions will be offered and tailored to the youth's individual needs to support their healing and social reintegration. The objectives are to reduce recidivism rates among the Indigenous youth population of Prince George in British Columbia, as well as to test a new program delivery model as an alternative to custody.
- *Lac La Ronge Indian Band's* “Reclaiming our Indigenous Youth” will implement a new program in northern Saskatchewan to support the reintegration and rehabilitation of approximately 90 Indigenous youth who are in conflict with the law and involved in, or vulnerable to, gang and drug activities. The program will provide individualized case management and intervention services including culturally relevant educational, recreational, volunteer and mentorship

activities. The goal is to give participating youth options and a sense of culture and community that will lead to more positive life choices.

Relevant Documents:

- Recent evaluation reports related to the Youth Justice Initiative (including the YJF):
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2016/yji-ijj/yji-ijj.pdf>.

2. Initiatives to respond to crime and victimization affecting Indigenous Peoples

2.1 Recent legislative responses to toughen criminal laws and bail conditions in cases of domestic assault

The mandate letter²² for the Minister of Justice and Attorney General of Canada tasked her with toughening criminal laws and bail conditions in cases of domestic assault. Bill C-75, *An Act to Amend the Criminal Code, Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*, tabled in the House of Commons on March 29, 2018, contains three provisions in this regard that are relevant to domestic assaults involving Indigenous women.

Clause 227 would amend subsection 515(6) of the *Criminal Code* to establish a reverse onus on bail for persons alleged to have committed an offence involving violence against their intimate partner if that person has been previously convicted of an intimate partner violence (IPV) offence.

Clause 297 would create a new provision in the sentencing part of the *Criminal Code* that would allow the Crown to seek to have a higher maximum penalty where an offender is being convicted on indictment of a second or subsequent offence involving violence against an intimate partner.

Clause 296 would amend the sentencing provisions in subparagraph 718.2(a)(ii) to specify that evidence that an offender abused their intimate partner in committing an offence is an aggravating factor for sentencing purposes. It will also clarify that both current and former spouses/common law partners and dating partners are included in the definition of intimate partner for these purposes.

2.2 Increasing access to trauma-informed and culturally-grounded services for Indigenous victims of crime

Justice Canada, through the Federal Victims Strategy (FVS), seeks to increase access to justice for victims and survivors of crime, and give victims a more effective voice. The FVS involves program funding, policy development and criminal law reform to encourage the development of new approaches in service delivery. The overall purpose is to improve the capacity of service providers to assist victims, foster the establishment of referral networks regionally and nationally, and increase awareness of services available to victims of crime and their families.

Since its inception in 2000, FVS' key policy and programming focuses have been raising awareness about the unique needs of Indigenous victims of crime, ensuring networking across Canada and

²² <https://pm.gc.ca/eng/minister-justice-and-attorney-general-canada-mandate-letter>.

increasing access to culturally-responsive victim services. Justice Canada has worked extensively with provinces and territories and with Indigenous community groups on the development of specialized services for Indigenous victims and survivors of violence. These collaborative efforts are seeking to ensure that Indigenous victims and survivors have increased access to meaningful safety planning strategies, specialized victim services, and culturally grounded counselling in communities.

The Victims Fund²³ provides grants and contributions to support various projects and initiatives (including projects supported through provincial and territorial agreements, Victims and Survivors of Crime Week and other recipients) that target a broad range of issues. Some projects and initiatives focus specifically on Indigenous Peoples and victims. In January 2017, a targeted call for activities to enhance culturally-responsive services for Indigenous victims and their families was initiated. Another relevant aspect of the Victims Fund is the Pilot Project component, including the recent call for proposals for Restorative Justice Processes for Victims and Survivors of Crime²⁴ and for Measures to Enhance Criminal Justice System Responses to Adult Sexual Assault.²⁵ The Pilot Project component encourages governmental and non-governmental organizations to identify victim needs and gaps in services, and develop and deliver programs. Examples of initiatives currently being funded include:

- *Ontario Native Women's Association (ONWA)*
The initiative supports grass roots community based organizations to deliver victim services in a culturally competent manner. The funding is bolstering the capacity of ONWA to address critical needs of Indigenous victims in northern and remote Ontario communities.
- *Punky Lake Wilderness Camp Society – “Healing the Harm”*
During National Restorative Justice (RJ) Week, Punky Lake Wilderness Camp Society held an information session for RJ and victim-serving agencies to increase the understanding of what RJ processes can offer to victims. The information session better prepared facilitators to foster victim involvement in a safe and meaningful way and enhanced victims' participation in RJ.
- *Greater Sudbury Police Service - “Looking Ahead to Build the Spirit of Our Women: Learning to Live Free from Violence”*
Through culturally appropriate education the services of an Aboriginal Women Violence Prevention Coordinator (AWVPC) will increase knowledge and awareness of the victimization of Indigenous women and girls. The organization will develop a proactive approach to help prevent Indigenous female youth from entering high risk situations and provide skills development on inter-cultural competency, conflict resolution, human rights and anti-racism to their members. The overall goals of the project are to build community partnerships and to gain community trust to address violence affecting Indigenous women and girls.
- *John Howard Society of Manitoba - “John Howard Healing Program for Indigenous Men”*
The organization is developing and piloting a new program to provide healing and justice for Indigenous male victims of childhood sexual abuse from communities in Manitoba. In a group

²³ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/index.html>.

²⁴ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/rjp-pjr.html>.

²⁵ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/asa.html>.

setting and in one-on-one sessions with the program facilitator, adult male victims of childhood sexual abuse will learn about the effects of childhood sexual abuse and trauma, identify symptoms and triggers of trauma, explore self-regulation techniques, learn about and practice coping strategies, and explore possibilities of reporting, testifying, or providing victim impact statements.

Relevant Documents:

- *Journey to Justice: A Guide to Thinking, Talking and Working as a Team for Young Victims of Crime in Canada's North* - <http://www.lfcc.on.ca/training-resources/resources/#publications>.
- Summary of Northern Responses and Approaches to Victims of Crime Conference 2009 - <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/news-bulit/iss4-bul4.html>.
- Risk assessment/Safety Planning Knowledge Exchange <http://cac-cae.ca/2011archive/>.
- Sexual Assault Knowledge Exchange summary of proceedings <http://www.justice.gc.ca/eng/cj-jp/victims-victimes/cal/summ-resu.html>.
- Recent evaluation reports related to the FVS:
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/11/fvs-sfv/fvse-esfv.pdf>
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2016/jfvs-sfav/jfvs-sfav.pdf>.
- Relevant research reports related to the FVS:
 - Trauma- and Violence- Informed Approaches to Supporting Victims of Violence: Policy and Practice Consideration (2016) - <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd9-rr9/rd9-rr9.pdf>.
 - An Estimation of the Economic Impact of Violent Victimization in Canada, 2009 (2014) - http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr14_01/toc-tdm.html.
 - Review of Research on Criminal Victimization and First Nations, Métis and Inuit Peoples 1990 to 2001 (2006) - http://www.justice.gc.ca/eng/rp-pr/aj-ja/rr06_vic1/index.html.
 - Creating a Framework for the Wisdom of the Community: Review of Victim Services in Nunavut, Northwest and Yukon Territories (2004) - http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr03_vic3/index.html.

2.3 Child Advocacy Centres

The Child Advocacy Centres (CACs) Initiative²⁶ is a component of the Federal Victims Strategy (FVS) that provides a coordinated and comprehensive approach to addressing the needs of children, youth and their families in cases where abuse is suspected. CACs seek to minimize system-induced trauma and support longer-term well-being by providing a child-friendly facility for young victims or witnesses and their families to seek services. A CAC is a community-based program, designed to meet the unique needs of the particular community in which it is located. Consequently, no two centres are alike, but each CAC has a number of elements in common, including a multi-disciplinary team that includes law enforcement, child protection services, victim advocacy and support services, mental health services, medical services, staff of the CAC, and where appropriate, prosecutions. More effective responses to child and youth victimization is also critical to break the cycle of crime and victimization, and multi-disciplinary teams work together through CACs in parts of Canada, many also serving Indigenous communities, providing culturally-responsive services and supports.

²⁶ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/cac-cae.html>.

Funding is provided to a limited number of victim-serving, non-governmental organizations who wish to create or enhance a CAC. The funding seeks to support: the development of new child advocacy centres; CACs currently under development or in the early phases of implementation; service delivery of existing CACs; and capacity-building and networks. Examples of initiatives currently being funded include:

- *Arctic Children and Youth Foundation, Nunavut* – “Umingmak Child and Youth Support Centre”
Over the next five years, Arctic Children and Youth Foundation will strive to open a new Child Advocacy Centre in Iqaluit, Nunavut directly serving Iqalummiut (residents of Iqaluit) and remotely serving Nunavummiut (residents of Nunavut). The project will provide a safe, culturally-informed, child-friendly environment in which various agencies will deliver their services in a collaborative and coordinated response.
- *Algonquin Child and Family Services* – “Child and Youth Advocacy Centre for the District of Nipissing”
Funding for this project supports the development of a Child and Youth Advocacy Centre in the District of Nipissing. The project will provide a safe, culturally informed, child friendly environment in which various agencies will deliver their services with a collaborative and coordinated response.
- *Kootenay Boundary Community Services Co-operative* – “Safe Kids & Youth (SKY) Coordinated Response - Sustainable Implementation Phase”
The project aims to increase capacity of the organization to provide a coordinated approach to addressing the needs of child and youth victims and/or witnesses in the criminal justice system, thereby minimizing system-induced trauma by providing a single, culturally responsive, child-friendly setting for young victims or witnesses and their families seeking services.
- *Snowflake Place for Children and Youth, Winnipeg* – “Snowflake Place Child Forensic Interviewers”
The organization will continue to provide a comfortable and safe child-friendly environment for children and youth who are victims of abuse and help them navigate the criminal justice system. The Recipient agrees to continue engaging child and youth victims and witnesses through the services of specialized child forensic interviewers, backed by ongoing training opportunities.

Relevant Documents:

- 2011 CAC Knowledge Exchange - <http://cac-cae.ca/2011archive/>.

2.4 Specialized services for families of missing and murdered Indigenous women and girls

Justice Canada has worked with Indigenous community organizations to increase access to specialized services and supports for families of missing and murdered Indigenous women and girls, and to raise awareness about the unique needs of families of missing and murdered Indigenous women and girls, as a key area of the Federal Victims Strategy (FVS) policy and program focus since 2010. Justice Canada provides funding under the Victims Fund for two initiatives that support families of missing and murdered Indigenous women and girls: the development of Family Information Liaison Units (FILUs),²⁷ and funding for community-based organizations that provide culturally-grounded grief and trauma supports for families.²⁸

FILUs are a new service for families of missing and murdered Indigenous women and girls, that work directly with families of missing or murdered Indigenous women and girls to gather the outstanding information they seek from government agencies and organizations related to the loss of their loved one and refer them to other existing community-based supports. Justice Canada assists provincial and territorial governments in establishing FILUs within their existing victims services divisions. Funding is available until March 31, 2020 (see announcement dated June 5, 2018).²⁹ Indigenous partners play a critical role in advising on processes and procedures for the FILUs, and in some jurisdictions, in their delivery. Naomi Giff-MacKinnon appeared before the Commission on May 28 and 29, 2018, to provide further information on the FILUs.³⁰

Additional funding for community-based organizations is available to support the design and delivery of culturally-responsive, trauma-informed services for families of missing and murdered Indigenous women and girls. The additional funding is also available until March 31, 2020. Examples of initiatives currently being funded include:

- *Ka Ni Kanichihk, Winnipeg* – “Medicine Bear Counselling, Support and Elder Services Program”

The project is providing culturally appropriate resources and therapeutic approaches to restore a sense of justice, balance and well-being for families of missing and murdered Indigenous women. The program is utilizing the teachings of Courage, Care Giver, Protector and Medicine Spirit to enable families of missing and murdered Indigenous women to heal from complicated grief and trauma within a culturally safe and friendly environment.

²⁷ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/mmiw-fada/info.html>.

²⁸ <http://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/mmiw-fada/vict.html>.

²⁹ On June 5, 2018, the Government of Canada announced additional funding to extend the timelines for the Units. They will now be available until March 31, 2020 - <https://www.canada.ca/en/indigenous-northern-affairs/news/2018/06/government-of-canada--national-inquiry-into-missing-and-murdered-indigenous-women-and-girls.html>.

³⁰ See also the Overview of Family Information Liaison Units, which was entered as Exhibit 14 to the evidence of Naomi Giff-MacKinnon at the Government Services Hearing on May 28, 2018.

- *Nunatsiavut Government* - “Nunatsiavut support strategy for families of missing and murdered Indigenous women and girls”

This project is coordinating Nunatsiavut regional endeavours for families of missing and murdered Indigenous women and girls by supporting access to a continuum of culturally-sensitive, trauma-informed supports, strengthening community capacity to respond to complex grief and trauma, and providing direct and indirect support to impacted individuals and families. This work includes the direct provision of individual, family, or group counselling; assistance accessing pertinent supportive and therapeutic services; support and direction to service providers on the provision of trauma-informed, culturally appropriate services and collaboration with the provincial Family Information Liaison Unit services.
- *Native Women’s Shelter of Montreal* – “Quebec MMIW community intervention and capacity building program”

The organization is working collaboratively with Quebec Native Women and the City of Montreal to build relationships with and provide accompaniment and referral services to families of missing and murdered Indigenous women. This project will formalize and implement a missing and murdered Indigenous Women procedure with community partners and the Montreal Police Service. Overall, this project will result in increased access to support for families of missing and murdered Indigenous women in Quebec and increased mobilization in the event of an Indigenous woman going missing.
- *Vancouver Aboriginal Community Policing Centre Society* – “NATSA’MAT”

The organization is offering the NATSA’MAT program to youth and adult family members of missing or murdered Aboriginal women. The program focuses on individual and family healing and counselling through culturally-based holistic programming, and effectively blends traditional and modern healing concepts. The organization is providing workshops on violence prevention, personal safety and life-skills with the goals of reducing over-victimization and representation of Aboriginal people in the criminal justice system. These workshops will offer participants new insights and strategies to stay safe, avoid the predatory influences in the community and reduce the vulnerability of Aboriginal women and girls to violence and high risk behaviour.
- *Metro Vancouver Aboriginal Executive Council Society* – “Coordinating Urban Supports for MMIWG Drop In Healing Space”

Metro Vancouver Aboriginal Executive Council is partnering with agencies such as the City of Vancouver, the Vancouver Coastal Health and BC Ministry of Justice to offer services, supports, and to provide a gathering place to ensure a safety net is in place for the families of missing, murdered Indigenous women and girls.

Relevant Documents:

- Relevant research reports related to the FVS:
 - Trauma- and Violence- Informed Approaches to Supporting Victims of Violence: Policy and Practice Consideration (2016) - <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd9-rr9/rd9-rr9.pdf>.

- Specialized Victim Services for the Families of Missing and Murdered Aboriginal Women: An Overview of Scope, Reach and Impact (2015) - <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd8-rr8/index.html>.

2.5 Culturally-relevant court-based assistance when Indigenous people are in conflict with the justice system

Through the Indigenous Courtwork (ICW) Program³¹ (formerly the Aboriginal Courtwork Program), established in 1978, Justice Canada makes contributions to provincial and territorial governments to support the provision of Indigenous Courtwork services to Indigenous persons in conflict with the criminal justice system (and in some jurisdictions, the child welfare and family law systems) to obtain fair, just, equitable and culturally-relevant treatment.

In most jurisdictions, Indigenous Courtwork services are delivered by Indigenous service delivery agencies under contract to the provincial or territorial government. In Manitoba and the Northwest Territories, Courtworkers are employees of the provincial/territorial government. ICW Programs currently operate in every province and territory with the exception of P.E.I., Newfoundland and Labrador and New Brunswick. Nationally, over 190 Courtworkers provide services to over 60,000 Indigenous persons (adult and youth) with charges each year, and services to an additional 13,000 Indigenous persons without charges (victims, witnesses, family members and others) each year. The ICW Program is delivered through a relatively small network of over 190 full-time and part-time Indigenous Courtworkers who provide information on charges, court procedures, rights and responsibilities, bail, diversion, restorative justice and Indigenous community justice alternatives; offer support in accessing legal resources, as well as appropriate community programming including wellness, trauma, housing, family and employment services; and facilitate communication with court officials, accused persons, family members and communities to ensure understanding and collaboration. As “Friends of the Court”, they also provide critical background and contextual information on the accused, make the court aware of alternative measures and options available in the Indigenous community, and ensure that the accused comprehends the court process.

Justice Canada co-chairs the Indigenous Courtwork Program Tripartite Working Group, which consists of federal, provincial, territorial officials and Indigenous service delivery agencies and communities from across Canada, and serves as a forum to discuss issues affecting the provision of services to Indigenous people involved in the criminal justice system. The Tripartite Working Group informs the delivery of Indigenous courtwork services across the country.³² There has been tripartite collaboration on a number of initiatives including three national training events for Courtworkers, the development of shared national data measures and most recently in 2015, the development of a five-year strategic plan for the ICW Program developed by the Directors of the Indigenous service delivery agencies across Canada.

³¹ <http://www.justice.gc.ca/eng/fund-fina/gov-gouv/acp-apc/index.html>.

³² <http://www.justice.gc.ca/eng/fund-fina/gov-gouv/acp-apc/location-emplacement/index.html>.

Relevant Documents:

- Recent evaluation report on the ICW (ACW):
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/13/acp-paa/acp-paa.pdf>.

2.6 Specialized Courts

Pilot projects with therapeutic courts have tried to address the complex social and personal issues, such as addiction, poverty, impaired emotional or anger-management skills, limited literacy, cognitive impairments (including fetal alcohol spectrum disorder), mental illness, history of abuse, etc., that underlie the criminal behaviour. These projects focus on remediating these underlying issues, to break cycles for repeat offenders through the criminal justice system. Some problem-solving courts have a dedicated focus on drug addiction, mental health issues, or domestic violence. Others are Indigenous-specific courts, such as Toronto's *Gladue* Court, the Tsuu T'ina Peacemaking Initiative in Alberta, the Cree and Indigenous courts in Saskatchewan, and others, that specifically provide a culturally-safe courtroom environment, and consider alternatives to incarceration for Indigenous offenders. Community courts, which seek to rehabilitate the offender through the betterment of his or her community, are also being tested in some provinces and territories, such as the Yukon Community Wellness Court, and a community court opened in downtown Vancouver in 2008.

The Drug Treatment Court Funding Program³³ contributes funding to provinces and territories for the administration of Drug Treatment Courts (DTCs) in their jurisdictions. DTCs provide for judicially supervised, or court-monitored, addiction treatment in an effort to address the underlying issues that have brought the offender before the court. The experience of DTCs is that courts that employ therapeutic justice concepts where the offender is directed to appropriate community treatment and supports, is effective both in reducing recidivism and in leading the marginalized and vulnerable to off-ramps from the criminal justice system. Funding from the program currently assists approximately 200 offenders across Canada in receiving court-monitored addictions treatment on a daily basis. Funding agreements are completed or under development, for five years (2018-2019 to 2022-2023), for British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia, Newfoundland and Labrador, the Northwest Territories and the Yukon.

Relevant Documents:

- Recent evaluation report related to the DTC:
 - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2015/dtcfp-pfttt/dtcfp-pfttt.pdf>.

2.7 Initiatives within mainstream Justice funding programs

Justice manages two large-scale contribution programs for provinces and territories - the Legal Aid Program and the Youth Justice Services Funding Program. As well, it supports Legal Aid, Indigenous Courtwork, and Public Legal Education and Information in the territories through Access to Justice Services Agreements.

³³ <http://www.justice.gc.ca/eng/fund-fina/gov-gouv/dtc-ttt.html>.

The Legal Aid Program provides funding to provinces for, among other matters, criminal legal aid. A significant percentage of criminally accused persons (between 20% and 81%, depending on province) rely on legal aid lawyers in court proceedings, and given poverty rates among many Indigenous persons, it can be assumed that this percentage is higher among Indigenous accused. As a result, initiatives by legal aid plans to address the specific needs of Indigenous accused have potentially a very broad reach. Given the over-representation of Indigenous women in the criminal justice system, in many cases linked to their criminal victimization (e.g. in instances involving dual charging policies in domestic violence cases), these initiatives are significant for Indigenous women.

In recent years, two of the country's largest legal aid plans, Legal Aid Ontario and the Legal Services Society of British Columbia, have developed Aboriginal Justice Strategies. Various legal aid plans provide duty counsel services in *Gladue* and First Nations Courts, provide *Gladue* writers to Indigenous accused, provide interpretation services in Indigenous languages where needed, and have specialized outreach workers or clinics for Indigenous clients. The Legal Aid Program is currently developing a survey for legal aid staff as a first step in assessing the reach and perceived effectiveness of these and other services. The Program is also collaborating with Statistics Canada on a Social Data Linkage Environment pilot project in Saskatchewan, which by linking legal aid data with data from the Census and other Statistics Canada information holdings, is expected to illuminate legal aid service delivery to, and outcomes for, Indigenous clients, among others.

The Youth Justice Services Funding Program is the Department's main vehicle for sharing the costs of youth justice services and programs with provinces and territories. Funding from this program supports the delivery of programs and services with a focus on rehabilitating and reintegrating young persons.

3. Initiatives to strengthen Indigenous justice and recognition of rights

3.1 Renewing a nation-to-nation relationship

As part of the Government of Canada's commitment to a renewed nation-to-nation, government-to-government and Inuit-Crown relationship with Indigenous Peoples that is based on recognition of rights, cooperation and partnership, the federal government undertook a review of its laws and policies related to Indigenous Peoples. The Working Group of Ministers³⁴ responsible for the review examined relevant federal laws, policies, and operational practices to help ensure the Crown is meeting its constitutional obligations with respect to Aboriginal and treaty rights; adhering to international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples; and supporting the implementation of the Truth and Reconciliation Commission's Calls to Action. The Minister of Justice and Attorney General of Canada, the Honourable Jody Wilson-Raybould, chaired the Working Group of Ministers. In August 2018, a new Cabinet Committee on Reconciliation was announced to continue to advance the Government's commitment to a renewed relationship and to build on the work of the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples.

³⁴ <https://pm.gc.ca/eng/news/2017/02/22/prime-minister-announces-working-group-ministers-review-laws-and-policies-related>.

As a current member of the Reconciliation Committee of Cabinet and previous member of the Working Group of Ministers, the Minister of Justice is supported by a special departmental team. This team provides strategic legal and policy advice to the Minister of Justice in realizing the Minister's mandate letter commitment to advance reconciliation and achieve a renewed nation-to-nation relationship with Indigenous peoples. This team also supports the Deputy Ministers Task Force on Reconciliation, co-chaired by the Deputy Minister of Justice, which provides strategic direction to guide the public service's efforts in supporting the Government with this important priority.

Justice Canada's Aboriginal Affairs Portfolio (AAP) provides expert legal services and legal policy advice to the Minister of Justice and Attorney General of Canada, the Deputy Minister, and across federal government departments and Central Agencies on a wide range of Aboriginal law issues that affect government as a whole. AAP also provides advice on the recognition of and respect for Indigenous legal traditions, which can result in improved outcomes for Indigenous people in many areas. In January 2017, Justice Canada hosted a two-day Indigenous Legal Traditions Learning Symposium which brought together Justice Canada legal and policy staff with Indigenous legal academics and practitioners to learn about Indigenous Legal Traditions in Canada. This event helped Justice Canada staff better understand the history of Indigenous Legal Traditions and the important work on Indigenous law revitalization underway across the country. This education will help Justice Canada employees respond to questions from clients and Indigenous groups about ILT in a more informed and respectful way.

Justice Canada also supports the negotiation of self-government agreements negotiated by CIRNA and is the co-policy lead on administration of justice matters with Public Safety Canada. In that role, Justice Canada officials regularly advise on, and support, negotiations of Administration of Justice chapters. These agreements help bring administration of justice back into the hands of Indigenous communities who are able to operate dispute resolution and prevention programs in a culturally relevant way and in accordance with Indigenous legal traditions.

Relevant Documents:

- Recent evaluation report related to the AAP - <http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/2016/aap-paa/aap-paa.pdf>).

3.2 Principles respecting the Government of Canada's relationship with Indigenous Peoples

As part of the government's commitment to a renewed nation-to-nation relationship with Indigenous Peoples, on July 14, 2017, the Government of Canada released the *Principles Respecting the Government of Canada's Relationship with Indigenous Peoples*.³⁵ The principles are grounded in s. 35 of the *Canadian Charter of Rights and Freedoms*, and the United Nations Declaration on the Rights of Indigenous Peoples, and informed by the final report of the Royal Commission on Aboriginal Peoples, and the Truth and Reconciliation Commission's Calls to Action. The 10 principles cover five main themes:

- Indigenous-Crown relations based on the recognition of rights
- Self-determination and self-government

³⁵ <http://www.justice.gc.ca/eng/csjsjc/principles-principes.html>.

- Renewed approach to negotiations and relationships
- Confirmation of past federal statements
- Distinctions-based approach.

Ultimately, the *Principles* provide a starting point in transforming the relationship between the Crown and Indigenous peoples, and seek to advance fundamental change in the way the Government conducts its relations with Indigenous peoples.

3.3 Review of the Government of Canada litigation strategy, of the criminal justice system and of gaps in services to Indigenous people and those with mental illness

The mandate letter³⁶ for the Minister of Justice and Attorney General of Canada also tasked her with a series of reviews, including:

- a review of the Government of Canada litigation strategy, including early decisions to end appeals or positions that are not consistent with the Charter or the Government commitments or values;
- a review of the changes in our criminal justice system and sentencing reforms over the past decade, to ensure that we are increasing the safety of our communities, getting value for money, addressing gaps and ensuring that current provisions are aligned with the objectives of the criminal justice system; and
- working collaboratively with other government departments and with provincial and territorial partners – who have much of the jurisdictional responsibility for health and social services – to address, together, gaps in services throughout the criminal justice system for Indigenous and vulnerable populations.

The review of the Government of Canada litigation strategy,³⁷ resulted in adopting a recognition of rights approach to litigation with Indigenous peoples; abandoning appeals in a number of Charter cases; and seeking to work collaboratively with litigants to explore policy and legislative changes. To end appeals and positions not consistent with the Government’s commitments and values or the Charter, the Government:

- adopted, where possible, a more conciliatory approach to litigation with Indigenous peoples (ex. *Haida, Ignace*),
- intervened in *Ktunaxa* to outline the important interrelationship between freedom of religion and Indigenous rights, and
- sought leave to Intervene in *Nacho Nyak Dun v. Yukon* to outline the government’s principles and objectives in respecting the nation-to-nation relationship and reconciliation between governments and indigenous peoples.

From May 2016 to January 2018, Justice Canada held a series of roundtables with stakeholders across the country to “review and assess changes in the criminal justice system over the past decade, including sentencing reforms” and to ensure “that we are increasing the safety of our communities, getting value

³⁶ See footnote 23.

³⁷ <http://www.justice.gc.ca/eng/abt-apd/accom-real.html>.

for money, addressing gaps and ensuring that current provisions are aligned with the objectives of the criminal justice system.”³⁸ Participants included:

- representatives from non-governmental organizations representing victims, offenders, police, prosecutors, defence lawyers;
- members of professional legal associations;
- judges;
- provincial and territorial government officials;
- academics;
- mental health professionals; and
- Indigenous leaders and communities.

The final report on the results of the provincial and territorial roundtable discussions to hear local practices and suggestions for improving the criminal justice system is available on-line,³⁹ as well as a list of the community roundtables that followed.⁴⁰ The final report of the public consultations, including the community consultations, will be available later in the Fall of 2018.

The final report on the results of the provincial and territorial roundtable discussions emphasized two concerns. First, the need for better data that links information across the justice sectors and the related social systems, including health, housing, mental health, education and child welfare. Second, the fact that most people who come in contact with the criminal justice system are vulnerable and/or marginalized individuals, often struggling with mental health and addiction, poverty, homelessness, and prior victimization, which the criminal justice system is not best placed to address, and which can be worsened by an over-reliance on incarceration. Participants also identified local programs that are working to help both victims and offenders get the services they need, including through restorative justice and community-based collaborative approaches.⁴¹ The report includes many themes that are relevant to the work of the Commission, including concerns regarding the treatment of women in the criminal justice system, and that Indigenous women in particular need approaches that consider the historical and oppressive contexts, as well as the need for disaggregated data collection through a gendered lens.⁴² A final report on the criminal justice system review will be released in the winter of 2018/19.

3.4 Gathering Indigenous voices in policy development

Justice Canada piloted the Indigenous Policy and Program Innovation (IPPI) Hub to explore how new policy and program development approaches can be used to address gaps in services for Indigenous people and reduce the overrepresentation of Indigenous people in the criminal justice system. The IPPI Hub developed a knowledge database built on the results of 25 face-to-face engagement sessions held from 2015-2017 with approximately 800 Indigenous organizations, justice system stakeholders, and provincial and territorial agencies. Participants at these sessions provided expertise about the causes and possible solutions to the overrepresentation of Indigenous people in the criminal justice system, gaps in

³⁸ See footnote 23.

³⁹ <http://www.justice.gc.ca/eng/rp-pr/other-autre/tcjs-tsjp/>.

⁴⁰ <http://www.justice.gc.ca/eng/cj-jp/tcjs-tsjp/what-quoi.html>.

⁴¹ For examples of relevant programs, see pp. 14, 17-18, 21-22, 24.

⁴² See footnote 39, at p. 9.

services, emerging justice issues and how these issues might be addressed. This opportunity to seek feedback about the existing system and to hear the voices of frontline service providers working with Indigenous persons is essential to fully understanding the scope of the problems and potential solutions. Over 4700 ideas focused on addressing overrepresentation and gaps in services were gathered from these sessions and a searchable database with this input was created and shared with those who had participated in the face-to-face engagement sessions, FPT Working Groups and anyone who requested the information. This information is being used to support departmental policy and program development to address gaps in services and is available to multiple stakeholders and partners.

