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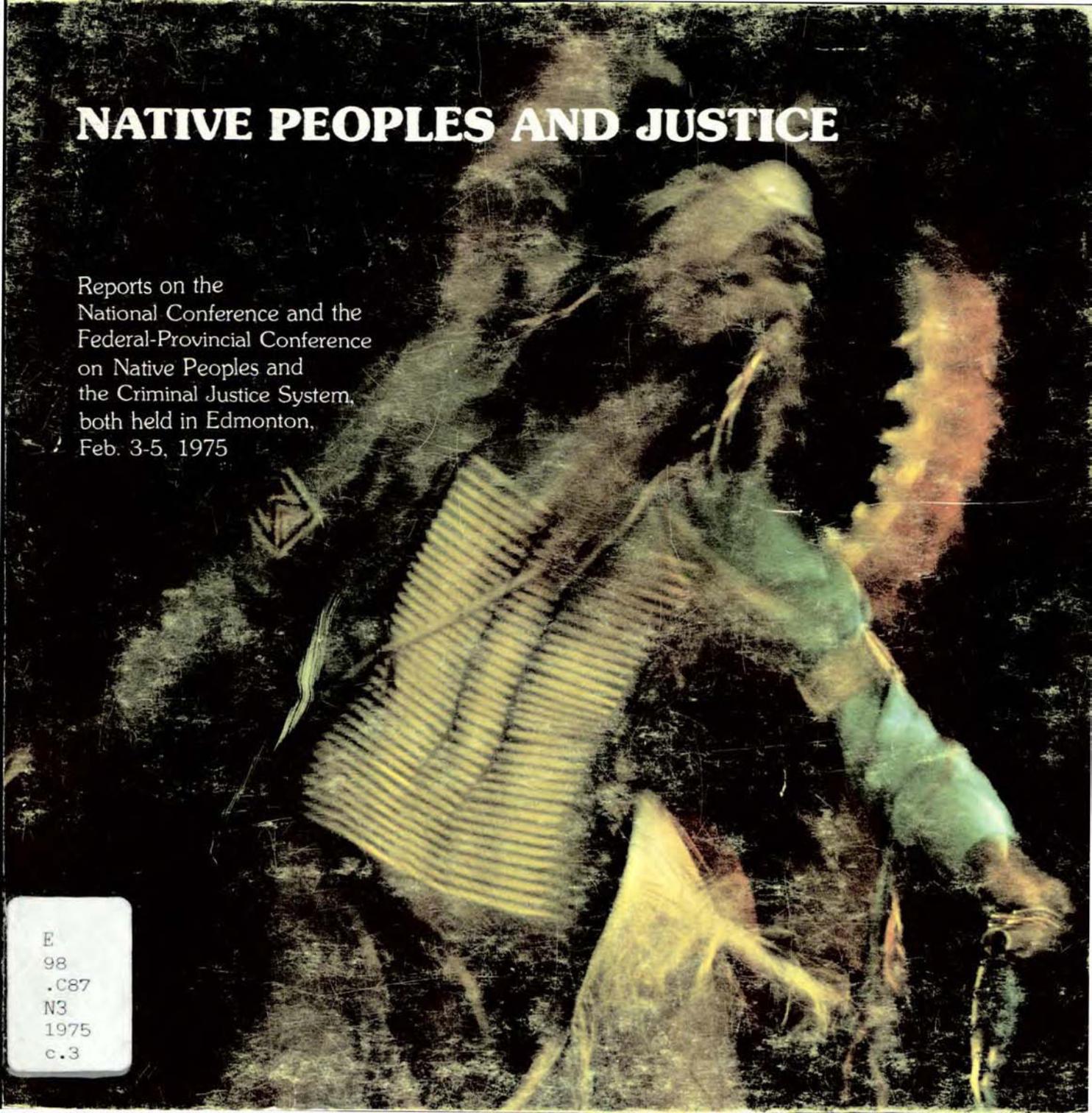
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NATIVE PEOPLES AND JUSTICE



Reports on the
National Conference and the
Federal-Provincial Conference
on Native Peoples and
the Criminal Justice System,
both held in Edmonton,
Feb. 3-5, 1975

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The Cover:

Hobbema dancers from Alberta present the pulsating rhythms of their traditional, colourful Victory Dance for the delegates to the national conference in Edmonton.

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*National Conference on Native Peoples
and the Criminal Justice System (1975: Edmonton)*

Produced by the
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Solicitor General
Canada

Solliciteur général
Canada

INTRODUCTION

Concern over the jailing of disproportionate number of Canada's native people prompted the calling of a national conference to consider issues of prime importance not only to native peoples but also to the governments under which they live.

A three-day meeting at Edmonton, February, 1975, called the National Conference on Native Peoples and the Criminal Justice System, was attended by persons from every area of Canada interested in finding ways to bring the country's laws and their administration more in tune with the needs of the native population.

The conference's tone was described by Solicitor General Helen Hunley of Alberta when she told delegates that her province was bringing to the talks a genuine desire for a greater level of understanding.

The minister said she was sure that all other delegations had come with the same intent *"and we feel confident that this meeting will prove to be beneficial not only to government and our native Canadians but indeed to all Canadians."*

Warren Allmand, the Solicitor General of Canada, told the same session:

"Our expectations of this conference are high, and so they should be. The right people are here. We share a determination to gain a better understanding of the problems we face and to move towards their solution."

The meeting was unusual in that its third day was actually a formal federal-provincial conference to which delegates to the over-all meeting were admitted as observers. Such ministerial meetings are usually closed, at least in part.

Representatives of native peoples, cabinet ministers and officials took part in closed workshop sessions, each limited to 20 persons to make

discussion easier. The reports of the workshops were then, presented to a plenary session, presided over by Judge Ian Dubiensi of Winnipeg.

The workshops produced more than 200 suggestions which were later grouped to eliminate duplication and to enable ministers to deal with them more effectively in their talks. Most of the key subjects were examined by two groups. One stressed the urban implications of the subjects, the other the ramifications in less settled areas of the country.

The conference covered virtually every aspect of the criminal law and administration of justice as it relates to native peoples and identified problems that must be faced to ensure the equitable treatment of native peoples within the Canadian criminal justice system.

This illustrated booklet deals with the conference in two sections. The first covers the plenary session and the workshops; the second reports on the federal-provincial conference. The governments' conference was held under the chairmanship of the Hon. Warren Allmand, the Solicitor General of Canada.

PARTICIPANTS

Governmental Representatives at Conference

The Honourable Warren Allmand — *Solicitor General of Canada*
Mr. Roger Tassé, Q.C. — *Deputy Solicitor General of Canada*
Hon. H. Faulkner — *Secretary of State*
Hon. J. Buchanan — *Minister of Indian Affairs and Northern Development*
Hon. A. Hickman — *Minister of Justice of Newfoundland*
Hon. C. S. Callbeck — *Minister of Health and Social Services for P.E.I.*
Hon. H. Pawley — *Attorney General of Manitoba*
Mr. Gordon Coles — *Deputy Attorney General of Nova Scotia*
Hon. R. T. Potter — *Minister of Correctional Services for Ontario*
Hon. G. A. Kerr — *Solicitor General of Ontario*
Hon. H. Hunley — *Solicitor General of Alberta*
Hon. J. A. Adair — *Minister without portfolio responsible for community liaison
for Alberta*
Hon. J. Choquette — *Ministre de la Justice du Québec*
Hon. P. Creaghan — *Minister of Justice of New Brunswick*
Hon. A. MacDonald — *Attorney General of British Columbia*
Hon. A. Taylor — *Social Services Minister for Saskatchewan*
Hon. R. Romanow — *Attorney General of Saskatchewan*

Native Participants

Caroline Newell — *President, Native Sisterhood, Kingston Penitentiary for Women*
Bobby Woods — *Pittsburgh Institution, Ontario*
Cathy Bruyère — *Ontario Native Women's Association*
Wilbur Campbell — *Executive Director, Native Courtworkers and
Counselling Association of B.C.*
Kitty Maracle — *President of B.C. Native Women's Society*
Rose Boyer — *Chairperson of Saskatchewan Native Women's Association*
Harold Cardinal — *President, Indian Association of Alberta*
Chester Cunningham — *Executive Director, Native Counselling Services of Alberta*
Dorothy Betz — *Native Clan Organization of Manitoba*

Moses Etok Ogaitu — *Povungnituk, Northern Quebec*
Karl Larivière — *President, Laurentian Alliance, Quebec*
Anthony Francis — *President, Union of New Brunswick Indians*
Melvin Nash — *President, New Brunswick Association of Non-Status and Metis Indians*
Chief Noel Ducette — *Union of Nova Scotia Indians*
Peggy Rydzewski — *President, P.E.I. Association of Non-Status and Metis Indians*
Marilyn John — *Vice-President, Native Association of Newfoundland/Labrador*
Kathy Rear — *Yukon Native Brotherhood*
Beatrice Beulieu — *Metis Association of N.W.T.*
Sam Raddi — *COPE, Inuvik, N.W.T.*
Gloria George — *Vice-President, Native Council of Canada*
Xavier Michon — *President, National Association of Friendship Centres*
George Manuel — *President, National Indian Brotherhood*
Bertha Clarke — *President, Native Women's Association of Canada*
Ron Shackleton — *President, National Native Law Students Association*
Jimmy Johannes — *Northern Quebec Inuit Association, representing
Inuit Tapirisat of Canada*

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THE NATIONAL CONFERENCE



1. **PROBATION, PAROLE AND AFTER CARE**

A concern of the workshop on probation, parole and aftercare in larger communities was whether separate services should be provided for natives. The view of natives in the group was that government should support and encourage natives to work in these areas without help from non-natives.

The workshop saw as problems in probation the lack of opportunity for native offenders, the limited choices a magistrate has in considering probation and the absence of rehabilitative services for natives wanting to return to their own communities.

Possible solutions were suggested that call for a special unit in the probation service to work with natives, the recruiting of natives for probation work and the setting up of foster or group homes, or both, for young offenders. Services were sought to make the parole process easier for native inmates.

Parole problems were seen in the unwarranted detention of natives in maximum security and the virtual impossibility of transfers to institutions with lesser security; a lack of information from classification officers, discrimination; irrelevant aptitude tests; the lack of information from "outside" natives to support the inmate seeking parole; difficulties in presenting parole arguments and ineffective participation in the parole mechanism.

The group called for an immediate investigation into transfers barriers facing natives, reasons for the small numbers of transfers, the provision of liaison workers within institutions with more say in selection and classification, counselling resources and native spokesmen to help parole applicants, and early planning for eventual release from jail.

In its recommendations, the workshop called for meetings at the provincial level "to discuss the implementation of the recommendations from this conference and to establish the permanent mechanism for consul-

tation and liaison.” It also asked for a committee with representation from native organizations as well as from the federal and provincial governments.

The study group said the basic question in aftercare is whether there should be half-way houses specifically for natives and operated by natives. A prime consideration is providing help to persons returning to society after jail. Cited as problems were the lack of adequate facilities for natives leaving prison, including insufficient half-way houses, the refusal of authorities to use such houses for day parolees, the lack of money for such projects, and community attitudes to such facilities.

The workshop on probation, parole and aftercare in remote areas of the country recommended that native peoples should be employed throughout corrections and that advisory committees comprised mostly of persons from remote areas of Canada should be set up to advise on solutions and alternatives to present practices.

The group also urges that native organizations and communities must recognize and accept their responsibility for native offenders by assisting whenever required. It was essential, the workshop said, that native persons represent native offenders at parole board hearings as a means of moral support and that persons of native ancestry be located in all penal institutions as a buttress to the myriad requirements of native inmates in their dealings with authority.

It was the feeling of delegates that discussions of the kind under way at the conference were only a beginning and that especially cultural differences must be recognized in corrections.

“There is no reason for misunderstandings between whites and natives to continue,” the study group said. “We want our people out of jail and at home and to make this happen we all have to stop and listen to what the native brotherhoods and sisterhoods are saying .

Also stressed were special territorial problems and the desire of N.W.T. delegates that there should be established in the territories a territorial parole board, a native court workers program, and opportunities for natives in the whole area of corrections.

“It is important to realize,” the study group said, “that those who live in the remote areas can provide information as to the sorts of correction programs that have a chance of success.”

2. ADMINISTRATION OF JUSTICE

The workshop on the administration of justice in more settled areas called for changes that would take account of the values of natives and suggested revisions in present sentencing practices so, that, for example, convicted persons could work for a band or community or make other restitution instead of being sent to jail, especially for minor offences.

As a move to more enlightened practices, the study group urged that band councils or communities be given additional responsibilities for the administration of criminal justice. As well, it suggested that programs already successful should be emphasized and support continued.

“Such obviously successful programs as the court-worker system should not be strangled because of lack of dollars,” the group said. “Prison liaison officers perform valuable functions, yet all too often they suffer from lack of funds.”

Books and leaflets were not the answer to letting inmates know their rights upon going to jail. What was required is making sure that inmates receive counselling “even to the point of having other native people or advisors speaking directly to the inmates”.

The group stressed that natives should have an audible voice in proposed changes in the law. It was not sufficient that they have the opportunity to present submissions to such bodies as law reform commissions. Persons studying law changes should get into communities to gather the views of natives.

Emphasis on education about the law was stressed because simple ignorance too often led to the commission of offences and the jailing of offenders. Scholarships and other forms of help were recommended so that native persons would have the chance to train for a career in the criminal justice system. Incentives were called for so that natives already

trained in criminal justice work would be encouraged to stay at their jobs rather than move on to work that pays more money.

The workshops urge that native inmate clubs and societies be encouraged and that their members should not lose privileges or have restrictions imposed on them because of such membership. Inmates should be guaranteed the right to present their grievances and have assurance that such complaints will be investigated.

Litigation costs money and the workshop recommended that the government pay when natives become involved in actions under such legislation as the Indian Act. "All too often the small resources that the Indian people have available to them are gobbled up by costly and often unnecessary litigation," was one workshop view.

Asked for also was an investigation of the prosecutor role in criminal cases because "all too often the police, prosecutor and judge appear to be in collusion. The separation of these various functions must be made very clear."

The study group said that most important is the need for a commitment by governments "to a new approach to natives and the law that has as its purpose the total involvement of native people in all levels of planning and programming to improve every aspect of the administration of justice as applied to native peoples. This commitment must involve an increase of dollars made available for the planning and programs."

The workshop considering the administration of justice from the "remote point of view" said the crucial question of its session was whether courts realize there is a native culture, a different value system, philosophy, religion and perspective toward life and "would the court administrators respect or perchance condone this cultural difference."

As a means of resolving the question, the study group said that priority should be given to having native persons take part in the administration, control and direction of such things as policing, probation, parole, the courts, native counselling, child welfare and juvenile family courts. It called for official recognition of fully qualified professional native persons and called for a native recruitment program to serve the criminal justice system.

It was also recommended that the system for the administration of justice be required to reflect the spirit of the treaties and terms of Section 91 of the British North America Act and that only federal laws, band councils affect those on Indian reserves.

The study group said there is an urgent need for a national committee of native people and federal and provincial authorities to pursue the recommendations of the over-all conference. Money should be provided to pay for a secretariat.

A legal education system was recommended to train both native and non-native persons in all phases of the judicial system. This would be separate from services now aimed at providing court workers, native counselling and aftercare.

3. PREVENTION

Too much talk and not enough action: That was the view of the study group on crime prevention in urban areas as it set out a series of commitments that it wants from governments.

“For too long now natives have been called together in various places in Canada to discuss proposals for improving their respective situations,” the workshop said. “Invariably the results have been to call in new conferences to re-discuss the many issues that cropped up from the last. The issues are defined and re-defined without coming to specific suggestions to implement changes.”

“Also no commitments are ever extracted from the myriad of government officials, or those extracted are so general as to amount to a virtual mandate for inaction.”

- The study group seeks commitments from governments that will provide:
 - A massive education program at every level from primary to adult that will instruct natives in the past and present achievements of their people as a means to building a positive identity that would lead to less crime;
 - Orientation and training on the special needs of natives for persons who administer the criminal justice system such as police, lawyers, judges, parole and probation officers;
 - Help for educationists and administrators of justice in instructing natives about the criminal justice system so that they do not have to get such knowledge only when they are arrested and jailed;
 - Vehicles for resolving offences at the community level so that a person need not necessarily appear in urban courts and acquire a criminal record when he tangles with the law;

- Encouragement and money for auxiliary support services leading to the prevention of crime such as counselling for alcohol and drug abuse and on how to use leisure time;
- Flexibility in matching the goals of outside agencies such as schools and churches with the work under way inside the criminal justice system so as to avoid over-lapping and conflict;
- Native staff for agencies dealing with natives, which would have discretion in following and operating its programs without interference and the imposition of non-native cultural values;
- More evenly distributed funding because “too much of the present funding is at the corrections end (and) we want it at the prevention end and in between the two extremes because these are the areas for effective preventive action through which, in effect, more native people will be enabled to enter the criminal justice system as employees and not ‘offenders’.”

“We must be willing to undergo the stresses and strains which are part of the change process,” the workshop said. “Our success will depend upon our individual and collective abilities and motivation to initiate the recommended actions. Let’s examine what and how we have done in a year’s time, perhaps in a similar forum to this.”

The study group on prevention in remote areas noted that native and non-native peoples perceive justice differently and that the present language of the law and language barriers tend to strengthen the differences. A further complication is that native peoples seldom encounter Canada’s justice system until faced with arrest and have come to equate justice only with punishment.

One key recommendation of the workshop was the immediate formation of a national body of native peoples to lobby for the setting up of prevention programs wherever native communities seek them. Another called for steps to enforce present laws so as to discourage enforcement inconsistencies and inadequacies and to develop an atmosphere for prevention.

An education program was suggested that would provide natives with information on alcohol, drugs and addiction. It would be directed to all ages but especially to persons nine to twenty-one years old and could be started right away by using as instructors, persons who have overcome their drinking and drug difficulties. Local people could be trained for future programs, which could be set up by community and band councils.

Recommended also were "programs of a diversionary nature" that could be organized in remote communities and even incorporated into school programs if the local community wishes. The programs would dwell on such things as camping, training in hunting, fishing, arts, crafts, and other activities the native community considers important.

The workshop called for programs aimed at providing natives with a knowledge and understanding of the Canadian legal system, both civil and criminal, as it applies to native peoples in the local communities. Several resources, such as court workers, community colleges and community development workers, could be used in the programs. Present native structures such as band and community councils should "be used as vehicles of awareness."

The study group saw a sound economic base as the prime discouragement to crime and stressed that economic plans must be aimed at the long term and not only at a community's immediate needs.

The education of non-natives in the ways of natives was suggested as a means of removing barriers to understanding and the training of government personnel was underlined as a way of understanding more readily why natives “have difficulty adhering to the present Canadian Criminal Justice System.”

The workshop said that the media — radio, television, and print — should be required to provide time and space for native content that would be controlled by the natives themselves and that money be provided for an increase in present native media activities and the establishment of new channels of communication.

Also recommended were steps to ensure:

- Equality for natives in employment and a discouragement of tokenism;
- A relaxation or deferral for native peoples of government bilingualism requirements;
- That teachers, nurses and other persons sent to work in remote areas be required to attend orientation courses designed and administered by the local natives;
- Easier access to markets and exhibitions for arts and crafts;
- Employment of natives in areas where their expertise could be used;
- Native control and review privileges over native content in school curricula at all levels of education.

4. POLICING

The consensus of the workshop on policing more settled areas was that the attitude of police is negative and that no discretion or understanding is used in dealing with natives.

“It seems that the police, when dealing with natives, are always looking for ‘trouble’,” the group said. “This has caused the native people to think of the police as their ‘enemy’.”

The view was that present attitudes could be changed if police trainees were given instruction by native persons in such things as the cultural values of natives and their concept of justice and that when police officers are assigned to communities they be made familiar with the ways of the people with whom they will be working. Liaison between the police and native communities should be continued.

Other remedies suggested were school visits by police officers so that the young people can get to know them, the recruitment of more natives as policemen and the relaxation of some qualifications for police jobs. Height requirements were given as examples of prerequisites that should not be required of natives.

It was suggested that more seasoned police officers be posted to native communities rather than young, aggressive policemen.

Other difficulties seen were jurisdictional problems where provincial and federal responsibilities overlapped causing considerable confusion. A suggested solution was to allow various forces to contract, to provide police services under federal authority.

Alcohol was cited as an area of concern because most offences committed by natives were related to alcohol.

“When a native is found intoxicated, the police are forced to throw him in jail,” the study group said. “He is then charged and released within a

few hours not realizing what has transpired. He loses the summons, therefore does not appear in court, and consequently a warrant for his arrest is issued. This could be avoided if special residences were set up for housing the drunks and alcohol counselling services provided to educate native people as to how it affects them, their family and community.

Recommendations should be effected on a national scale rather than piecemeal, the committee proposed, and there should be a report on whether they are being carried out.

Also recommended were:

- A study of the number of natives hired on urban police forces, how many are still police officers, and why others have left police work;
- The establishment of citizen committees to deal with complaints about police treatment of native people;
- The requirements that an officer in urban centres arresting a native contact native police before taking further action or, if this is impossible, a native organization in the community that could be reached around the clock;
- The hiring by native organizations of street workers to work in urban communities with the police;
- Patrolling by police on foot rather than in cars so that officers have direct contact with people on their beats thereby fostering a better relationship with the community and more humane law enforcement;
- The appointment of natives to local police commissions in consultation with native organizations;

- The hiring of more native policemen in centres to which large numbers of native persons have moved;
- A national training program for special native constables.

The image and role of the police was stressed in the workshop studying policing in remote areas and the consensus was that changes should be made to reflect that the primary function of police is the prevention of crime, not law enforcement.

This group also called for the recruitment of native and Inuit men and women into the regular ranks of the RCMP, and the Ontario and Quebec provincial police forces "taking into consideration ability and life experience as well as formal education in establishing selection requirements." Present formal requirements should be revised to allow otherwise competent and capable persons into the police ranks and equal career opportunities must be made available to men and women.

Concern was expressed about the powers of game wardens and their ability virtually to destroy a native person's very livelihood.

The workshop described the Indian Act band constable program as "at its best to be totally ineffective and incompetent in dealing with the problems facing native and Inuit communities; the present system can be described as toothless, as the constables lack the necessary powers normally given to peace officers."

The band-constable problem could be remedied with an expansion of the RCMP special constable program now under way in Prince Edward Island and Saskatchewan to all provinces and territories policed by the RCMP and arrangements with Ontario and Quebec, which have their own

police forces, for the training of special native and Inuit constables to serve in their own communities.

The study group also called for:

- Regular liaison meetings between police authorities at all levels and band council or communities with special emphasis on native and Inuit problems and prevention programs as well as the promotion of understanding of the law and law enforcement responsibility among all native and Inuit peoples;
- The establishment of commissions for citizen's committees in native communities to promote police-community relations, to advise on policing, and to receive complaints against police officers;
- The hastening of the removal of police officers from their roles in some places as court clerks and prosecutors;
- The setting up of ways to advise persons taking part in the presentation of what progress has been made with their proposals.

5. COURTS

The chairman of the workshop on urban courts recommended that the responsible federal and provincial ministers get together as soon as possible "to discuss the creation of federal-provincial mechanisms which would allow the Government of Canada to provide block-funding for the implementation of programs on the local level dealing with native people and the criminal justice system".

Also recommended was a uniform age throughout Canada for defining juvenile delinquents and a change in present methods to ensure that native peoples are represented on jury panels.

The workshop on rural courts suggested that native persons accused of crime in a native community have the choice of being tried in peace-makers courts which, it said, will place more emphasis on reconciliation, restitution and working with the communities.

Several moves were recommended to educate the "Canadian court system to traditions and values of the native peoples." They included the holding of courts in native communities, the provision of practical experience for judges to increase their awareness of the total native community, and the appointment of resident judges or justices of the peace within native communities. Newly appointed and non-native judges should attend training programs organized by chief judges or native organizations; or both.

It was also recommended that:

- More native court counsellor-workers be provided and that they be independent;
- Legal aid assessment officers be made available in native communities;

- Native court counsellor-worker training programs be made available for native inmates;
- All pre-sentence reports be based upon contact with the native people of the pertinent community;
- Police officers be used only as witnesses or custodians and not as prosecuting officers;
- Judges have the jurisdiction to commit convicted persons to community-operated facilities as well as to correctional facilities;
- Accused persons be informed that they may use their mother tongues in addressing a court and that interpreters will be provided;
- Jail terms should be a last resort;
- Native justices of the peace be appointed for native communities with jurisdiction under provincial statutes, including their bail provisions;
- The present conference be regarded only as a beginning and that submissions be proceeded with.

6. INSTITUTIONS

The workshop on institutions called on the federal and provincial governments for a joint program to provide half-way homes or community-based residential centres as alternatives to jail "in the first instance" and for use by persons on parole or temporary absence.

The need for such facilities, which would be managed and staffed by native people, is particularly apparent for juvenile offenders who might better be admitted to group homes rather than closed institutions, the committee said. "In the case of women offenders this need is acute."

The workshop asks consideration for specialized native programs in institutions and as official recognition of brotherhood and sisterhood groups formed by inmates as well as other appropriate groups with which native inmates become involved.

More liaison persons and native workers were suggested for institutions "and consideration should be given to employing more female workers, as they seem often to have a better rapport with the native inmates.

"The governments must work closely with the native organizations both inside and outside institutions to develop a recruitment policy for such workers, and programs should be developed to qualify native personnel to function in these positions."

Also called for was an emphasis in government staff training policies on the need for trained workers in institutions and continuous training through periodic workshops and orientation programs for persons who will be working with native inmates.

The report points to what it described as a lack of consultation with, and positive involvement of, native inmates and established outside groups in the planning and implementation of institutional programs.

“Serious consideration must be given to the wishes of the native inmates who will be involved in, and benefit from such programs,” one suggestion read.

The workshop also called for:

- Community support both for the native organizations inside institutions and programs to help native offenders return to society;
- The availability of accurate information to the public so that it can appreciate the magnitude of native inmate problems;
- Native involvement in parole selection procedures and administration as well as the recruitment of native parole officers;
- Letting inmates know on admission to an institution what their basic rights are;
- Greater use of federal-provincial agreements that would permit female offenders to remain in their own provinces;
- Additional half-way homes for female offenders;
- A vehicle for evaluating and implementing the recommendations flowing from the conference;
- Wide dissemination of conference documents to native inmates and to native communities and organizations so that they will be aware of commitments arising from the conference;
- Greater support and representation for native inmates by outside native organizations and band councils.

7. INUIT VIEWS

Ignorance of the law compounded by language barriers and the inappropriateness of many laws are two of the main problems of Inuit in their lives within the Canadian System of Criminal Justice.

"Inuit rarely understand fully and frequently understand not at all what is happening in their dealings with the law," the Inuit workshop says in its report. "The result of this ignorance is that we are at a disadvantage in every stage of the system."

The study group recommended as one remedy that the ordinances of the Northwest Territories be translated into the different Inuit dialects and be made available to everyone and that arrangements be made for the translation and dissemination of laws in northern Quebec and Labrador. Also suggested was the mandatory inclusion of information about the law in school and adult-education curricula.

Lawmakers in the Northwest Territories, Quebec and Newfoundland, as a general rule give no consideration to Inuit values when framing laws, the workshop says, and gives as an example the N.W.T. game ordinance that allows prosecution for traditional practices such as feeding Caribou to dogs. It says that native organizations should be given the money to study and write down Inuit laws and customs as guides for legislative bodies. The money should be sufficient to allow the organizations to review present laws and ordinances affecting Inuit and to suggest changes.

Bootlegging, especially in the western Arctic, was of particular concern to the study group and it called for adequate enforcement and severe penalties to discourage such activities. It suggested the inclusion of education on alcohol in all school and adult-education curricula and said that a detoxification centre be built every time a new liquor outlet is opened. "Money always seem to be available for liquor outlets but not for detox centres," was one comment.

Also recommended was a three-year residence requirement before a person is allowed to vote in liquor plebiscites.

The workshop said that for the most part the relationship of the Inuit with the RCMP is characterized by misunderstanding, lack of communication and even fear. It suggests a compulsory cultural orientation course for all RCMP officers stationed to North.

It also recommended that:

- RCMP postings be probationary and that a constable's performance be assessed by community councils using criteria agreed upon by the RCMP and representatives of the native people;
- The education of Inuit about the law be considered a prime function of the police as an aid to better communication between police and people;
- One native constable for every 500 Inuit in a community be assigned to the regular RCMP detachment;
- RCMP postings be for five years in a community rather than just a few months;
- The RCMP end discriminatory practices such as the current commissioner's standing order that white officers may not marry native women;
- RCMP liaison officers be named to travel to all communities to hear complaints, explain the function of police and receive Inuit views on how police are conducting themselves;
- The RCMP base the appointment of special constables on the recommendations of community councils and that height qualifications for entry into the force be abolished.

The Inuit pointed out that proper legal representation for Inuit is virtually non-existent either because there are no lawyers or because the cost is too high. It calls on governments to establish legal service centres in all major northern communities.

Language was cited as a barrier to understanding at every turn of the justice system.

“Frequently, the people used as interpreters are unable to do a good job because they do not have the special training this job obviously requires. Hence it is important that these people not be just people who know both languages.

“As a general principle we insist that people must be provided with interpretation and translation facilities from properly qualified personnel in all dealings with legal agencies where it is essential the person understand what is happening,” the group agreed.

The workshop also said that as well as legal representation a person facing charges must have the help of properly trained court workers to make sure that he has all the help he can get under the system.

The workshop also said the correctional institutions and half-way houses should be established in major communities and that there should be jails in many small communities, especially where there is no police detachment, should someone, such as a violent drunk, have to be jailed to protect the public.



THE FEDERAL-PROVINCIAL CONFERENCE



A message from the Hon. Warren Allmand, the Solicitor General of Canada, to the delegates to the Federal-Provincial Conference on native peoples and the criminal justice system. Mr. Allmand was the chairman of the Federal-Provincial Session.



“When we opened the earlier conference we said that we came here to solve some serious problems and I hope that we can move that along today.

“Some of these problems have been with us for a long time and have been ignored for a long time and we are trying to do something about them.

“Once we agree in principle on things here, we will have to go back to our own governments, our own departments and work out the details, to determine how many people are necessary to carry out the program, how much will it cost, who should pay for this part and who should pay for that part. Those details will have to be worked out after we leave here, but we certainly can agree to general programs and agree to a method of moving these things ahead.

“I hope we can set up continuing mechanism to make sure that what we start here will be carried forward.” (The ministerial meeting later approved the establishment of a Canadian Advisory Council on Native Peoples and the Criminal Justice System.)

Warren Allmand

Warren Allmand Solicitor General of Canada

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1. GUIDELINES FOR ACTION

The following guidelines set out in the conference agenda were regarded and adopted by the ministers as a statement of general philosophy underlying any approach to the problems of natives within the criminal justice system.

1. Native persons should be closely involved in the planning and delivery of services associated with criminal justice and native peoples.
2. Native communities should have greater responsibility for the delivery of criminal justice services to their people.
3. All non-native staff in the criminal justice system engaged in providing services to native people should be required to participate in some form of orientation training designed to familiarize them with the special needs and aspirations of native persons.
4. More native persons must be recruited and trained for service functions throughout the criminal justice system.
5. The use of native para-professionals must be encouraged throughout the criminal justice system.
6. In policy planning and program development, emphasis should be placed upon prevention, diversion from the criminal justice system to community resources, the search for further alternatives to imprisonment and the protection of young persons.

During debate on the guidelines, which were approved as presented to the meeting, Attorney General Alex MacDonald of British Columbia said that "if we are going to make a success of our programs in the justice field for native people, we have got to do our best, but we have also got to enlist the co-operation and the full participation of the native Indian bands."

He suggested as an alternative to jail that a convicted person be allowed to do community service and the like but said that such a program would not work "unless the native communities provide the supervision and lay out the kind of community service projects that are important."

The B.C. minister called for amendments in the Criminal Code that would permit such community service in place of jailing.

Justice Minister Jérôme Choquette said the participation of natives at all the phases of the judicial process is an objective that must be pursued, ". . . this is very fundamental to any success we will obtain in the application of law in this particular area."

A second objective Mr. Choquette saw in the guidelines for action is increased and more systematic communication with bands, their councils and their chiefs. He said that the flow of information and discussion has to systematically be established and increased. "The justice system cannot function in an ivory tower . . . I think what is called for is a greater recognition of the authority of band councils and of the band generally, the police on reserves should really be under the authority of the band council. I think the natives should really be doing more their own."

2. **RESOLUTIONS MADE BY THE MINISTERS**

Policing

1. A stronger and more positive relationship between native communities and police must be encouraged.
2. Police authorities must be prepared to work with native communities in determining policing needs and developing forces.
3. Band and special constable programs must be upgraded and extended.
4. Increased numbers of native persons must be recruited and trained as police officers.

In the discussion of policing, Mr. MacDonald said it is important now that, as the native Indians increasingly enroll in the police forces, they do so on the basis of equal pay, equal opportunity for advancement and equal transferability of work.

He pointed to the special native constables in British Columbia who "are doing fine, but they are sort of a second-class constable. It seems to me that if we want to provide more job opportunities and training where the need is greatest, and have better police services, that such constables should be full RCMP officers or full provincial officers, whatever the police force is."

Judd Buchanan, federal Indian and Northern Affairs minister, said he strongly supports the programs in Saskatchewan and Prince Edward Island that bring native constables under the jurisdiction of the RCMP which also trains them. He said provision is made in recruiting for the waiving of education requirements and natives are able to move into the regular force "through upgrading and so on, to become regular full-fledged members of the Royal Canadian Mounted Police: . . . We subscribe strongly also to the concept that

they should not be second-class constables. We think this is a positive program, we think it is one that will make the police system more responsive to the needs of the Indian people . . .”

Mr. Allmand said the regular RCMP training now includes an orientation program for all recruits on Indian culture and Indian problems.

“We are also making an effort to recruit native people into the regular force,” Mr. Allmand said. “In our new recruiting program, we are going to place ads in the native newspapers to try to encourage recruiting of native people into the regular force.”

Saskatchewan Attorney General Roy Romanow said the special constable program which now is only experimental, can work.

“I think it can work, so I think the key thing we have to do here is try to restore confidence in the integrity and impartiality of the RCMP, at least in Saskatchewan. That is what I believe is obviously the very basic thrust of this pilot project”, he said.

Attorney General Howard Pawley said that the success of such a program in Manitoba would depend on whether it serves both the native Indian reserves and the Métis community.

“So I would hope that that would be looked at very closely and I would like to feel that in Manitoba we would be able to proceed on that basis. Most of our communities would fall into that area, isolated, but a combination of community and reserve.”

Of another area, Mr. Pawley said that “we ought all to be conscious of the need not only for native representation on local police commissions, but on our provincial police commissions as well, for from that area is our over-all provincial policy developed.”

Mr. Allmand said that an evaluation of the experimental special native constables program would try to determine whether it were possible to include Métis and, if so, how.

The minister said also that RCMP officers are encouraged to take part in all sorts of community activities and that he will bring to the attention of the RCMP commissioner the suggestion that constables receive training in Indian languages.

Justice Minister Peter Creaghan told the conference that the Union of New Brunswick Indians has reservations about the special constable program and feels "very strongly that the question of policing as such should be viewed as a Federal-Indian relationship and should be negotiated on that basis."

The special constable program is being tried for three years but Justice Minister Alex Hickman of Newfoundland said he hopes "we would not have to wait three years to make a decision as to whether the program is worth while. This conference is placing a great deal of emphasis on the problems of the native people, the Indian people, but may I draw your attention that in my province the problems may be more aggravated as they relate to the Inuit along coastal Labrador, and I suspect in the Territories it is the same.

"We feel in Newfoundland that there is room for a similar experimental program and we would be very willing to negotiate a program along these lines as they relate to the northern section of Canada and particularly our province, in particular, as they relate to the Inuit.

"Looking at the program for Newfoundland, one should bear in mind that we have Indian and Inuit communities, or Indian and Inuit people in the same communities, and we may be looking at a program that will embrace both."

Mr. Choquette said that in Quebec one of the most promising programs is the special native constable programs on certain reserves and that “this experiment seems to be full of promise . . .”

Ontario Attorney General, George Kerr said that one of the apparent shortcomings in such programs is that special constables don't necessarily have enough powers. “They enforce bylaws on the reserve, but they have not the normal powers of arrest that a special constable would have or a police officer would have, and there was also the complaint (at the conference) that they should have better training and that they should be better equipped and better paid”, he said.

Mr. Choquette later commented that in Quebec native special constables have all the powers of a peace officer and can enforce all federal and provincial laws including the Indian Act and the Criminal Code and “so they are in no way a category of constables amputated of the full extent of the powers of a peace officer.”

The four policing proposals were adopted.

Courts

1. Where possible, courts should be held in native communities.
2. Natives accused of criminal offences should have the option of being tried by a native “peacemakers” court.
3. Native court worker programs should be expanded.
4. Police officers should not function as prosecutors or court officials.

The meeting quickly approved Proposal 1 that courts where possible be held in native communities and then began debate on Proposal 3 that native court worker programs should be expanded.

Mr. Allmand said that Justice Minister Otto Lang supports the recommendation "and his ministry, and I think all ministries would do what we can to get more funds for the native court worker program."

Mr. MacDonald said that British Columbia already has such a program but that it is time that the federal government matched dollar for dollar the million dollars the province plans to spend next year "and we think it should be a block because the local priorities should be determined in consultation with, for example, the delegates of native people who came to this conference and the chiefs and the non-status Indians."

Mr. Allmand said he agreed in principle with the B.C. minister and that "we will try to get more money . . . I don't know what it is like in British Columbia, but we all, as ministers have hard times getting the money we want for our programs."

The meeting approved Proposal 3 and moved to Proposal 4 that police officers should not function as prosecutors or court officials.

Mr. Allmand noted that there had been criticism at the conference of the RCMP acting as court prosecutors and clerks and that "they would like to get out of this very much themselves and it depends on the provinces in these courts providing prosecutors and other court officials so the RCMP could just act as witnesses."

Mr. Hickman said it is going to be a long time before the RCMP court role, particularly in the North, could be abolished and he hoped there would be no policy decision without careful consultation with the provinces.

Attorney General Helen Hunley said that Alberta agrees it will take some time to revise the RCMP function in courts "but we feel it is desirable and we are moving in that direction."

Proposal 4 was approved "as an objective to be pursued subject to further discussion with the provinces." The ministers turned to Proposal 2 on native peacemakers' courts.

Greater definition of peacemakers' court was called for by Mr. Allmand but he approved of their goals.

"We feel that justice on the reservation among native people should be carried on by natives . . . but we are not too sure of the exact establishment of a peacemakers' court and what it would do."

The minister went on to say that many of the things he hears peacemakers' courts can do can be done under the present system and what was really needed was more information about the proposal.

The advisability of such a court was questioned by Mr. MacDonald who said there certainly is a big role that Indians can play in such things as community service projects and parole but "if we have a separate court here, we will have a separate court there. I think it is a big role, but not necessarily a court one."

Mr. Kerr said he did not see the need for a special court because what was aimed at could be done under the present system of justice.

Saskatchewan's experiment of having native justices of the peace on reserves was described by Mr. Romanow who said the plan is not the same as the peacemaker concept but is probably akin to the broader objective of making sure that the judicial process is part and parcel of the native community.

He said that perhaps the conference should just agree that the question of peacemakers' courts require more discussion with native organizations and the country's lawmakers.

Proposal 2 was referred to a mechanism that was to be set up later in the day for continuing study and action on the problems of native peoples and the criminal justice system. Debate turned to ways to have more natives on juries.

Mr. Pawley said that more effective techniques are needed to make sure that the lists of band members are presented so that juries can have proper representation of native people. He also called for greater education about legislation affecting natives because "sometimes we pass legislation and then don't follow through with an adequate educational program to ensure that it is taken advantage of by groups. From the jury system to the provincial judges, right down to the court party, it seems to me that in remote communities, particularly, not enough emphasis and effort are being directed to explain, to spend time in trying to bring to the attention of those in native communities the workings of the system, and I think both federally and provincially that we hold responsibility for our omission to do so."

Deputy Attorney General Gordon F. Coles of Nova Scotia said it is important to distinguish between selecting a panel from which a jury is eventually chosen and the composition of the jury itself because the process of jury selection rests with the counsel before the court.

He presented as Proposal 5, a recommendation from a workshop that was approved by the ministers with a minor change. It recommended that: Provincial and Territorial Attorneys General be asked to change present methods of choosing jury panels so that native people have an equal opportunity to serve on these panels.

Mr. Choquette presented a sixth proposal, also approved, that recommends that: Adequate interpretative services be afforded where necessary.

The Quebec minister said that in his province trials can be conducted in French or English or in both languages at the same time “and it frequently happens that natives are not familiar with one or the other of the two official languages before the courts.

“Since it is fundamental for the exercise of justice that the accused knows exactly all of the parts of the evidence presented against him, whether it is French, English, or even a native language, I am wondering whether this should not be inserted in the recommendations.”

Mr. Hickman agreed with Mr. Choquette and pointed to a problem in Labrador where a magistrate might be called on to try four cases, one in English, one in French, one in Indian and one in Inuit.

He said: “Our experience has been, and I don’t think this is peculiar to Newfoundland, that we lack competent interpreters. There is very little doubt in my mind that a fair number, a substantial number, of native Canadians have been convicted of offences because of the inability of the interpreter to communicate to them the protections that are presently provided under the criminal laws of Canada and we won’t get these interpreters unless we are prepared to educate them, to train them and to pay them.”

The meeting also agreed to a further proposal by Mr. Choquette that: judges who sit in remote areas should be trained in the customs and culture of the people.

Sentencing

1. Discriminatory practices of whatever nature should be avoided.
2. Alternatives to incarceration, developed in conjunction with native communities, must be an important consideration in sentencing.
3. Fines should be used only when meaningful and should then be tied to the economic situation of the offender, with incarceration in lieu of payment of a fine being avoided.
4. Diversionary programs should be developed for first *and* minor offenders, to limit further penetration into the criminal justice system.

The four proposals on sentencing were agreed upon without change.

Mr. Allmand described the proposal on the avoidance of discriminatory sentences as a general declaration of principles after noting that "from what we have learned in the last few days, the native people feel that many Indians and many natives are not getting probation when whites are getting probation, they are not getting suspended sentences and others are, and consequently, too many of them are ending up in an institution. I think this is what this proposition aims at, that we should make sure that native people are judged by the courts in the same way, that they have the same right to probation and suspended sentences and other similar matters."

In discussing incarceration, Social Services Minister Alex Taylor said that about 80 percent of persons in Saskatchewan sent to jail for non-payment of fines are native that his province is starting a program that would permit a person to work off his fine.

He said: "You can do this on your reserve, you can do it within your municipal community, or you can do it for a charitable organization, and we

are asking organizations, band councils and others to suggest projects, and I must say that the Indian reserves have been very quick to respond and appear to be very anxious to use the programs.”

Mr. Taylor said also that there has been experimentation, particularly in northern Saskatchewan, in sentencing convicted persons to alternate forms of punishment. He hoped that such a program could be expanded.

Mr. MacDonald lauded the Saskatchewan plan and said that the Criminal Code should be reviewed “to eliminate that kind of disposition of a case which may fit the crime, but which does not fit the offender. I hope that . . . the Justice Department will give serious consideration to looking at the Criminal Code, both with a view to codifying these community alternatives, work service alternatives, restitution to the victim, and this whole question of fines, where we are putting people in jail simply really because they are poor, not because of the offence, because, if they were rich, they would simply pay a fine and walk out of the court.”

Mr. Allmand replied that “we agree at the federal level and I understand that the Department of Justice does as well” and reminded the conference that the federal law reform commission is studying a wide range of alternatives to incarceration.

Mr. Kerr said that in considering an alternative to incarceration a great deal depends on the nature and seriousness of an offence.

The minister suggested that any facility to which natives were sent for serious offences should have more native social workers working with offenders and that there should be more opportunities for the native offender to learn a trade or further his education, and the institution itself should be as close to

the offender's community as possible. He went on to say: "Hopefully the offender will leave that institution after a period of detention, rehabilitated in some way, possibly a better person than when he entered the institution and the particular problem he had has been at least partially solved so that the offence he may be committing can be avoided in the future."

Mr. Kerr said restitution and community service could be used in minor offences where band councils are particularly involved "but I think that the type of institutions we have now need to be greatly improved and the inactivity and the frustration that results in long periods of incarceration certainly don't help and have been part of the problem."

Mr. Allmand told the conference that many alternatives to incarceration now are possible without amending the Criminal Code.

Community Legal Services

1. Legal services available to native persons should be improved and extended.
2. Native community workers should be provided to communities to give assistance in obtaining legal aid and advice, to provide legal education courses, etc.
3. A community-based program of education must be developed and implemented to instruct elementary and secondary students, as well as adults in the native community, in both the law and the operation of the criminal justice system.

The ministers approved the proposals on community legal services.

During the discussion of the recommendations, Mr. MacDonald said that British Columbia is considering setting up a study group on the delivery of legal services to native people similar to the project undertaken by the province's family law section.

"When we did this in the Family Law Section in B.C. we did two things," the minister said. "We sent out a task force to study and take an experimental area in B.C. with the greatest family problems and said, 'While you are studying, do it and start your experiment, start your family court and your counsellors and your advocates'.

"We want to do that in the field of some of the native problems. We want to take one of the toughest areas in terms of social problems on reserves or among the non-status native population and send our task force on the delivery of legal services to these people, but have an experiment going at the same time. That is exciting because, if it works, you adopt it."

Mr. MacDonald said that such a project should be jointly funded and he hoped that the federal government would be interested in it.

"We have an experiment here which could be of benefit to all of Canada," he added.

Mr. Allmand replied that as part of its legal aid and community legal services program, the federal justice department will encourage new methods of delivering legal services to native people, particularly in remote areas, and this would include the deployment of para-legal personnel.

"It appears that the Department of Justice does want to work with the provinces in doing this and they are committed to that."

Mr. Romanow said that the provision of legal service to native people is obviously lacking.

“It is symptomatic of what we are talking about here that the entire judicial system really has developed without any relationship or consultation or any type of input from the native people. You have a legal system which provides advice in a very traditional way. The onus is on the client or someone that is accused of a criminal offence to come to the lawyer and I think this is very difficult for native people.”

Mr. Romanow said there has to be more than just community education for native people or the poor about legal aid. “There has to be a community input or a community control, if you will, of the lawyers who are providing the service,” he said.

He agreed that legal services should be improved and extended but there should be community control and, “hopefully, in those communities where the native people make up most of the population, they will be able to have a significant input into the character and the flavour and the education and the acceptance and the development of the law for them. Until we structure the legal services plan on that type of operation, I think we are going to face the same difficulties, the same reluctance, the same hesitancy on the part of the native people to actually get legal services as they now are telling us that they are having difficulties with.”

Mr. Hickman said there may be more than the reluctance of native people to avail themselves of legal services. “I believe from a practical point of view, the legal services are not around to be availed of.”

The Newfoundland minister said that “there is no way that the legal aid program, as I see it, that most provinces have today, reaches out and helps the natives particularly those living in the remote areas.”

One problem was that lawyers could not be attracted to serve in remote communities and perhaps governments should consider subsidizing the in-

come of lawyers going to such places. Such subsidies were paid to doctors, scientists and other persons.

Mr. Choquette said it was easier to provide legal aid to outlying areas without permanent lawyers when the public defender system is built into the general system of legal aid "providing for both access to permanent staff lawyers or to private lawyers in law practice."

Mr. Pawley pointed to the establishment of a legal aid office to serve the large native community in the area of Winnipeg which he said has been very instrumental in reaching a lot of native people in the urban, as well as the remote centres.

Probation, Parole, and Aftercare

1. Probation, parole and aftercare supervision and assistance must be made more readily available to native offenders and must be decentralized to the community level.
2. The goal of probation, parole and aftercare must be primarily to re-orient the native person in his community.
3. Better services must be provided to native inmates in the preparation and presentation of cases for parole.
4. Existing half-way house programs must be expanded, with special provision being made for the needs of native persons.

Mr. Allmand reminded the conference that the federal government is reviewing the Parole Act and that amendments are being prepared for presentation to the Commons. As well, the program of assistance to community residential centres is being expanded.

Mr. Taylor said he strongly supports the four proposals and described the program being started in Saskatchewan whereby 12 native probation workers would work on the province's reserves.

"It is a pilot program and we are anxious to see how it will work, but it does seem to us that where probation can be used, of course, it should be used, and the closer to the community, the better for all concerned," he said.

The minister referred to workshop discussion about the need for providing convicted persons with information about their rights and the choices open to them.

"One of the complaints we were hearing was that inmates newly sentenced arrived in the institution and that they knew there was such a thing as a parole, but they didn't know all the steps necessary to obtain a parole. I think that it would not be very difficult for us to ensure that whenever someone comes into an institution someone sits down with him and explains this and doesn't just provide pamphlets," said Mr. Taylor.

Mr. Taylor suggested a fifth proposal recommending that: All new inmates must be made aware of their rights and also of the criteria for obtaining parole.

Correctional Services Minister Richard Potter said that Ontario has had some difficulty attracting natives to work in the province's probation and parole systems but has provided as incentive bursaries to attend community colleges and universities. Employment is guaranteed during the summer on the understanding that the natives will work for the province after graduation.

"We have had some success in this program and we hope now that it has been properly established that we can train them properly, that we can have a little more co-operation from the native people in this regard," he said.

Mr. Potter said that divided responsibility between Ottawa and the provinces for parole confuses inmates "and I hope I understand that the federal government is giving consideration to letting us take complete responsibility for the paroles in our institutions."

The Ontario minister also called for an expansion of the half-way programs and "I wonder why this is left until the inmate is practically ready to be discharged." He said that his province has been trying to develop a program of group homes, rather than institutions and that "with this and probation we have been able to close two of our training schools."

The conference agreed with Mr. Potter and Proposal 4 was revised to read: Existing half-way house programs must be expanded to include community resource centres and community residential centres with special provision being made for the needs of native persons.

The meeting, in approving the earlier proposals, agreed to a sixth presented by Mr. MacDonald suggesting that: Bail supervision should be studied in order to reduce the number of remand-in-custody cases before trial.

The ministers also agreed to a revision to Proposal 2 suggested by Mrs. Hunley under which the proposal would read: The goal of probation, parole and aftercare must be primarily to re-orient the native person in the community of his choice.

Institutions

1. Where incarceration for native offenders is necessary, it should be in an institution in close proximity to their normal places of residence, preferably in a community-based treatment facility.

2. Programs, particularly of a social, cultural or educational nature, special counselling services and community-based work programs, such as forestry camps, must be made more available to native inmates and must be tailored to their special needs.
3. Recognition and support must be given by institutional administrators and native groups alike to native inmate self-help groups.
4. Training standards for correctional officers should be upgraded and provision made for sensitizing staff to the needs and aspirations of native inmates.

Before approval of the proposals on institutions, Mr. Allmand pointed out that his department has made the policy decision "to move to small institutions.

"Our present institutions hold around 400 inmates and we are going to move to institutions of about 150 inmates and hope to put them close to the communities that they serve.

"We also have taken the decision that we should encourage native inmate self-help groups. It was from these groups among native people that we had the inmates attending this conference. We were hoping to improve on that program," he said.

The Solicitor General said his department hopes to include in its training programs for correctional officers instruction aimed at making them sensitive to the needs and aspirations of native inmates.

Alcoholism and Drug Abuse

1. As alcoholism is intimately associated with native criminality, special programs must be directed at this problem at the community level.
2. Provincial/territorial laws related to the sale of alcoholic beverages, solvents, etc., should be strictly enforced and increased power given to communities to prohibit or restrict the sale or distribution of such substances.

Mr. Buchanan opened debate on drugs and alcohol by reporting that the federal government is increasing its support of provincial programs aimed at native alcohol abuse.

“The new program with funding of \$3 million for 1975-76 compared to \$1 million for the old program last year was developed in close consultation with the native people and is aimed at helping to assist the provinces and the territories in an attempt to intensify the assault upon the native use of alcohol,” the minister said.

“The native people themselves will take the leading role in developing and carrying out measures of prevention and rehabilitation. We believe that this is the best way to ensure the program’s success.”

Mr. Buchanan said that his department and the Department of National Health and Welfare will work jointly to provide professional assistance to the projects, which will be evaluated after three years. As well, a national advisory board comprising representatives of the national native organizations and the two federal departments will provide guidance during the program along with regional advisory boards.

Mr. Choquette said that Proposal 2 was worded “rather a little too strict for my taste. There is an odor of prohibition that emanates from the present draft and I am not so sure that this is really the right solution, at least for all cases.”

Mr. Allmand said that he had been advised, “if the community says they want to stay dry, they want that respected by the provincial government. In other words, I suppose if the local community, whether it be Inuit, Indian, or whatever, Metis, wants to be dry, and that is not respected in the law, the bootleggers and liquor establishments come in.”

Mr. Choquette said that prohibition and bootlegging go hand-in-hand but that the reserves must be left the right they now have to vote themselves dry. “. . . As far as I am concerned, prohibition should probably be the exception.”

The meeting accepted an amendment by Mr. Creaghan so that Proposal 2 was changed to read: Provincial/territorial laws related to the sale of alcoholic beverages, solvents etc., should be strictly enforced and special attention given to the native communities which wish to prohibit the sale or distribution of such substances.

3. FOLLOW-UP

The ministers wound up their day-long meeting with the decision to establish a Canadian Advisory Council on Native Peoples and the Criminal Justice System.

Mr. Allmand said the aim of the council is “to make sure that what was started here and started the preparation for this conference is not forgotten and is not shoved under the rug, and that those things we agreed to do here today are, in fact, done.”

He described the new body as “really a clearing house, a consultative advisory group. We will take the responsibility of getting it under way and seeing that it starts doing its work.”

Membership on the council comprises one representative of each of the four federal departments involved in native matters — Justice, Secretary of State, Solicitor General, and Indian and Northern Affairs — one representative from each of the six national native peoples groups — the Native Council of Canada, Inuit Tapirisat, the Friendship Centres, the National Indian Brotherhood, the National Women’s Federation and the Native Law Student’s Association — and up to four representatives from each of the provinces and territories who would be from government and native groups. Each province and territory would also set up an advisory council with government and native representation.

1. Lieutenant-Governor Ralph Steinhauer of Alberta welcomed the delegates and explained the significance of the Indian dances.

Le lieutenant-gouverneur de l'Alberta, M. Ralph Steinhauer, souhaite la bienvenue aux délégués et leur explique les danses amérindiennes.

2. The closing plenary session of the National Conference.

La plénière qui met fin aux travaux de la Conférence nationale.



1

3. Bill Wilson, chairman, and Noel Starblanket, recorder, report on their workshop.

Bill Wilson et Noel Starblanket donnent le compte rendu des discussions de leur atelier.

4. Delegates listen intently to the proceedings of a plenary session.

Durant une plénière...

5. Hobbema dancers entertain the delegates.

Les délégués ont vivement goûté le spectacle des danseurs Hobbema.

6. Head table at the opening plenary session. Left to right, Kitty Maracle, Hon. Helen Hunley, Hon. Warren Allmand, Judge I. Dubiński and Henry Davis.

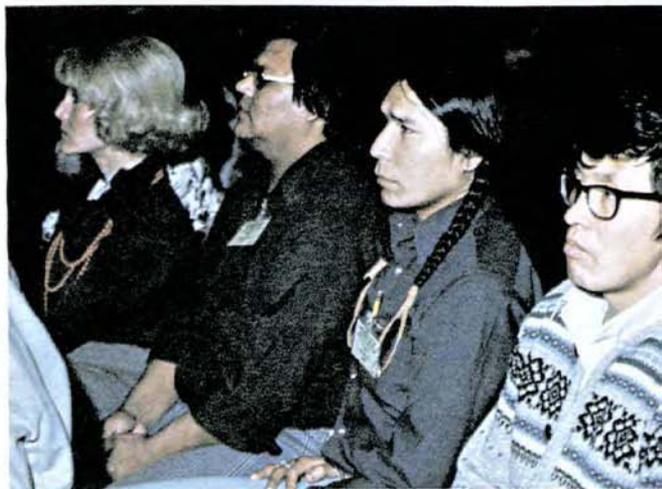
À la table d'honneur de la plénière d'ouverture, on reconnaît, dans l'ordre habituel, Kitty Maracle, l'hon. Helen Hunley, l'hon. Warren Allmand, le juge I. Dubiński et Henry Davis.



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At the conference À la conférence



5 7

7. The Honourable Helen Hunley, Solicitor General of Alberta, welcomes the delegates at a banquet at which her province was host.

Le Solliciteur général de l'Alberta, l'hon. Helen Hunley, souhaite la bienvenue aux délégués lors d'un banquet que son gouvernement leur offre.



6



8. Christine Daniels and Colleen Benson report on their workshop's deliberations.

Christine Daniels et Colleen Benson résument les travaux de l'atelier dont elles faisaient partie.

9. Verna Kirkness occupied the chair at one of the workshops.

Verna Kirkness, présidente d'atelier.

10. Graceful as wolf willows these Indian young women danced for the delegates.

Et elles dansèrent pour les délégués...

11. A young Indian friend of the dancers acts as master of ceremonies for their colorful presentation.

Un jeune Amérindien présente les danses de ses amis Hobbema.

12. A look at the audience at one of the plenary sessions.

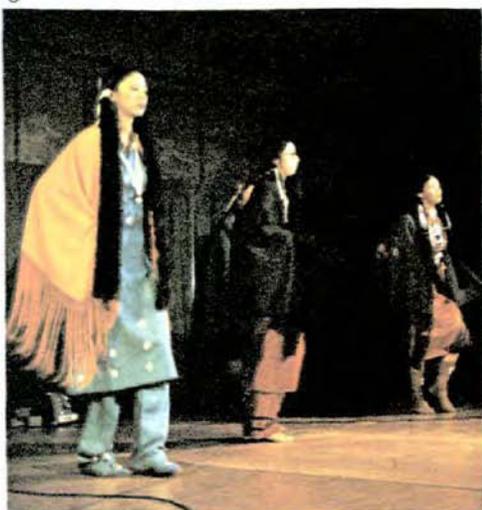
Durant une plénière...



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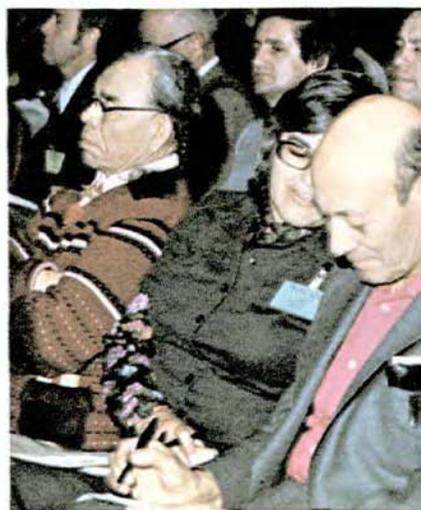
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13. Andy Anderson, executive director of the Allied Indian and Metis Society, on the right, receives an award given on behalf of B.C. inmates.

Le directeur administratif de la Société des Amérindiens et Métis, Andy Anderson (à droite), reçoit une décoration au nom des détenus de la C.-B.

14. The ministerial meeting on the closing day.

Séance de clôture de la réunion des ministres.

15. Native observers take a deep interest in the proceedings.

Des observateurs autochtones qu'intéressent les délibérations.

16. The delegates mingle for informal discussion.

À bâtons rompus...



13 14



15 16