



BC FIRST NATIONS
JUSTICE COUNCIL

**2020-2021
ANNUAL REPORT**

SALMON PERSEVERE

The BC First Nations Justice Council has an ambitious mandate to transform a system that has done harm to our people for generations into a system that we trust and believe in.

To do this important and necessary work, we draw on the teachings of the salmon that are treasured by many diverse First Nations across the province.

Salmon are teachers. They teach us about life's journey, about determination, and about our responsibilities to one another and future generations. They teach us to persevere and they remind us that our journey is to return home. Home to our ancestral teachings about justice that sustained our communities since time immemorial.

Salmon are powerful and purposeful in their life's mission to return home and create life. They never give up.

The three salmon in our logo represent the past, present and future. We draw upon the tools, protocols and teachings of our ancestors; recognize and contend with the challenges of today; and work towards our common goal of returning home to self-determined approaches to justice in the future.



BC FIRST NATIONS
JUSTICE COUNCIL



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MESSAGE FROM THE CHAIR

I am pleased to present the BC First Nations Justice Council's annual report for the year ending March 31, 2021.

The BC First Nations Justice Strategy was signed on March 6, 2020, right before the COVID-19 pandemic took its hold on the world. While the pandemic impacted our ability to engage with justice partners and First Nations communities, our commitment to transformative change in the justice system for Indigenous people has not wavered.

Throughout the past several decades, a litany of reports, commissions, and studies have repeatedly concluded that the justice system in Canada has failed Indigenous peoples.

Overrepresentation of Indigenous people in jails is well-documented and understood, long-standing and ever worsening, and reveals the depths of the legacy and intractability of colonialism in the criminal justice system.

No fact is more illustrative of this than the trajectory of overrepresentation over the past 30 years. In the mid-1990s, Indigenous people made up 10% of the prison populations in the country while making up only 5% of the overall population of Canada. As of 2020, just over 30% of prison populations are Indigenous.

Through the work of the BC First Nations Justice Council (BCFNJC) and the BC First Nations Justice Strategy, the commitment and capacity to rebuild Indigenous legal structures and decolonize existing models of justice has never been stronger.

In 2020-2021, despite some delays due to COVID-19, our Indigenous Justice Centres (IJC), located in Merritt, Prince George and Prince Rupert became fully operational and fulfill the following key functions in those communities:

1. Keep Indigenous people safe by reducing incarceration.
2. Divert Indigenous people to a healthy path away from justice involvement.
3. Make the justice system experience more Indigenous.
4. Make it easier for Indigenous people to navigate justice and obtain support.

Two provincial manager positions were also created to support the IJCs in effectively implementing the Justice Strategy and enhancing service delivery, including a provincial manager of diversion and early intervention, and a provincial manager of women and child protection.

This past year, the BCFNJC also established its Gladue Services department to support implementation of a comprehensive Gladue strategy that considers Gladue information to be taken into account across the justice system, not only at sentencing. Implementation of Gladue throughout the system is another critical element in addressing the overrepresentation of Indigenous peoples in the criminal justice system.

Throughout the year, the BCFNJC continued to staff key positions to support the implementation of the Justice Strategy more broadly and we look forward to continued growth and capacity development in the upcoming year as we continue to move forward toward full implementation of the BC First Nations Justice Strategy.

We are proud to be leading the way, in partnership with the Province and First Nations, and look forward to continued collaboration as we clear the path toward addressing the over-representation and incarceration of our people, using alternative measures and self-determination through justice.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug White".

Doug White, Q.C., Chair
BC First Nations Justice Council

WELCOME FROM THE EXECUTIVE DIRECTOR

At the end of our first full fiscal year of operation, I am thankful to our Council, our staff team, and our amazing partners at the Indigenous Justice Policy and Legislation Division at Justice Services Branch of BC.

From April 1, 2021 to March 31, 2021, we expanded from five staff to 25 all throughout the province. As a young organization, still in its start-up phase, that is an incredible amount of growth to undertake.

We now have a policy and communications team; lawyers, legal assistants and outreach workers in our Indigenous Justice Centres; a Gladue Services department and a truly outstanding senior management team. Without all of them, the progress we made this year toward the initiatives of the Justice Strategy would not have happened. Thank you to each of our team members.

Our key partners at the Province of BC were under the direction of Assistant Deputy Minister (ADM) Kurt Sandstrom and then acting ADM Paul Craven, and led by Executive Director Colleen Spier, and includes Beverly Salkus, Curtis Smith, Erna Mazer and Irina Sladacek. The support of the Council from that team as well as their huge undertaking of managing the development of the provincial Implementation plan for the Justice Strategy was amazing, and so greatly appreciated.

And during all of this work, the COVID-19 pandemic arrived. The courts closed, all of our staff had to work from home and determine how best to continue to support clients and each other, as well as keep the planning work going. Throughout it all, our Council and staff maintained their composure and got an amazing amount of work done. I am so grateful for their commitment and efforts throughout this incredibly challenging time.

And finally, thanks to our Council, who individually and collectively have provided the leadership, direction, and influence for me and our staff during this year.

This year, one of the most important lessons we learned is that we are strongest together. I look forward to seeing what we are able to accomplish in the year to come.



Gaelene Askeland
Executive Director

VISION, MISSION AND VALUES

VISION

BC First Nations children and families thriving in peace and security, their dignity and well-being supported by a trusted and representative justice system.

MISSION

The BC First Nations Justice Council supports the well-being of future generations by transforming the status quo today – upholding self-determination, reclaiming legal traditions and addressing systemic injustice.

VALUES

Culture: We draw upon our ancestral practices, customs and traditions to shape transformative change.

Safety: We support the holistic physical, emotional, and cultural security and well-being of our citizens and staff through our behaviours, services and policies.

Respect: We uphold human dignity in all interactions and honour the diversity of teachings and perspectives of BC First Nations. Our work draws upon and integrates the strengths of both First Nations and western legal traditions.

Empowerment: Our strategies, advocacy and services are grounded in the principle of self-determination and the goal of increasing the freedom of our Nations and citizens to make their own decisions.

Trust: Our processes and actions create stability and credibility internally amongst our staff and Council members, between the Council and our communities and citizens, and with our partners.

Results: Our work has meaningful and material impact that advances healing and improves the experiences of BC First Nations citizens that interact with the justice system.

WHO WE ARE

The BC First Nations Justice Council (the Council) is comprised of five directors appointed by the BC Assembly of First Nations, First Nations Summit, and Union of BC Indian Chiefs.

The Council represents First Nations interests in BC on justice and child welfare-related issues and works collaboratively with BC First Nations, the Province of BC and key justice system stakeholders to bring about transformative change to government policy, programming, and initiatives that will benefit all First Nations in British Columbia, as described in the BC First Nations Justice Strategy.

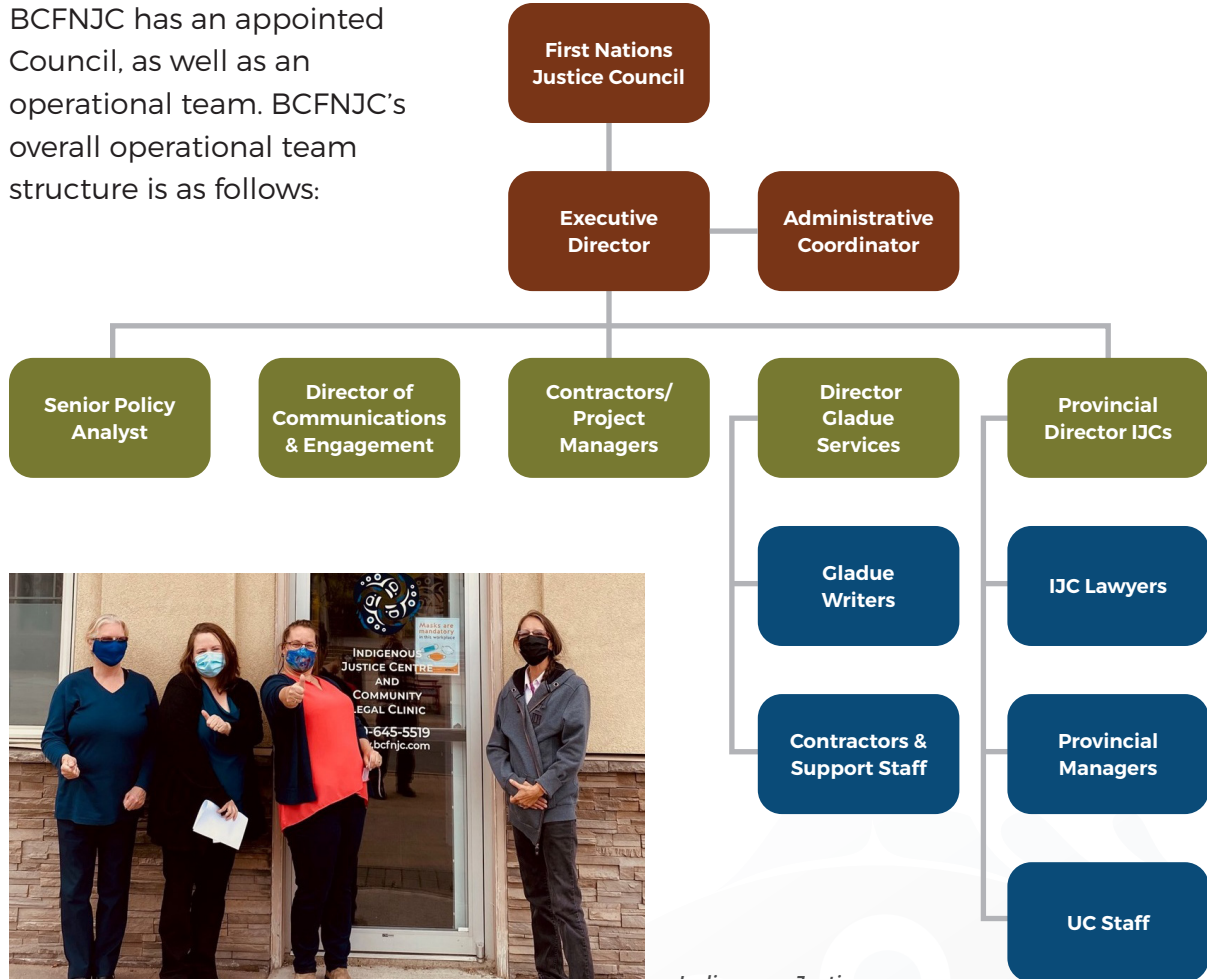
In 2020-2021 our Council members were:

- Doug White – Chair
- Rosalie Yazzie – Vice Chair
- Boyd Peters – Member
- Annita McPhee – Member
- Kory Wilson – Member



OUR TEAM

BCFNJC has an appointed Council, as well as an operational team. BCFNJC's overall operational team structure is as follows:



Indigenous Justice Centre staff, Prince George

OUR OFFICES

The BCFNJC head office is located in Syilx Territory on the land belonging to the Westbank First Nation. Our Council and staff are located in home offices all over the province, and we have Indigenous Justice Centres in Prince Rupert, Prince George and Merritt.

OUR CULTURE

Our values are woven into and inform the cultural fabric of the BCFNJC and our staff reflect the diversity of the communities we serve.

THE BC FIRST NATIONS JUSTICE STRATEGY

In early 2020 the BC First Nations Justice Strategy (the Strategy) was endorsed by BC First Nations leadership through resolutions of the Union of BC Indian Chiefs, First Nations Summit, and BC Assembly of First Nations.

On March 6, 2020, the Strategy was signed at a public event cohosted by the BCFNJC and the Province of BC. The Strategy describes 43 actions along two paths of transformative change: 1) reform of the current justice system; and, 2) restoration of First Nations legal traditions and structures.

The Strategy fully implemented will:

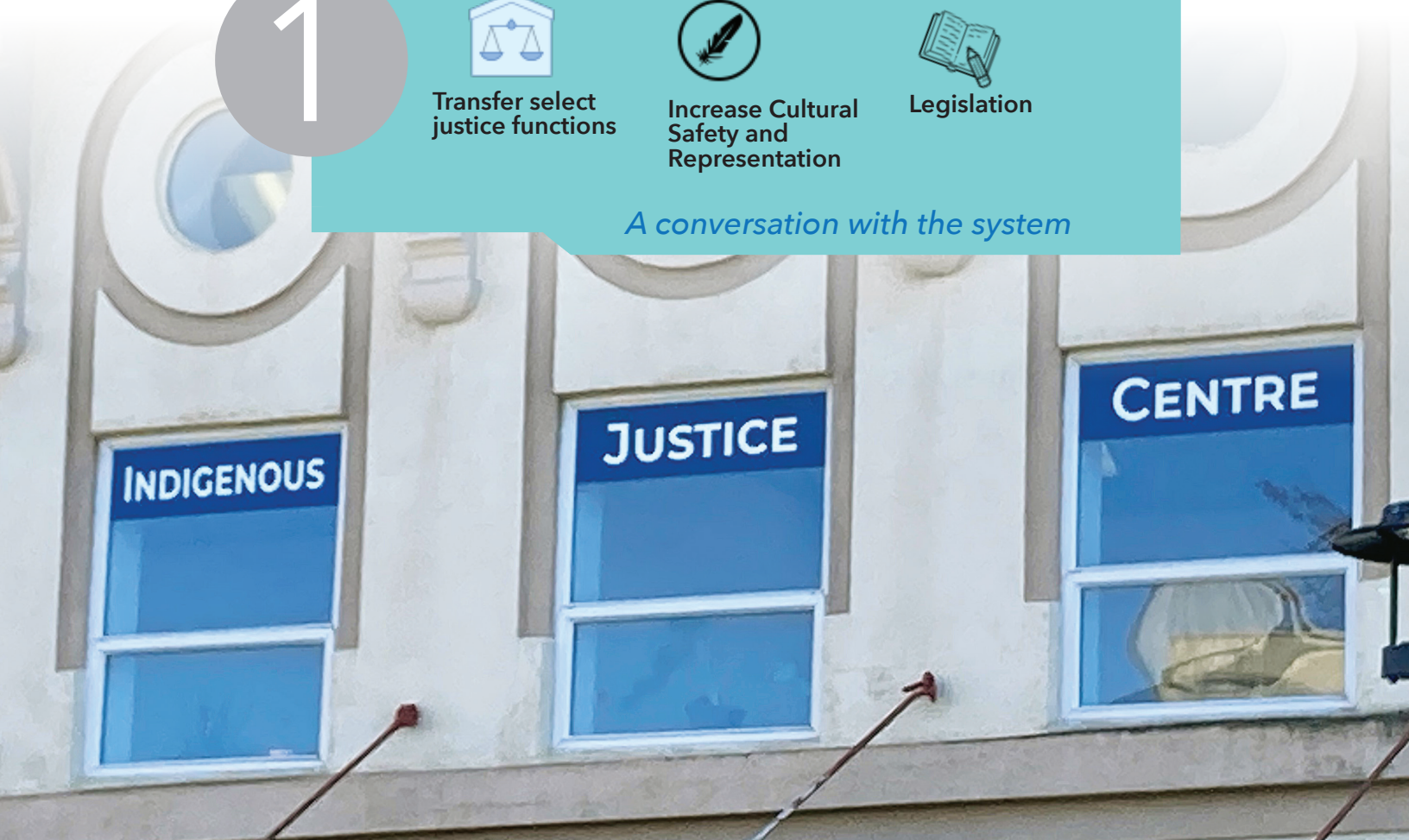
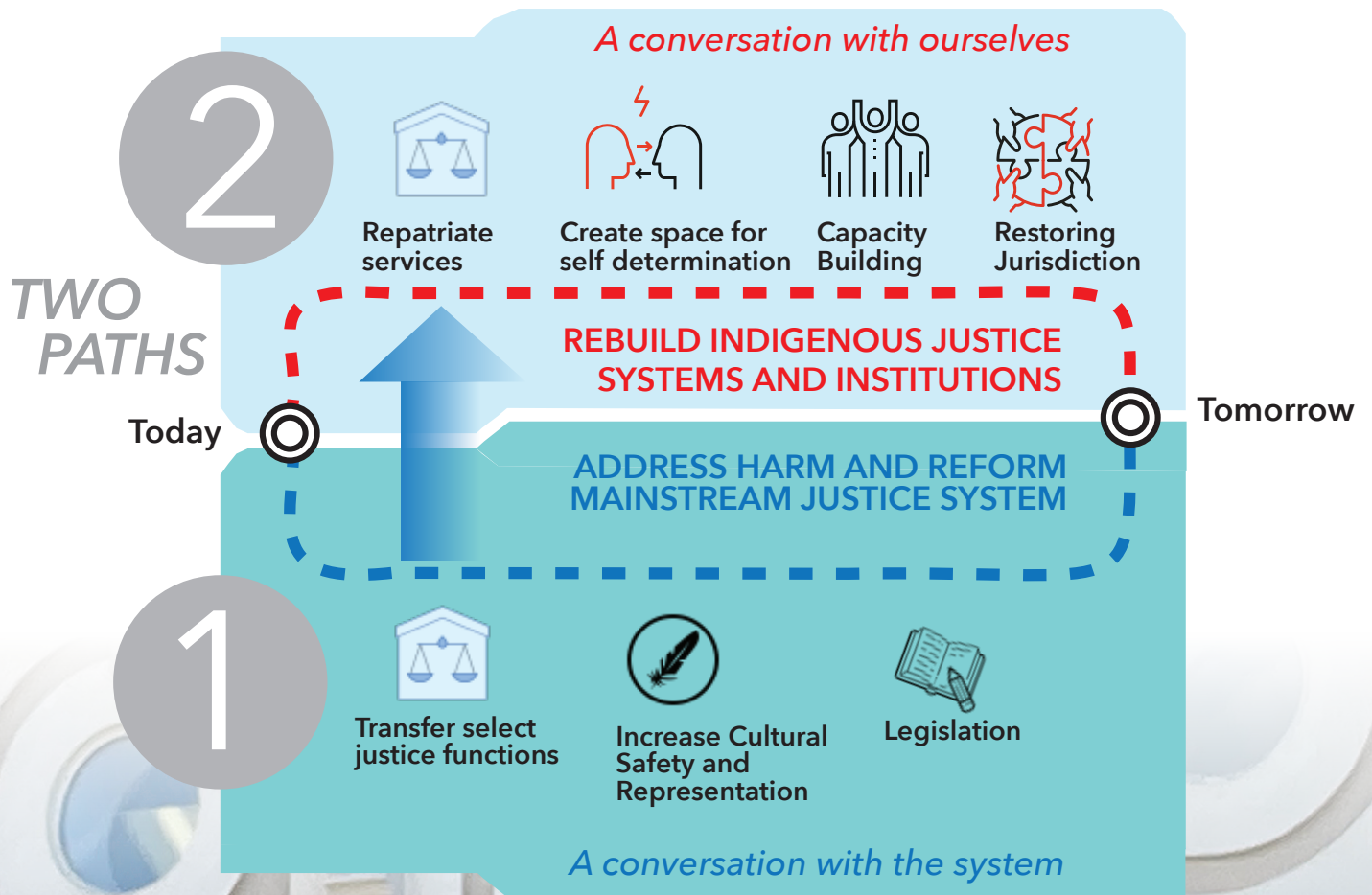
- Reduce the number of First Nations people who become involved with the criminal justice system and improve the experiences of those who do
- Increase the number of First Nations people working within the justice system
- Support First Nations to restore their justice systems and structures

Implementation of the Strategy envisions a future in which:

- First Nations people trust and believe in a justice system that is fair and culturally safe.
- First Nations laws and legal traditions are restored and First Nations people exercise authority in the administration of justice for the safety and security of their citizens and communities.
- Less emphasis is placed upon the “punishing” of offenders and instead the focus is on “making it right” through prevention, diversion, and rehabilitation – all while making sure to hold offenders to account for their actions.
- Indigenous people have access to high-quality legal and social support services.
- Knowledge keepers’ roles are recognized, restored and privileged.
- Colonialism is seen as an ongoing and toxic force that results in discriminatory treatment of Indigenous peoples.
- All people with authority in the justice system understand and share ownership of the destructive effects of colonialism when administering justice.

TWO PATHS OF TRANSFORMATIONAL CHANGE

The Justice Strategy calls for 43 actions along two paths of transformational change.



IMPLEMENTING THE BC FIRST NATIONS JUSTICE STRATEGY

During this past year, the BCFNJC began implementing the BC First Nations Justice Strategy with a focus on operationalizing three Indigenous Justice Centres, developing an Indigenous-led Gladue program, and building our internal capacity.

CREATING A NETWORK OF INDIGENOUS JUSTICE CENTRES

BCFNJC's first three Indigenous Justice Centres (IJC's) were opened in early 2020 in Prince Rupert, Prince George, and Merritt.

Each Indigenous Justice Centre provides legal advice and representation to Indigenous people living in the IJC's catchment area to forward the goals of the BCFNJC in combating the over-representation of indigenous men, women, and youth in the criminal justice system and indigenous families involved in child apprehension proceedings. Our IJC teams are able to provide full representation to clients who may not otherwise have access to legal counsel in criminal and child protection matters.

DESIGNING AN INDIGENOUS-LED GLADUE STRATEGY

BCFNJC established its Gladue Services department to support implementation of a comprehensive Gladue strategy. The vision for the strategy is for Gladue information to be taken into account across the justice system, not only at sentencing.

With the establishment of the Gladue Services Department, we became the first and only jurisdiction in the country to ensure Gladue factors are being considered at multiple points. The BCFNJC is also the first to focus on the trauma that Gladue reports can inflict on both the subjects and the writers and build programming and supports in to mitigate that damage.

As part of this work, BCFNJC developed a centralized system to manage the Gladue report ordering and writing process. The Gladue Information Management System was built following the First Nations principles of OCAP®. These principles ensure that First Nations have control over data collection processes, and that they own and control how this information can be stored, interpreted, used, and shared.

ESTABLISHING PROVINCIAL MANAGERS TO OVERSEE KEY ELEMENTS OF THE JUSTICE STRATEGY

Two provincial manager positions were created to support the IJCs in effectively implementing the Justice Strategy and enhancing service delivery:

The role of the Provincial Manager of Diversion and Early Intervention is to support staff in Indigenous Justice Centres and the First Nations to support and develop diversion and early resolution programs for Indigenous people, including fostering strong relationships with First Nations with their own justice programs.

The role of the Provincial Manager of Women and Child Protection is to advance the needs of women, youth, and children within the justice and family systems in support of Indigenous self-determination and jurisdiction over justice and family protection systems.

BUILDING CAPACITY TO SUPPORT THE VISION WITHIN THE JUSTICE STRATEGY

Throughout the year, the BCFNJC continued to staff key positions to support the implementation of the Justice Strategy more broadly, including:

- The development of a submission on the *Declaration on the Rights of Indigenous People Act*, which identified BCFNJC's priorities and perspective on priority legislation that needs to be updated to align with the *United Nations' Declaration on the Rights of Indigenous People*
- The development of a comprehensive presentation and submission to the *Special Committee on Reforming the Police Act*, which outlined BCFNJC's recommendations and vision for the future of policing in BC
- Collaborative work with the BC Prosecution Service to develop changes to BC's provincial prosecution policy aimed at increasing fairness, reducing the over-representation of First Nations people who are incarcerated, and generally improving how Indigenous people are treated in the criminal justice system.
- The establishment of the BCFNJC brand, website and social media presence.
- Communications, media relations and presentation development to best represent BCFNJC interests and core initiatives to our stakeholders.
- The development of media monitoring systems and a media protocol to appropriately respond to media requests.

**British Columbia
First Nations
Justice Council**

FINANCIAL STATEMENTS
Year ended March 31st, 2021
(Unaudited - See Notice to Reader)

JMN Accounting Inc.
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250-575-5341
jeanette@jmnaccounting.com



British Columbia First Nations Justice Council

Year ended March 31st, 2021

(Unaudited - See Notice to Reader)

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NOTICE TO READER

On the basis of information provided by management, I have compiled the statement of financial position of the British Columbia First Nations Justice Council as at March 31st, 2021 and the statement of operations and unrestricted net assets for the year then ended.

I have not performed an audit or review engagement in respect of these financial statements and accordingly, I express no assurance thereon.

Readers are cautioned that these statements may not be appropriate for their purposes.

Independence

Prior to compiling the financial statements of the British Columbia First Nations Justice Council, this accounting firm performed bookkeeping services, which included the preparation of journal entries and a trial balance. This accounting firm also advises and acts as an advocate for the British Columbia First Nations Justice Council.

Jeanette Newman, CPA
JMN Accounting Inc.

Kelowna, BC
July 7, 2021

British Columbia First Nations Justice Council

Statement of Financial Position

March 31st, 2021

(Unaudited - See Notice to Reader)

Assets	2021	2020
Current Assets		
Cash	\$ 360,193	\$ 202,431
Deposits	3,498	3,498
Prepays	8,878	41,972
Funds in trust (note 1)	-	120,500
	<u>372,569</u>	<u>368,401</u>
Capital Assets, net (note 2)	60,978	18,369
Total Assets	<u><u>\$ 433,547</u></u>	<u><u>\$ 386,770</u></u>
Liabilities and Net Assets		
Current Liabilities		
Accounts payable	\$ 41,359	\$ 102,474
Deferred Contributions	-	120,500
Payroll liabilities	92,420	18,256
Vacation Accrual	30,640	
Withholding taxes payable	- 6,138	-
	<u>158,281</u>	<u>241,230</u>
Net Assets		
Contributed surplus	275,267	145,540
Total Liabilities & Equity	<u><u>\$ 433,547</u></u>	<u><u>\$ 386,770</u></u>

On behalf of the Council

_____ Director

British Columbia First Nations Justice Council
Statement of Operations and Unrestricted Net Assets
Year ended March 31st, 2021
(Unaudited - See Notice to Reader)

	2021	2020
Contributions		
British Columbia Law Foundation	\$ 250,000	\$ 195,000
Province of British Columbia	1,953,750	979,500
	<u>2,203,750</u>	<u>1,174,500</u>
Expenses		
Amortization	\$ 16,416	\$ 4,592
Administrative contracts	354,306	55,732
Advertising and promotion	3,476	-
Bank and interest charges	543	698
Council management	139,124	125,551
Dues and subscriptions	150	-
Human resource contracts	-	42,876
Insurance	5,636	3,726
Meetings and conferences	- 8,358	412,704
Office	132,290	45,198
Professional fees	290,142	114,550
Rent	39,427	11,222
Salaries and benefits	1,063,821	147,674
Telephone	21,463	2,451
Travel	13,633	60,705
Utilities	1,956	1,096
	<u>2,074,023</u>	<u>1,028,775</u>
Excess contributions over expenses	\$ 129,727	\$ 145,725
Contributed surplus, beginning of year	145,540	- 185
Contributed surplus, end of year	<u>\$ 275,267</u>	<u>\$ 145,540</u>

British Columbia First Nations Justice Council

Notes to the Financial Statements

Year ended March 31st, 2021

(Unaudited - See Notice to Reader)

1 CAPITAL ASSETS

	Cost	Acc Amort	2021 Net	2020 Net
Computer Equipment	34,519	9,493	25,026	-
Leasehold improvements	19,959	7,984	11,975	15,967
Furniture	27,507	3,531	23,976	2,402
	81,986	21,008	60,978	18,369



BC FIRST NATIONS
JUSTICE COUNCIL

BC First Nations Justice Council

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