



**Justice & Policing Planning Meeting**  
**February 15-16<sup>th</sup>, 2018**  
**Delta Barrington – Halifax, NS**  
**DRAFT NOTES OF SESSIONS**

**DAY ONE Thursday February 15 2018**

Session Facilitator Steve Joudry asked participants to introduce themselves. A list is in appendix two. Joudry noted that the Innu Justice and Policing file had a long history and that the meeting was aimed to outline the nature and scope of Innu concerns and to identify priorities with a view toward creating workplan and committee to address them in the coming fiscal year.

Peter Penashue noted that the topics had been raised many times over a long period but the original concerns remain. He noted that:

- there was once a draft Policing agreement but the RCMP would not support it;
- Newfoundland Labrador (NL) needs a mandate to produce a Policing policy;
- Canada needs a mandate to negotiate an Innu Policing agreement;
- Need to recognize and resource two to three years of capacity building and;
- The RCMP will need to work in partnership during transition and in a different relationship afterward.

Joudry noted that Justice and Policing were a topic cited in the original terms of reference of the Innu Round Table –which was endorsed by both federal and provincial governments. But that route has gone nowhere. Any recent action has been at the community level and at Self-government table.

Joudry summarized some of the file history as:

- Innu Healing Path Court developed in 2007 and 2008 -- significant intergovernmental work led to a draft MOU between the province and the Innu that addressed: restorative justice; policing; bylaws; capacity; corrections; provincial court and; prevention.
- A related statement on protocol with the Goose Bay Provincial Crown Attorney's Office on a Healing Court was also drafted.
- Included in Innu Round table mandate of 2012
- Innu Leaders forum in 2013 noted both justice and policing priorities
- The two topics are included in the Innu Healing Strategy of 2014
- In mid 2014 SIFN met the province on justice capacity and later received resources which continue to this day.

- Several attempts to get parallel capacity in MIFN since have all been turned down  
(It was later also noted that Police and Justice issues were contained in the Innu's 1992 Gathering Voices document)

Opening remarks were made by Innu Leaders, RCMP, NL, Justice Canada, and Public Safety Canada. It was noted that additional people may be joining the conference line throughout the agenda.

David Penashue summarized the justice resources at SIFN. They are designed to help people understand the process they are involved in and to better address their issues so they can get better. He notes that Legal aid is income-based so many people are unable to get it. His group of four consists of: Court interpreter, victim services, adult probation, and corrections liaison.

There was a wide range of discussion including noting program and services of participating agencies, interest in past documents being raised, and consideration that the next federal budget may include Infrastructure funding of note.

Nancy Kleer noted that the Innu self-government table was no longer addressing policing, as the parties could not make any progress under the current mandates. However, Kleer was convinced that under existing program devolution policy, policing progress could be made. NL could enact a specific law to enable an Innu police force and not create province-wide policing legislation. Innu would then follow precedents of other First Nations in policing devolution, and so would need to train people and to link with other forces in its development. Damien Benuen added that the goal was good policing that is appropriate for the Innu's situation.

Joudry noted that throughout devolution of various services some government staff had reservations about the Innu's abilities. He noted that continued for some time but the results provide evidence that these were not well founded. He suggested if any agencies heard reservations about Innu capacity, they should consider their track record on devolution so far.

Kleer noted that largest barrier seems to be that while NL has laws for RCMP and Royal Constabulary policing—it has no local policing legal framework and that there are no local police forces in the province. She felt that enabling legislation by NL would be required for an Innu force.

After much discussion Peter Penashue said that the Innu objective was for a self-administered police force and that partial solutions would no longer be acceptable. It was noted that healing and safety were the Innu's most urgent concerns.

There was some wide ranging talk noting topics such as: Provincial policing services agreements, diversion programs, Safe communities, use of jail cells for correction purposes, need for infrastructure and associated funds, an on-reserve corrections facility in Quebec, pressing need for some service in Natuashish, and interest in the Healing Path Court. Then the day came to an end.

## **DAY TWO February 16 2018**

Joudry provided a summary of the previous day noting that the objective is to set priorities for actions. He felt the Innu had described a healing view on Policing and Justice matters. They see both victims and

perpetrators as community residents that need assistance—and that they have ideas on how to go about this, but need resources to act.

He noted that while SIFN had some Justice resources, they needed to be updated. And MIFN had submitted requests for similar resources, but still had none. The previous day had made it clear that a Policing agreement was the Innu's objective. As the legal basis was unclear it required a tripartite process to address that and other barriers to an Agreement.

Damien Benuen felt that both a change in attitude and in policy was necessary for action and the Innu were prepared to enter such a process. Natasha Hurley felt that others needed to enter a process with respect for the Innu's capabilities. Steve Joudry expanded on this by pointing to Innu Education—which while not perfect-- was graduating more students within five years than the province had done in fifty years. He noted that Innu youth had held their own review and developed a professional plan for changing young lives. He noted Income Support devolution - which took over 20 years to get – was within one year in Innu hands, operating at the highest levels of compliance seen across the country. And that in Child welfare, that Innu were now working directly with provincial staff and had not only lowered the number of children in care, were now working to build and operate group home facilities in the two communities. Facilities that would meet all provincial standards and conditions as well as operate under its own Innu child care approach.

There was a discussion on circulating documents being noted at the session– but the concern was any focus on those would detract from immediate action. It was decided that many documents were readily available on-line and that circulation to meeting participants should focus only on documents that will inform next steps. It was described that the Innu Healing Path court was an example of actions that should be reconsidered.

Nick Paradis noted that the court met regularly in Natuashish but that its meeting and accommodation facilities were inadequate and insecure. MIFN was looking into a new hotel, camp facility, and court structure to address this.

John Higham noted that IRT CYFS staff had asked that the meeting consider the extensive impact court proceedings and related services, has on children in custody and care. The lack of: timely access to courts; assistance to parents; and restorative justice capacity -- all negatively impact cases of children.

David Penashue noted that:

- there were about 20 youth probation clients;
- the Correction Liaison position was vacant and low pay made it difficult to fill and;
- there is no capacity for reintegration planning.

It was noted that Quebec had a model that assists First Nations people in corrections facilities and that it might be worth examining.

The jail cells in Natuashish while designed for 24 hour stays-- were being used for far longer holding periods. All agreed that this was unacceptable and alternatives were needed.

SIFN noted it had residential addictions treatment facilities that might be useful but had no operating funds. MIFN had no such existing facilities but had long sought country-based treatment facilities that might be more appropriate for this group.

Peter Penashue described the Innu's morning meeting with Minister Bennett, who indicated support for Innu priorities. Peter suggested the Innu would need to write to federal and provincial governments to confirm their interest in policing and justice files being addressed. It was also noted that the Innu were planning to contact the human rights commission on the extensive use of jail cells for remand purposes.

As the conversation was closing a series of potential actions were discussed. These included: a process finalizing the terms of reference for an IRT committee; identifying topics & setting priorities based on these discussions; outlining workplans; circulating Healing Court Path documents; establishing high level consensus and identifying working level contacts and; seeking funding.

A series of action items stemming from this two day session are provided below.

## **ACTIONS LIST**

1. Chief Hart offered to arrange Cross Cultural workshops for RCMP
2. Innu Youth forum reports can be found at <http://www.irtsec.ca/capacity-development/>
3. IRT programs can be found under the departments tab at <http://www.irtsec.ca/about/>
4. NL will look into its Self-government mandate for Policing in First Nations
5. NL will look into the situation on enabling legislation for First Nation Policing
6. PSC/Justice undertook to provide a list of available programs and services to the Innu
7. IRT will assist MIFN Chief Nui in updating and resubmitting its previous proposals for Justice resources
8. Materials around the Innu Healing Path Court proposal will be circulated to attendees
9. David Penashue is to contact Steve Ring to further explore the issue of youth assistance in the two Innu communities
10. IRT will contact DISC to seek resources to create the IRT Committee and to cover costs of working groups to address consensus topics in the new fiscal year
11. It is recommended and agreed by the group to have letters prepared for Innu Leadership review/consideration with regards to following up with interest in Policing Agreements and in creating new Innu justice roles and responsibilities; and securing resources for both of those functions.
12. It is recommended that letters be prepared for Innu leadership consideration that will provide formal notification to the appropriate Human Rights body, on Innu concerns over the use of jail cells for longer term holding of prisoners.

## **ATTACHMENT ONE AGENDA OF FORUM**

### Day 1 – February 15<sup>th</sup>

<i>Introductions</i>	<i>1:15 pm</i>
<i>Review Agenda/Objectives</i>	<i>1:20</i>
<i>Innu History of Justice &amp; Policing Issues</i>	<i>1:35</i>
<i>Draft Terms of Reference for J&amp;P Committee</i>	<i>1:45</i>
<i>Nature &amp; Scope of Innu Community Priorities</i>	<i>2:30</i>
• <i>Crime Prevention and Diversion</i>	
• <i>Policing</i>	
• <i>Courts</i>	
• <i>Corrections</i>	
<i>Close</i>	

### Day 2 - February 16<sup>th</sup>

<i>Review of Day 1 Agreements and Issues</i>	<i>09:00</i>
<i>Establish Objectives for Community Priorities</i>	<i>09:30</i>
<i>LUNCH</i>	
<i>Outline Workplan &amp; Budget for 2018/19</i>	<i>1:00</i>
<i>Next Steps</i>	<i>2:00</i>
<i>Adjourn</i>	<i>2:15</i>

**ATTACHMENT TWO  
PARTICIPANTS LIST**

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