

INTERIM REPORT
OF THE
INSTITUTIONAL ANALYSIS

Prepared for the
Project Management Team,
Treaty # 3 Justice Initiative

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1.0 Introduction

1.1 Focusing the Reader

This section is essentially a foreword, helping to set the stage and preview the content, focus and tone of the report.

Limitations

It is important to acknowledge some limits.

First, resources allowed only two weeks of on-site study. More time would certainly have led to more information. Nevertheless, what is here seems to be a good sample of the major and/or recurring issues and ideas. The consultants brought several attributes to this process which seemed to be appropriate.

- Prior experience with this project
- Time spent with members of the PMT
- Trust that this study was not seeking a list of failings but directions to help meet the goals
- Parallel experience in (1) complex, months-long institutional analysis and (2) parallel or related studies of the very similar justice system in Thunder Bay.
- Direct and indirect experience with many of the problems and threats experienced by the population.

That allows some improvement in judgement; we have the background to recognize truth when it is presented to us.

Second, there is little mention at all of the roles of the other members of the PMT.

That seems problematic since they have history, experience, wisdom and creativity. Their contribution begins now. In many ways they will know better than the institutional members what is achievable soon and what much wait its turn. They have many of the necessary connections to the environment, particularly to members and sub-groups of Treaty #3. They provide many of the services that are working and have the capacity to help develop those which do not.

Their turn comes now, in analyzing this report and in both suggesting specific initiatives, finding allies and sharing and/or leading implementation.

The Three Goals

For the purpose of this work we simplified the goals of the project as follows:

1. Increase the number of Aboriginal persons employed in the Justice System.

2. Increase the involvement of Aboriginal persons in decision making in and about the Justice System.
3. Decrease the number of Aboriginal persons who are clients of the Justice System.

Persons we met and interviewed seemed to find these clear.

What were we to look for?

Overall we wanted to learn how to achieve the three goals. That involved learning about:

1. Current successes,
2. Barriers to improvement at any level,
3. Opportunities, allies and any other resource that would assist and
4. Possible new or intensified directions.

Where were we to look?

This immediately became complicated. There are two obvious levels:

1. Within the institutions represented on the PMT,
2. Within the Kenora Justice System as a whole, defined for this purpose as the sum of the member organizations plus one or two other players.

The third level at which one might find both problems and solutions is that huge category which we just called:

3. External – influences before, after and concurrent with contact with the justice system. As this project began the PMT acknowledged the third category and further acknowledged that it was beyond their control. That was seen, as this institutional analysis began, as focusing our work on levels one and two. That seemed reasonable.

However, throughout our interviews, persons who spoke to us – including the same PMT members - simply rejected that limitation. So many of the factors that constrain employment, influence and the ability to permanently exit the justice system are external.

It's not that persons who spoke to us were either rejecting responsibility or blaming the victim or the victim's history and circumstances. *Rather they understood that many external factors drove Aboriginal s into the justice system, and then barred their way out of it.* They were willing to identify gaps within their institutions and work to repair those. They were willing to seek ways to make the system as a whole work better to

reduce recidivism. They were not willing to stop there, but wanted also to speculate about how to improve those externals and to lead attempts to succeed in doing so.

What was the result?

This report could, had it maintained loyalty to its mandate, have been limited, rational and contained only the most achievable recommendations. But that seemed to us to be, in turn, disloyal to your own commitment at least to make an attempt to tackle the issues both upstream and downstream from the Kenora Justice System.

Consequently we will report on the advice you gave about all three levels. Yes, the external factors affecting your goals are surely difficult to change, but there have been enough small successes to show that there is a way. Yes, the action and commitment and resources are in the hands of others, but the persons we interviewed said, in effect, that it is still the responsibility of persons in the Kenora Justice System to not only change what they can internally but also to give ideas, leadership and hope to those who might be able to change the rest.

The format of this report

The three levels will be discussed in turn: individual institutions, the Kenora Justice System as an entity and the external factors impinging on achievement of the goals.

Within each category, where possible, the report will include:

1. Current Positive Directions,
2. Barriers
3. Strengths and Allies and
4. Advice

There are many problems, but there is also much wisdom, experience and commitment. Perhaps above even those, there is a sense of hope.

1.2 The Process

This section is not critical to understanding the outcomes and the impatient reader can skip to the findings. Those who want to get a better sense of the thinking, the approach and the methodology will find such information here.

Explaining the Project

To explain the initiative to those being interviewed we simplified the goals of the project as follows:

1. Increase the number of Aboriginal persons employed in the Justice System.
2. Increase the involvement of Aboriginal persons in decision making in and about the Justice System.
3. Decrease the number of Aboriginal persons who are clients of the Justice System.

Purpose of the Institutional Analysis

To perform a limited analysis of the institutions which are members of the Treaty #3 Justice Initiative. Specifically we sought to identify the following:

1. Prior and current successes of each organization in pursuing the project's goals,
2. Willingness of the organization to engage in new ways to achieve those goals,
3. Systemic and human barriers to success within the organization,
4. External barriers to success, and
5. Possible, albeit speculative, initiatives to change those external barriers.

AI Approach

The approach followed the values of the Appreciative Inquiry (AI) model. The essence of AI is to build on success and to take an assertively optimistic stance about what is possible. AI builds on past successes and trusts the capacity of the people within the organization to identify and make improvements. A "problem-solving" approach at the beginning of such broad change efforts is said to, at best, restore the organization to its best past functioning – get back to the status quo. Hardly an ennobling goal. While proponents don't use this terminology, we see AI as succeeding in part because it is Vision-Driven. A vision-driven process can not only define how to solve today's problems; it can lead to ways to prevent those coming tomorrow.

Here are the traditional steps in an AI initiative:

1. *Defining* the focus of the inquiry. Collaboratively defining the topic(s) for an appreciative inquiry is perhaps the most critical phase of the process.
2. *Discovering* people's experiences of their group, organisation or community at its most vital and alive and clarifying what made those experiences possible.
3. *Dreaming* together to envision a future in which those exceptional experiences form the bases for organising in the future.

4. *Designing* appreciative systems and structures to support the manifestation of the co-created dreams.
5. *Delivering* implementation of those systems and structures by organisation members in an ever-expanding positive-feedback loop of appreciative learning.

The PMT will recognize that they have in fact been following this kind of approach from the beginning, from long before this consultant arrived. There was a conscious choice to take risks, to trust each other and to believe that organizations and individuals could dream beyond yesterday's conflicts to collaborative and impactful future partnerships.

Applications and Implications for this Work

Every organization in Kenora has been accused of racism at one time or another – some continuously. Reiterating those complaints *in depth* another time seemed unlikely to have new impact, as we were advised by Project leadership. Further to that, the client advised us that the community had been surveyed too many times already and had nothing new to say – they wanted to see some response from the system. That context supported an AI approach: we looked for what was already working and for the means to multiply those efforts and directions.

Is there systemic racism in the justice system in Kenora? Given that the justice system, like almost all Canadian institutions, has its roots in the periods of British expansionism and colonialism, it is an absence of systemic racism that would be astonishing.

So we spoke to people in the system assuming that all agreed that such problems existed, and also assuming that the persons we spoke to wished to be part of making a change. While we regularly encountered defensiveness early on, after a few moments of reassurance most people in the groups and individual interviews joined in the hopefulness and in creating ideas.

That does not mean we were blind to examples of racism, nor does it mean we will not have recommendations beyond what members of the organizations suggested. But it is nevertheless true that most persons in most organizations were aware of examples of racism in their organizations and were willing to work to make improvements.

Methodology

Institutions Studied

The core was the group of organizations represented by the initial PMT membership:

1. Police,
2. LAO,

3. The Courts “subsystem”, albeit briefly,
4. Probation and Parole and
5. Kenora Jail

This list was supplemented by interviews a small number of other knowledgeable outsiders.

Ideal and Achievable Methodologies

The preference was to perform all of the following for each institution.

1. Tour of facility
2. Interview with PMT member of other leader
3. Interview with second-in-command
4. Focus Group, leadership team
5. Ride-along, Job-shadowing etc.
6. Focus Group or interviews, broad sample of staff
7. Interview, observation or focus group of clients

However, some of the organizations simply don't have that many staff, or don't have that many in Kenora. The following compromise sampling grid was used. The “X” marks show cells we managed to fill.

	Method/Institution	KPS	LAO	P&P	Jail	Comment, Explanation
1	Tour	X	X	X	X	
2	Interview, PMT/Other leader	X	X	X	X	
3	Interview, 2IC	½X	X	X	X	No interview with deputy at KPS due to bereavement, but had spent a lot of time with him on the tour.
4	Focus Group, Leadership team				X	LAO and P&P too small to have separate team. Team not yet established at KPS
5	Ride-along, Job-shadowing etc	X	X	X		Ride-along with police, shadowing and extra interviews at LAO, ride and shadow P&P to Wabaseemoong. Not practical at Jail, but spent considerable time there.
6	Focus Group or interviews, broad sample of staff	X FG	X Int	X FG	X FG	Interviewed several at LAO, so gained similar information.
7	Interview, observation or FG of clients	X	X	X	X 2 FG	Observation only except for Jail, two FG of inmates there.
8	Other Contacts					Interviewed one Crown Attorney, one Justice, one community volunteer and two former on-reserve teachers/workers, one of whom is senior member of AA.

There were, therefore, twenty-one (21) discrete information gathering contacts among the four institutions above. Three (3) of the observations of clients were less structured but still valuable. Two (2) other members of the justice system and three (2) persons from the community were also interviewed. That adds up to twenty-eight (28) total contacts within the two weeks.

Transition

While the time was limited, the sampling was relatively good. Most persons were forthcoming, some at great length – there was little reluctance to speak to us. Further, we brought considerable related knowledge and experience to the task of understanding the information we were given. However large the various limitations, we are confident that what follows is a very useful sampling of the issues and possible responses. The PMT can, from here, identify reasonable priorities, work to validate the impressions reported here and then confidently continue the positive directions presented herein.

2.0 The Individual Institutions

The writers encountered an interesting problem: the respondents were very forthcoming and much of the news was good. This becomes a problem only because the length of this report ought not render it unreadable.

Ultimately we determined to shorten what we could and accept the still-lengthy outcome. People gave us access and told us a lot of risky truths. There was much that was positive, the barriers identified were important and the suggested direction were both realistic and compelling. To sacrifice such richness in pursuit of brevity seemed to be the wrong choice.

Format of This Section

Each institution was examined separately where possible. This was complicated in the Courts "subsystem", since crowns, justices and support staff are embedded in different institutions, different branches of a very large Ministry. That didn't seem to limit the learning too seriously and the time spent was sufficient for the purposes of this report which is, after all, an overview rather than a detailed study of individual institutions.

Generally the format for each institution is as follows:

1. Positive directions. From the beginning this group has chosen to identify and acknowledge successes and there were many to celebrate. Within each there is typically discussion of general themes, employment issues and some attention to partnerships. The differences between the institutions led to variations on that format, but for the most part those topics are addressed in each case.
2. Barriers are identified. Some were internal and many external.
3. A sort discussion of Strengths and Allies follows in each case. Those tend to be repetitive – the PMT in general and Treaty #3 specifically recur, and that is as it should be. One summary comment here: the list of allies, at least of current, committed allies, is much shorter than the list of needs and recommendations.
4. Advice follows. The advice is organized into three "Advice for" categories:
 - the institution under study,
 - other PMT members and
 - the external environment.

We collected such advice from three sources:

- members of each institution,
- other sources within the PMT and
- the consultants' own experience and inferences from this study or from beyond it.

Not all categories are addressed in every case – sometimes there are empty sets and that was not a problem.

In section 3, The Kenora Justice System and section 4, The Environmental Causes, the format follows the logic and is less complex.

Kenora Police Services

Sources: Interviews with D. Jorgenson, tour and conversation with B. Neufeld, half-day ride-along and focus group of staff from varied positions.

Positive Directions

General

1. Members of the force report that under the leadership of Chief Dan Jorgenson, there is a more open approach to working with Aboriginal s.
2. Support of the Street Patrol has saved many from death and serious injury.
3. The Street patrol also reduces contact with Police and subsequent charges for minor offenses.
4. There is commitment to develop a way to receive complaints that is less intimidating.
5. Despite all of the negative attention in recent years, morale has remained surprisingly high.
6. Use of external organizations (usually Thunder Bay Police or OPP) to investigate complaints intends to increase the perception of fairness.
7. The numbers of complaints haven't risen since that practice was initiated.
8. KPS has all been through numerous sensitivity training programs, and one group member who worked in another city stated that in comparison, KPS are extremely sensitive to their 'clients', certainly more than was expected in the other city.
9. We were told that: "Twenty years ago there were officers on the force who were blatantly racist. That's not the way it is now because there is no way the KPS could say or do what was being said and done then (and keep their job)".

Recruiting

1. KPS aggressively recruits Aboriginal candidates for all openings, and gives extra points for specific knowledge and experience that gives an advantage to Aboriginal candidates.
2. The KPS recruiting process is simpler than in larger cities and has the potential to be more flexible in pursuit of targeted recruiting.
3. Summer students are hired, this year there is a young Aboriginal man as one student.
4. Connections have been made at Confederation College to assist Aboriginal candidates to be more successful in the recruitment process.
5. KPS is also actively recruiting candidates graduating from Confederation College.
6. KPS intends to develop a mentoring process for Aboriginal candidates.

7. The KPS has printed a recruitment pamphlet that explains the process with an Aboriginal officer on the cover.
8. KPS is seeking funding for an Aboriginal Liaison Officer. This would also support recruiting.
9. Efforts are being made to keep up with school tours and education about policing in order to lessen fear.

Relationships and Perceptions

1. KPS members report that they, as individuals and in uniform, are sustaining or increasing efforts for positive representation in the community.
2. Much of the work of the Community Policing Officer is in alignment with the goals of this project.
3. Police are committed to strengthening the already good relationship with the NeChee Friendship Centre.
4. The Aboriginal contacts made in this project are regarded as very valuable and KPS desire continued and expanded involvement with other PMT members and from contacts made through that group.
5. The Chief intends to continue to get the KPS out into the community as a positive presence, both in uniform and in other settings. For example, KPS has hosted baseball and hockey games and held a barbecue afterwards in order to connect with the community.
6. All such initiatives support recruiting Aboriginal persons.

Barriers

1. The history of KPS undermines confidence in a force that is trying to improve in many areas. It will take a long time, and action in multiple directions, to change public perception.
2. KPS has not been welcomed on reserves or in recruiting initiatives by the Aboriginal forces. There is competition in recruiting.
3. Out of the thirty-two staff, roughly twenty-five are in uniform, the KPS is drastically under-staffed, and under-funded.
4. Historical experience can't be changed.
5. The Personal opinions of some members of the organization are very hard to change.
6. There are fundamental differences between Aboriginal culture and that of the typical white European. Without better understanding conflict is inevitable.
7. Budgets are inadequate to implement the major changes that would have large impact; we are limited to incremental improvements.
8. When KPS makes an error that affects an Aboriginal , the public infers that racism caused it, that the error was in fact a choice.

9. Lack of intervention at a federal level to help the social plight of the Aboriginal people.
10. The lost parenting skills through the multi-generational abuse that was perpetrated on Aboriginals and the effect that it has on this generation.
11. Life skills and education are often underdeveloped in residents of the reserves. This prevents many teens and adults from getting a job that pays well and developing a positive self-image.
12. Band Council Resolutions (BCR's) can ban a person from a reserve and that person usually ends up in Kenora. This puts First Nations people whose behaviour is unacceptable on the Reserve directly into the hands of under-resourced KPS.
13. The First Nations people need extreme solutions, none of which the KPS can provide.

Strengths and Allies

1. The PMT
2. Most members of the KPS
3. Kenora Police Services Board

Advice for the Institution

From Internal Members

1. Open communications and stay positive.
2. Invest in good PR and promotion of real successes.
3. Work on conflict resolution; find a way to get both sides in the same room at the same time; find out why the willingness to resolve the conflict isn't visible and continue to work on getting co-operation from Aboriginal communities.
4. Request that the arrest authority be re-instated for the intoxication charge but just so that people can be transported to a safe place by the KPS. (the group is concerned about more deaths from poor health, the cold, the street life, and FN people dying in their cells).
5. Find a way to build or finance a sobering up centre, more detox beds, and community police for Kenora.
6. Get out into the public and interact. Hope that the public will understand that the KPS are humans doing their job and reduce animosity; have officers become familiar faces in the community.
7. Become more accessible to people with more officers, more community police in the KPS, and more Community Policing Officer jobs. One respondent said specifically that calls for service won't drop until community policing is properly

funded and that community policing won't be successful until calls for service decrease.

8. Use the current criticism as a leverage for funding solutions; much, much more money is needed.
9. Hear more from the mainstream, including Urban Aboriginal s, not just Treaty Three to address and identify trouble areas.
10. Work harder to attract and recruit highly qualified Aboriginal candidates.
11. Attract a qualified, charismatic First Nations Leader for KPS, someone who is part of the solution, motivated and energetic and also respected in the communities.
12. The job would be tough and the momentum required would be hard for an individual to sustain, maybe a unit?
13. "It's time to deal with those who aren't into revenge, rather the solution".

From Other Interviews and Focus Groups

1. Can KPS work more on means of front-line diversion, particularly to avoid that first arrest and the subsequent criminal record? The new YO legislation seems a bit ambiguous but is intended to make this easier – but province-wide, the number of arrests of young Aboriginal s is increasing. This would take some research and training but seems a good investment when one juvenile or early-adult conviction can change a whole life. Young Aboriginal persons already suffer from limited opportunities and to remove even more is a punishment not to be taken routinely.

From the Consultants

1. Joint recruiting could be a win-win and not an arena for conflict. It is known that Thunder Bay plans to do more outreach recruiting and may seek partners to do so. It is possible that the OPP would also share some initiatives. Perhaps some or all of the Aboriginal forces could be persuaded that to work together would have impact than recruiting individually. Working together to increase the size of the qualified talent pool improves the opportunities to make good hires for everyone in the justice system.
2. Some police forces are awaiting an official response/guideline from the Province regarding the Lesage report on police complaints. Fair enough, but a few thoughts come to mind no matter what the provincial trends:
 - 2.1 Unless Kenora is atypical, the rate of complaints to real concerns is underestimated due to mistrust of the complaint system.
 - 2.2 Coming to a police station to lodge a complaint – or to have the follow-up discussion – has the same dampening effect. We understand that KPS is working on this and merely suggest continuation of that work.

- 2.3 When whatever new complaint system is implemented, it would be worth seeking advice re optimizing public impact from other forces, provinces or from professionals.
3. Around some complaints we were told that once the complainant understood that what happened was standard police response/procedure in the circumstance, the complaint was usually withdrawn. That is a cause for further reflection.
 - 3.1 There is a lot of discretion in deciding which of several standard procedures apply. If officers are consistently interpreting encounters with Aboriginal s as requiring a response involving aggressive tone, dominance and use of force, intervention may be needed.
 - 3.2 Within each encounter, however accurate the assessment and appropriate the response, treatment can still be unnecessarily demeaning – with or without also being racist.
4. Police involvement on the “Court Users Committee” should be considered. There is some risk; adding participants might slow down this innovative process, but a way to obtain police input seems to make sense.
5. The PMT determined some time ago that performing yet another “study” or “community consultation” about KPS treatment of Aboriginal s would waste time and perhaps be seen as avoidance. The “truth” in this case is irrelevant; the historical mistrust of KPS is what matters. Given that, the following general directions seems worth considering.
 - 5.1 Acknowledge the perception of racial profiling without defensiveness.
 - 5.2 Identify and implement policies and training following the Behavioral Profiling model.
 - 5.3 Take the position that the absence of systems to prevent individual racism is *de facto* systemic racism.
 - 5.4 Analyze KPS policies, practices and (where possible) informal police culture to identify other needed changes in policy, practice and training.
 - 5.5 Consider this a two or three year task and invest time and resources in presenting it as a positive initiative – ideally shown as part of this partnership.

2.2 LAO

Sources: interview with J. Carten, half-day observation on-site in Court, two hours on-site at LAO, three shorter interviews with senior staff.

Positive Directions

General

The structure of LAO in Kenora is quite unusual in Ontario, in some very positive ways. The Area Office, Kenora Community Legal Clinic, Family Law Office and Staff Duty Counsel Office are all under one roof. This One-Stop shopping model has proved itself; it makes access and referral easier for clients and improves communication for staff.

Historically, this office has a positive track record for developing or adopting innovative service delivery methods.

1. In 1996 LAO reduced services and amended its tariff to reduce fees. This was poorly received by the legal community across the Province. The reaction in the Kenora District was very strong, and many lawyers withdrew from legal aid or reduced significantly the work that they were prepared to do. At the same time the then separate legal clinic was at risk due to staff vacancies. A very creative clinic board worked with LAO to address the combined problems and the Area Director for LAO became the Executive Director of the legal clinic in a single position. Full co-location of the offices occurred in 2000. This type of blended management had never been tried before.
2. The first staff duty counsel position in Ontario, outside of Toronto, was established here in 1996 as a further response to the crisis in service delivery. LAO recognized that the number of local lawyers willing to do criminal legal aid work was too small to adequately service the disproportionate number of incarcerated people, mostly Aboriginal, in this District.
3. Another unique solution to service delivery problems occurred in Sioux Lookout, where a second blended office has emerged. It is staffed by a criminal staff duty counsel, a family staff lawyer and a CLW doing clinic law work. This office partners with Nishnawbe-Aski Legal Services (NALS), which has four of their Community Legal Workers housed at the same location. This office acts as a satellite for both the Kenora Area Office and the Thunder Bay NALS office.
4. In 2003, following the passing of the *Youth Criminal Justice Act*, LAO partnered with Operation Springboard, a program in Toronto, to obtain funding from the Department of Justice to launch a pilot that placed social workers in five locations in Ontario to work with defence lawyers in Youth Court. The objective was to identify alternatives to detention for at-risk youth before the courts.

Kenora was the only location outside of the Greater Toronto Area to test this pilot. Kenora was chosen specifically because of the large number of Aboriginal youth that appear in its courts. The lack of appropriate and/or sufficient programming and treatment facilities was consistently identified as a factor in the high incarceration and recidivism rates for young, Aboriginal offenders. When additional funding was obtained to extend this pilot, the Kenora location was not extended, because the community had too few resources available to provide for alternative planning, and the population it tried to service was spread out across a huge geographical area.

Employment

1. The legal clinic for many years gave priority to hiring an Aboriginal person as the Community Legal Worker (CLW). They were usually able to fill this position with skilled Aboriginal but the turnover was high, making it difficult to develop expertise in that position, which limited the workload capabilities for this office. The reason staff left this position was usually because their skills were at a level that allowed them to move to more lucrative positions with First Nation organizations or communities.
2. The non-Aboriginal person now in the CLW position has been there for 6 years. She has close ties in the local First Nation community.
3. The Area Director/Executive Director is hoping to partner with Treaty 3 to fund an "Aboriginal Liaison Worker" position to act as a support for all staff providing services to Aboriginal clients.

Ongoing Positive Actions and Practices

1. LAO and clinic staff are active members of numerous committees in the Kenora District, aimed at community development and improving the ability of the area's poorest and most vulnerable peoples to access justice and quality legal service.
2. The staff perform many hours of Public Legal Education annually in schools and for community groups on a wide range of legal topics.
3. They strive to foster positive working relationships with other local partners in the system.
4. Clinic staff provide satellite service to Red Lake and Ear Falls to improve access in those communities. The family law staff lawyer also travels to courts in other communities.
5. The clinic staff provide Job Readiness work, among other useful outreach.
6. They stress continuity in their service, in order to provide the most effective assistance to their clients.

Positive Experiences with Other Organizations

1. LAO staff, and particularly the staff duty counsel, work closely with the native court workers from the Ne Chee Friendship Centre. They make a coordinated effort to assist Aboriginal persons in the court system. The court workers assist Duty Counsel in formulating plans for a person's release from custody in Show Cause Court, for example by obtaining information from family, Band Councillors, and treatment programs. They facilitate access to legal aid services by commencing in-custody applications which they forward to the area office for completion and processing. This saves time and speeds the client's road to service. By participating in the process with Duty Counsel and the client, they make Aboriginal clients, particularly from the remote northern communities, more comfortable in dealing with duty counsel and the justice system.

Strengths and Allies – Observations by LAO Members

1. Kenora is small; the players can get into one room.
2. People skills are stressed within the justice stakeholders community. They make themselves available, return calls and display a level of professional courtesy less common in larger centres.
3. The Criminal Court Users Committee, an attempt to get representatives from all the local stakeholders together on a regular basis to discuss issues of concern, was seen as a valuable innovation.

Barriers

1. Recidivism in general is very difficult to reduce; so many of the causes and limits to intervention lie beyond the capacity of any single organization.
2. As with other groups, LAO reports that sustainable funding for projects is very difficult to obtain. It is hard to get senior levels of government to turn a "project" (with time-limited funding) into a "program" (which has some reasonable funding commitments over time).

Advice – the Kenora Justice System

From LAO

LAO would like all local stakeholders to recommit themselves to learning and applying the principles of the *Youth Criminal Justice Act*, particularly with regard to its call for more extra-judicial solutions to youth crime.

2.3 The Courts

Sources. Interviews with R. Ross and D. Fraser and half-day spent in Court.

When the PMT was developed there was no representation from the courts. Consequently there was little expectation that this Institutional Analysis could gather much information in any formal way. Fortunately the PMT was recently able to confirm that a member of the Crown would join, and we were able to have a short but very informative interview with a justice. Even though more time would have been desirable, the learning from just two was rich and well targetted.

While we were unable to research in depth the question of recidivism *as facilitated by the court system*, we nevertheless learned much about the external causes. Much of the interview time was spent considering the environment from which Aboriginal persons come – and to which they typically return – before and after encounters with the justice system. The research resulted in many hopeful ideas about directions, solutions and possible way to have influence on both. The lessons from those discussions will reveal themselves mostly in the final sections of this report.

There are, however, elements of the research that speak directly to the goal of representation of Aboriginal s in the work force and some related concerns. There were also some specifics regarding aspects of the courts and of the justice system as a whole that will be reported here.

Positive Directions

We didn't list specific positive directions here but will provide an overview. One of us spent a morning in court watching several parts of the system at work. That is insufficient time to draw conclusions, but with the context other work (and experience beyond Kenora), it was enough time to gather and pass on some impressions. The overall impression was of people taking an adversarial system and trying to use it to solve problems, running it by consensus. People trying to find the least damaging version of justice for everyone concerned.

That may seem a bit ethereal, but it is simply another observation showing why this project, the Treaty #3 Justice Initiative, was possible at all. There is a shared vision. While the structures and the mandates of the institutions keep all in the Western version of justice – a crime and punishment model – the members of the system continue to seek a more Aboriginal healing-centered paradigm. That may not be hard data but we believe is it a reassuring cause for optimism.

Issues and Barriers

Employment – Problems

1. There are Court Service positions and some have been filled in past by Aboriginals, but retention has been a problem.
2. Performance was not a problem according to our interviews.
3. Bringing in a single Aboriginal into a mainstream workplace makes the new employee very vulnerable, even in the absence of any explicit racism.
4. The position is part-time casual, flexing according to schedule and work load. This would lead to high turnover in any population.
5. The standards are high because there are real consequences to errors.
6. Staff complain about shifts etc and the work atmosphere is problematic.
7. There are allegations of nepotism and word-of-mouth hiring in the position.
8. Current job-holders are alleged to sometimes refer and coach their friends re the qualifying test.
9. Police recruit from “Special Constable” court security workers. One interviewee noticed that while in that role those persons perform well and humanely. But when hired and having returned from the Ontario Police College, their manner of relating to the public – including Aboriginals – becomes cold, impersonal and aloof.

Employment – Discussion

1. Some have expressed concern that dealing with friends and relatives would be difficult for an Aboriginal person. But at least one Aboriginal in the job said that his family was proud of him. It’s not like policing; there’s little he could do to cause harm, and his presence was seen to be reassuring and his treatment fair.
2. Court Services is part of the Ministry of the Attorney General. It would require commitment from them to make positive changes.

Non-Employment Concerns

1. There are too few options, not enough treatment and healing services. However much the court members want to contribute to breaking the cycle of recidivism, they have only the power to order persons to sources of help. If those sources are too few, too full or non-existent, the good intentions of the court are frustrated.

2. The very limited number of Restorative Justice programs means that the courts – who want to work toward healing v mere punishment – rarely have access to this very powerful tool.
3. Concern was expressed that real Restorative Justice programs were being confused with, and perhaps watered down by, interventions that were merely ADR, Alternative Dispute Resolution. The writer doesn't have the expertise to make any assessment but conversations suggested this issue was too important to not bring forward.
4. Within what services do exist, choosing the right service is critical. The Court Users Committee meets a need identified by the PMT at the first Visioning and Strategy session, that of sharing information across institutions in the Kenora Justice System.
5. It is worth mentioning the possibility of police involvement here. That might not be useful every time, but there are officers who have been around a long time and have known the "repeaters" for a very long time. Plus, they know those persons in their societal environment and likely have knowledge of both risks and supports in the day-to-day life of the persons who are likely to be sentenced or otherwise directed by the courts.
6. Time to clear paperwork. One of the persons we interviewed stated that much time – for a person either convicted or cleared – is lost awaiting completion of (very important and necessary) paperwork regarding outcomes. This is only a race issue because of the demography of persons appearing before the courts, but nevertheless has a negative impact.
7. Employee turnover was mentioned and it is more than an employment problem; it likely is one cause of the slowdowns mentioned above.
8. A clear political-systemic issue was mentioned with regard to getting needed funding. The kinds of services mentioned or implied here and throughout this report do not create much employment, particularly for youth or vulnerable segments of the Aboriginal (or other) population. It was implied that funders, especially at the federal level, very much like to show job-creation as a result of investments, and are less concerned with parallel or complementary long-term improvements in the lives of citizens.
9. It was observed here (and by others in different institutions) that planning for the time when persons cross the institutional boundaries (court to jail to probation/parole to post-incarceration services) needs
 - To begin as early as possible,
 - To be better communicated across boundaries,
 - To be co-managed by institutions and
 - To follow a person-driven case management model from beginning to end.
10. A concern was expressed that lawyers typically have one isolated function – and normally have no involvement in the long term outcomes. The same was

expressed about police. That comment was not meant to criticize either group but was intended to make a point that the system as a whole misses the opportunity to gather that information, experience and commitment.

11. It was stated that there are only about 70 (Aboriginal) people “at the core” of the justice system; they are the few who experience so many of the problems. A detox manager in another city calls a similar group his “frequent flyers”. What was less clear, and the question is put forward seriously: should they get the most attention or the least?
12. Regarding services and supports in home communities two persons spoke about the need for a competent, permanent (tenured) civil service across the northern communities. Among other concerns it was suggested that goals, programs, money and organizational memory are lost due to frequent turnover of elected leadership.

Strengths and Allies

1. PMT members – all of them, not just the leaders of the institutions
2. Current service providers
3. Potential allies needed include senior levels of government and leadership in all of the “member” communities.

Advice for the Court System

From Internal Members

1. A larger role for Native Court Workers, more like a paralegal status. Duty counsel and NCW’s get on well and the service is seen as valuable. They should have more right and clout to advocate for services for their clients.
2. There would be a need to determine needed skills and knowledge – there are institutions likely willing to help.

From Other Interviews and Focus Groups

1. Continue the Court Users Committee.
2. Carefully consider expansion.
3. Continue the paradigm of healing.
4. Join in advocacy as specific interventions are identified.

From the Consultants

1. Regarding word-of-mouth hiring and the associated problems, this is common in all three sectors of the economy. It is also a serious violation of Employment

Equity principles and goals to which the Province has remained committed for well over two decades.

2. Regarding the pressure put on a single member of a minority, the simple answer is to bring in two Aboriginal s at a time. (This was done successfully in Dr. Nelson's time in Human Rights and Race Relations work at Metro Toronto regarding women, in both social housing jobs and at a very large men's hostel.)
3. Whatever level and type of Employment Systems Review (ESR) is possible, that should be performed soon. It would act to bring all employment-related issues into one document and would give focus to solution, would provide a tool for advocacy, planning and action.

Advice About the Environment

From Members of the System

There were many, many suggestions that will appear in the next two sections of this report.

2.4 Probation and Parole

Sources. Interviews with two senior leaders, full-day ride-along to Wabaseemoong, focus group with broad sample of staff.

Positive Directions

General

1. In Kenora we know each other, clients too. There is a lot of flexibility in response.
2. Kenora anticipated Gladue by years.
3. P&P contracts with Bands to provide service; bands then employ NCCW workers. "We're basically paying for a foot in the door and a place to park our butts."
4. Rehab officers are in White Dog, Grassy and Pikangikum. Paid a stipend plus a per person fee. This seemed to be working in general – more comment later.
5. Sandy Lake is the only place where the NCCW is a Ministry employee.
6. NNADAP workers (federal) are seen as "a mixed bag". (This has been a typical comment reported to the writer in other areas and other jurisdictions.)

Employment - Recruiting

1. CO-START is a program that identifies an early interest in becoming a probation and parole officer. However, the Kenora office has a backlist of qualified applicants for jobs and cannot often take advantage of the pool of CO-START persons.
2. The Kenora office has a summer employment program for students. This program includes Aboriginal s.
3. Sandy Lake has a Rehabilitation Officer position, a complementary position that is filled by an Aboriginal . The person who fills this position is to assist the P.O., but receives direct pay from the government, the same as a Probation Officer. Since P.O. positions require a university degree from a school recognized by the Ministry and few qualified Aboriginals are available, this position improves access to employment.
4. There are Aboriginal P.O. workers in Grassy Narrows, White Dog and Whitefish Bay Reserves, contracted out for the supervision and support of offenders.
5. Comment: While it seems that the individuals in those positions (#5 above) are well regarded by P&P staff, they are nevertheless embedded in their communities and in the politics of those communities – so their power is systemically limited.

Programs, and the Limitations of Programs

We asked, "What is being done by this organization to lower the rate of recidivism?" There were many answers and some discussion and analysis is provided.

1. A large amount of Ministry funding is invested into programming in the correctional institutions.
2. But, once an offender is in the community and dealing with probation and parole, they're referred to existing services that are funded by others, i.e. for addictions, an offender might see a NADAP worker.
3. These community services are commonly too few, too small, badly funded and have long waiting lines.
4. The Chief's Advisory Committee has been examining the role of mental health and addictions and making recommendations that are more sensitive to these issues. That said, funding does not automatically follow.
5. There is not a lot of leeway for this office, as the courts mandate the terms and conditions of parole and probation.
6. The P.O. attempts to provide an opportunity for the client to make as many choices as possible about services within what is mandated.
7. Sometimes First Nations people are not comfortable to return to their own communities, and at times it can be arranged for offenders to access services in Kenora. (Editorial comment: other interviews suggested that returning to one's home community is often the least helpful choice.)
8. In recent years there've been more mandated referrals to Traditional Healing. Again, there are limited programs and limited space in them.
9. The Parole officer has an obligation to confirm clients are indeed engaged in required programs. However, success in contacting individuals to confirm participation is limited.
10. The Kenora office attempts to combine Traditional Healing with clinical support when appropriate. Each case is tailored to suit the needs of the individual, within what is mandated.
11. In some instances a P.O. has the opportunity to make sentence recommendations.
12. Kenora has a very excellent clinical psychologist so, for example, an Aboriginal sex offender could combine Traditional Healing with the clinical psychology and

assessment and in that way, the office is dealing with two aspects of the same person.

13. The intensity of the therapeutic experience varies according to individual need and often by reserve. Differently skilled therapists may be required, and to bring persons from very different reserves (with very different needs) into one healing group may be counterproductive.
14. There's a partner assault program that is mandated by the ministry, though it is difficult for people to travel the distance to attend, mostly due to lack of financial means.
15. It is important to point out that the goal of probation and parole is to reduce recidivism, that is what the job is all about. But however high their skills and commitment, geography, funding and inability to intervene powerfully in a way that promotes deep healing mean that major successes are rare.
16. Too much of the available money is invested at the front-end (lawyers and judges) and too little at the back end - P&P and follow-up programs.
17. The respondents were positive about the increase in Aboriginal justice processes. Some experiences elicited specific comments:
 - Grassy Narrows had one justice diversion program but no more – over five years ago. It ran for 2-3 years. It was still police-driven and not well monitored.
 - Whitefish Bay has one too. It had more pre-court emphasis. OPP sat in. It seemed to be self-initiated v funding-driven.
18. There are ten “canned programs” on available from the Ministry about Aboriginal heritage. Some dismiss this program and call it “How to be an Indian”. However, a senior P&P representative was more positive:

Aboriginal s are Special Needs Offenders. The Government put together a one year course for inmates that's designed to instruct and support a person's Aboriginal background, Culture and Identity. It is very informative and helpful in the following ways: Offenders who participate are less likely to be violent with other inmates, get involved in gang activity and have less trouble accepting direction from staff. The key concept that works the most from the Culture that is included in the course is respect. (For each other and self). These client's lives have been chaotic and their sense of self is very vague. At times it seems as though Aboriginal people are being told who they are, rather than being empowered to discover and decide for themselves.
19. In another interview we received different opinions about that same program:
 - Aboriginals are Special Needs Offenders.

- The Government put together a one year course for inmates that's designed to instruct and support a person's Aboriginal background, Culture and Identity.
 - It is very informative and helpful in the following ways: Offenders who participate are less likely to be violent with other inmates, get involved in gang activity and have less trouble accepting direction from staff. (Reduction in conflict with authority figures reflects healing within a traumatized person.)
 - The key concept that works the most from the Culture that is included in the course is respect. (For each other and self).
 - These clients lives have been chaotic and their sense of self is very vague.
 - At times it seems as though Aboriginal people are being told who they are, rather than being empowered to discover and decide for themselves.
20. We were also informed of a federal program to teach non-Natives about Aboriginal culture and it was very well reviewed.

It costs, we were told, 120k per year to keep someone in a federal prison. Whether through traditional psychotherapy, Hollow-Water type interventions or any combination, one would think that any accountant would see that reinvesting such funds in healing would save - who knows how many others - from entering that system.

Barriers, Limits

We asked, "What is beyond your control to change that is pertinent to the three goals set out by the Justice Initiative?"

1. History and the wrongs done in the past.
2. Current community politics
3. "Opinions, perspectives ingrained in us, in both whites and browns"
4. Shared pessimism about the ability to make change
5. The client base is mandated by the court and by geography, too.
6. Behaviour after they become a client, whether a person re-offends. "This part of the system is built on an individuals desire to change and their needs. We can't control an individuals desire to effect change in their lives."
7. P&P can't control
 - The amount,
 - The quality or
 - The other clients

in services, e.g. treatment programs.

8. Clients aren't necessarily aggressive in their search for mandated supports. While attempting to take into account cultural differences, depression, anxiety, and other client difficulties, the office must challenge an individual to go the extra mile to find services. (Comment: if it is mandated to get in but culturally rude to be assertive in demanding service, the polite Aboriginal persons will commonly put himself or herself at risk and will not aggressively seek the required program.)
9. Many of the Aboriginal people are missing basic Life Skills, Living Skills and Problem Solving Skills.
10. Assessment and classification means getting to know people. Respondents say, however, that the record form they must use is unhelpful in that regard. It is said to be "long and complex yet still misses items important to Aboriginal clients, or lumps them in, or makes their situation seem worse".
11. Conditional Sentences are used extensively with Aboriginal offenders. Here are the ways in which Aboriginal s are set up to fail:
 - An Aboriginal offender may be given a conditional sentence without the supports available or present for them to meet the conditions of the sentence as set out by the court.
 - Aboriginal offenders may serve out a sentence only to be returned to the very environment that fostered their criminal behaviour.
 - If a condition of parole or probation is employment, some succeed in attaining work in construction. Construction is seasonal employment, and conditions are not seasonal. There is minimal employment available on the Reserves.
 - Some Aboriginal clients would not be eligible for parole because they'd be deemed to have an unfit residence to return to.
 - Aboriginal offenders have such a great need for support that a conditional sentence doesn't make it any easier for many Aboriginal offenders to stay out of jail.
 - Aboriginal offenders do commit serious crimes when returned to unhealthy environments, that lead to longer sentences.
 - With conditional sentences and parole, offenders don't often last for more than a month or two.

In these ways both parole and conditional sentences are a set-up for failure for the Aboriginal offender.

12. Education is an important subject to bring up as many Aboriginal offenders have little education and this impedes their ability to acquire gainful employment. There is also a sense of self-worth that is a keystone to healing. Sometimes sense of self worth is increased by completing different levels of education.
13. Some of the solutions are out of the control of any probation office because so much of their funding is already allocated before it's provided.
14. Lack of staffing contributes to this trouble. For example, there are identified needs for offenders from Grassy Narrows, White Dog and Whitefish Bay Reserves. However there is not sufficient funding and there are no extra staff who are qualified or who have time to research and create group programs that address the differences in needs and the depth required to help each Reserve's offenders.
15. There's an assumption that occurs that if a person is of Aboriginal skin colour, that this individual will want to participate in Traditional Healing. There is a varying degree of interest from Aboriginal clients, some of whom follow traditional Western religions and have no interest in Traditional Healing or spirituality.

Strengths and Allies

4. We asked respondents a simple and open question: "Who is on your side?" The response was reassuring and optimistic:
 - Courts,
 - Crown,
 - Police (sometimes),
 - Treaty Three (so long as our motives are honourable),
 - AA and NA,
 - Church groups and the Volunteer Sector,
 - any Aboriginal individuals who have survived and recovered and are willing to share their experience with others,
 - and for the same reason AA and to some extent NA.
 - Also first Nations Communities.

Advice About P&P

From Internal Sources

1. It would be helpful if there were Aboriginal PO's who also became involved in Social work at Lakehead or Laurentian Universities.
2. Whatever the route, the result of this would be to provide an ability for young Aboriginal people to demonstrate that they can make a difference in the life of

someone else, and make use of the law to protect the victim, and understand how to deal with a perpetrator.

3. For individual staff the advice was:
 - Individually to take an interest
 - Assign dignity to the person
 - "Be compassionate to the context the client lives in".
4. It is Better to work with clients on site, easier there to see and feel and understand the problems.
5. Success stories of truly reformed offenders are rare. The biggest help for FN people doesn't require a program, it's the provision of good examples. "Not the BS'ers, but the simply, quietly reformed persons".
6. On reserve, P&P folks have to be flexible re time. Sensitivity is real in this case.
7. "Although we can't decide for a person whether they'll re-offend, we can exercise discretion and good judgment regarding behaviour and its risks to public safety. We can make changes in our responses."
8. The office is advocating hiring persons with First Nations experience and heritage to build trust or lessen suspicion. Furthermore, this person would utilize their experience because it doesn't make sense to hire an Aboriginal to do the job in the Western clinical, analytical way that's already being done. Sensitivity to Aboriginal culture is a must, as well as that this person be knowledgeable to deliver the service.
9. It is important to this office to create more partnerships with other organizations who are involved in finding solutions for Aboriginal people.
10. It would be helpful to have a higher level of accountability within the office and other connecting services, particularly financial accountability. If there were a way to receive local money and allocate it to the local issues, that would be helpful.
11. Partnerships with other Justice service providers might take care of overlapping jobs while supporting the new idea of continuum of care.
12. Bring back the halfway house model to Kenora. Though the political climate is not something that can be controlled, despite the sensational attention received by the halfway houses, they were a deeply valuable resource.
13. The Northland Supportive Housing Residence provides:
 - Resources,
 - Services,
 - Support,

- A Stricter standard of supervision, and
- Housing.

There is a need for graduated support and for supportive housing of this kind. Ideally, this office would bring back halfway houses and resource centres.

From the Consultants

1. Services provided in “the community” – Kenora and home communities – are too few in number, underfunded and too small.
2. There are services that simply do not exist.
3. Given the above, it would make sense to perform a joint Needs Assessment regarding services – and find a way to include (1) Kenora as it is and (2) the rest of the Treaty #3 area.
4. The justice system itself is rendering some of its most important services impotent. Example – according to information given to us, Migisi has, and recently, had ten of eleven participants in one session court ordered. That can seriously sabotage the quality of the experience.
5. Sending clients to addictions treatment programs is done too often and with little assessment of the chance of success. Some kind of triage – if such exists – might usefully be attempted.
6. Having complained throughout about legislation, funding and how funding is disbursed and monitored, respondents did not present an action plan or even a means to analyze their claims.
 - Given the ubiquitous nature of those claims we suggest that some member of the PMT perform exactly that kind of analysis – an independent audit of the effects and the unintended (racists or not) consequences of a broad range of legislation and funding policy.
 - This has been done both piecemeal and at broad levels – why not do it about the Kenora catchment area, or the Treaty #3 area of responsibility, and make it local, meaningful and actionable?
7. Given that there are legal policies in place – especially Gladue - that require that an individual’s circumstances be taken into account. Can this be extended, exploited, to somehow argue that if such circumstances are a factor in criminality there is a government obligation to work to prevent, mitigate or heal?

2.5 Kenora District Jail

Interviews with K. Kinger, S. Walker, S. Belanger, tour of facility, focus group of senior staff, focus group with a broad sample of staff and one focus group each with male inmates and female inmates.

Positive Directions

1. The Deputy Minister is insistent on case management. This strengthens the hand of institutions like Kenora DJ who want perform that very important function in pursuit of less recidivism and more healing.
2. They are working hand-in-hand with P&P on a continuation of care agreement; this will give P&P more detailed information for follow up on release.
3. The offender tracking information system ensures that all know what programming and support is complete or in process – also helps if person returns to the system.
4. Already expanding programs and trying to find space to do more.
5. Also want to train more staff; the potential positive day-to-day influence of staff is underused.
6. They wish to find or develop programming for staff to think about positive change for inmates, want them to believe and be optimistic. (This is the Deputy's position, to support the offender. It's also the right thing to do.) To do so requires changing the curriculum beyond care, custody and control, to include interactions with inmates and how to be a helpful part of their time.
7. Programs. The list of programs is growing and needs to grow more; these include Bible Study and Sunday Worship, Healthy Relationships, Alcoholics Anonymous, Sewing, Anger Management, Domestic Violence and Prevention Program and The Sharing Circle. One, the Eastern Door, is exclusively for Aboriginal s.
8. The Court Users' Committee is very useful. Data collected at the KDJ gets attention at the court level. There have already been examples of better choices made for offenders when sentenced. Such information was sent many years ago but that practice was lost; staff here are glad to have it back.
9. While the justice who began that Committee is well regarded, even he didn't know about all the programs the jail is providing.
10. The justices also need to know about the bad behaviours, e.g. constant fighting. Sending those to half-way houses and treatment programs too soon could cause both immediate harm to persons and programs and longer-term harm to relationships.
11. A staff member is now setting up workshops to explain the importance of the Sweat Lodge and Smudging to both the staff and the inmates.

12. Staff added several positive directions:

- A “levels” system/program; inmates move up on levels and get positive comments
- Provide structure they need, routine, predictability
- Channel 22
- Especially YO inmates, kids getting involved in the yard; you see successes, healthy sports rivalries, (play for pop)
- Adults escape awful environments including deep poverty
- Get away from bad relationships
- There are a lot of routes to improvement
- Less than 5% stay out of jail for more than a year - but, there are lots of volunteers in the community, including AA ... the 5% above are those who take advantage of that and become part of it.

Barriers

1. No control over the population. Cannot have any impact on who is arrested, sentences.
2. No control over the deep historical roots of their problems.
3. The system fails re follow up, for several reasons:
 - Lack of information leads to ineffective choices re follow up and
 - Absence of supports in the community when released from jail.
4. While release planning is significantly improved; there is still not a true “continuum of care”
5. The environment to which inmates return is often toxic: Inmates will forfeit to avoid early release (e.g. assault someone) because it’s safer in the system.
6. While much time and money is put into drug and alcohol treatment, there are very often underlying issues that can’t be addressed in these drug and alcohol treatment centres.
7. Repeatedly sending the same people to the same treatment facilities uses a lot of resources – need better ways to keep track of individuals and by creating a continuum of care.
8. Consultants’ note. There are two issues intertwined in the previous statement:
 - Treatment for addictions cannot, by itself, treat the causes of the addiction
 - Alcoholic and addicted persons – incarcerated or not – often end up in such treatment programs, and often self-referred, because that is the only place of safety available that can be counted on for more than mere hours or days.
9. There is limited understanding of mental health and addiction/substance abuse.
10. Limited space for programs. Everyone must pass through the nursing station to attend. If there’s a crisis, programs are cancelled.

11. There is also resistance to extending the fencing in order to build a Sweat Lodge. It must be built on grass and not on concrete.
12. Further concerns include the huge commitment involved in being the caretaker of the Lodge and which Elder could best take on that commitment.
13. It would be helpful to have active support from Treaty #3 for all aspects of the sweat lodge initiative.
14. Regarding programs, scheduling and internal emergencies are difficult to manage. Many outside workers and volunteers are put off by having to reschedule or the treatment that they receive by inmates or guards when they enter the facility.
15. The staff focus group listed several more general problems inmates face:
 - Early home life
 - Remoteness
 - Parenting
 - Economic background and income
 - Their “pessimistic” way of thinking – some don’t perceive that they have any opportunities. And some really don’t.
 - Substance abuse problems
 - Organic differences – someone estimated up to 80% FAS/E
 - Education is available; Kenora has high school kids from everywhere
 - But they have to leave home to attend school
 - Some resources are available, though less than many in the system perceive

Strengths and Allies

1. All PMT members, but the connection is closest to the Courts and to Probation and Parole and directions are positive.
2. They need Treaty #3 as an entity and individual communities to participate in aftercare.
3. They need Treaty #3, the PMT institutions and external agencies – some likely not yet in existence – to develop and offer new or longer or more effective aftercare programs.

Advice for The Institution

From Members of the Institution

1. A ‘treatment of professionals and volunteers’ workshop for prison staff is in the works.
2. The inmates receive repeated reminders about appropriate behaviour with volunteers and professionals.

3. Provide education to both staff and inmates about the links between mental health, addictions and criminal behavior.
4. Assertively seeks funding for
 - The separate area for Youth,
 - the Sweat Lodge, and
 - possibly another building to improve conditions.
5. An intriguing staff idea: the "Mobile Counsellor", to go to the reserve to explain what can be used (programs) to help before anyone moves to a city. Not for inmates only, but for all youth who are about to move to one of the cities or towns re what to expect, who to trust, how to stay out of trouble.
6. Other comments from the staff focus group:
 - Offer individualized education
 - Can get adult education program back
 - Con College to do GED here at DJ. (Not clear if this was a suggestion or a work in progress.)
 - Need to improve reading skills
 - On programs for those convicted and awaiting sentencing provide programs that can be continued at the CC in TBay.
 - Staff tell us that some inmates "do programs just to show the judge". The consultants have two views on that. One, that's bad if it keeps a person more likely to benefit from attending. Two, we cannot predict when someone will "get" a program, such as AA or NA. To quote a long-time sponsor of addicts and alcoholics, about the same concern: "There is no wrong reason to come to an AA meeting".
 - Need case management and individualized goals for adults and youth
 - The spiritual side can be improved, wherever they come from, whatever their religion. That often leads to counselling and progress
7. Other staff suggestions and comments re possible Interventions:
 - Lots of reserves are succeeding; how do they do that? What can we learn?
 - Need more money
 - Need better community connections, connections to include Aboriginal community in Kenora AND connections on the reserves
 - Good to have someone on each reserve who has (re inmates heading home) both responsibility and power!
 - Elders can be better used.
 - Staff need more education re Aboriginal s,
 - i. Both culturally and spiritually
 - ii. And in what life is like on a reserve
 - Osnaburgh was violent etc years back, then no new clients – why? Staff have only minimal information, to the effect that "one tough woman" (An Elder?) "just took control".

- Native spiritual/healing programs – like them, want more.
 - “We don’t have to do what the bigger facilities do; we can build programs according to local needs”.
8. Other needed help:
- More/better/more specialize treatment centres
 - Volunteers
 - Restorative justice programs
 - More attention to the Elders
9. The “Native Strengths” in healing can make a big difference. An example was given of a violent husband who asked for help. They talked about a Treatment Centre that helped – part of its name was “Snow”.
10. Also from staff, on programs: we don’t need millions of dollars or a vast number of programs - they need to choose one; buy into it and stick with it. Finally, Ms. Belanger strongly believes that healing must take place before growth can occur and all people need a sense of self-worth to continue that growth upon release.
11. Staff reported that of the three Corrections Institutions that network together - Kenora, Thunder Bay, and CNCC (“Penetang”) - the last is the most oriented toward inmate-protection and there may be lessons to learn from them.

Special Section: Advice From Inmates

While we only met with seven inmates, some of their suggestions seemed to us to be generally useful.

- First, some seemed unaware of what programs were available. One male didn’t even know there was an Elder available.
- But for the most part they liked programs and wanted more.
- Anger management needs to be longer, more intense and with smaller groups so peer pressure doesn’t prevent them from telling difficult truths.
- Five of the seven were drunk when arrested, one was stoned and one was sober. This supports the need for attention to related programs – and for more and better programs.
- The main loss reported by women was contact with family, Especially children.
- The stability and medical attention available in jail were seen as very important. So was being sober.
- There was individual racism from staff, and some of that was direct and serious, but it did not seem to be wide-spread. Older guards treat them better, they said.
- They did not see that sufficient discharge (reintegration) planning was being done.
- None complained about the various police forces who arrested them.

- Local legal service was well-regarded; complaints were mentioned about legal help in other jurisdictions.
- Opinion on the fairness of crowns was mixed, five-to-two were positive.
- Judges were seen as fair by all.
- We asked what would prevent them from coming back. Jobs, education, safer environments and freedom from alcohol and drugs were common themes.
- They needed help in those first few days out of jail for clothes, food, lodging and connections; one mentioned E. Fry and wished there were a chapter here.

From the Consultants

1. While we reported the opinions of inmates as accurately as possible above, there is more to say. While all wanted to stay out of jail and had ideas about what would help, there was an undercurrent of pessimism about that. Of the seven who spoke to us, only one seemed to really believe it could be done. The combination – or paradox – of sincerity and hopelessness was moving.
2. Regarding treatment of professionals and volunteers, we have heard complaints from that community – about Kenora and other facilities. We state that here to support the staff recommendation re education and standards.
3. This task may require much external help. Here, in Thunder Bay and re very credible information from the Yukon, NWT and Nunavut, professionals report that:
 - FAS/E is very wide-spread, especially in the prison population, but
 - While there are estimates, there are no precise numbers.

This is a condition subject to precise diagnosis. It might be useful to all correctional facilities in Canada for a relatively small facility like Kenora to make a documented count.
4. FAS/E has implications beyond time spent inside the facilities; it limits (and directs) program success.
5. If even the lowest non-formal estimates are true, it means, for example, that there are limits to education in general and that educational initiatives need to be better targetted to have more impact (and possible even likely cost less money.)
6. Regarding the “Mobile Counsellor”, two allies come to mind:
 - NNEC and Seven Generations, and
 - Federal and provincial Settlement Programs.

The former do this kind of work already, though to our knowledge not on such an outreach basis. The latter know how to provide such settlement services for immigrants and refugees from every corner of the globe – there must be transferable skills and information there.

7. FYI, the Ka-Na-Chi-Hih Solvent Abuse Treatment Centre in Thunder Bay has reopened and has several beds available at last report.

Advice for the Kenora Justice System as a Whole

From Internal Staff

1. Staff celebrate the work with Probation and Parole on a continuation of care agreement; we repeat it here to reinforce that.
2. The offender tracking information system was also mentioned as a powerful tool.
3. Consultants' note: this is the kind of tracking that was talked about a lot during the first meeting of the PMT. While there are parts of the process to be filled in, current directions should be acknowledged in that context too.
4. On information tracking, one staff mentioned that If someone does get falsely accused of intoxication, for example, the parole or probation officer doesn't keep records of AA meetings attended, or other therapy or healing efforts. It would be helpful to the process of Justice if such activities were as well documented as the criminal ones.
5. It would be very helpful if Treaty #3 could provide an Elder or other support regarding the proposed sweat lodge.
6. Treaty #3 could perhaps also help to teach staff about the importance of smudging. (It should be daily, and discussions are still going on about whether to permit smudging in the yard.)
7. One person we spoke with had concerns about police procedures and habits,. The issue was a "knee-jerk arrest recognition pattern". For example, if a call is made about an Aboriginal male if there are two Aboriginal men in the room at the time of the arrest, the male who's face is familiar to the police is the man who gets arrested. These men often plead guilty, hoping for a lesser sentence".
8. We were also told of cases in which the entire system was being abused by women who were upset with their partners and called the police for domestic violence in order to retaliate. Another was said to have reported a violent attack by a partner who was not home at all – she simply wanted to know where he was and get him to come home. The man who was arrested was known to the police and pleaded guilty to a lesser sentence. The woman recanted, but too late.
9. The consultants have no way to document either of these, but it would seem to merit follow-up. Reports of abuse of the zero-tolerance aspects of DV legislation are very common.
10. The E.D. of the Legal Aid Office has been very supportive by explaining parental legal rights, legal rights upon arrest, and employment after incarceration, etc. in workshops.

From the Consultants

1. Staff remind us to find allies, the reserves that are succeeding, and (1) enlist their support and (2) learn from them and (3) find ways for them to teach others.
2. In one of the territories, the Correctional facility would often send inmates to non-home safe reserves with safe families. Time would need to be spent to support those "foster" families, but to prevent relapse to alcohol and drugs and/or to prevent recidivism by doing so would validate the power of such investment.
3. There will be discussion later, arising from an idea brought up by leadership in both the District Jail and P&P about a "seamless AA" program to address the same issues.

Advice about the Environment

From Internal Members

1. Education and other programs often cannot be continued back on the reserve. Are there ways to help?
2. Concerning education, we were told that grade six is the average on reserves. What's the average among inmates? Has that ever been tested?
3. Worth repeating, summarizing staff concerns and advice: "Lots of reserves are succeeding; how do they do that? What can we learn?"

From the Consultants

1. After a number of suicides at Webeque, a program was instituted to support influential women to work with the problem. We have heard no results yet; this is very new. But the idea is appealing. The traditional matriarchal traditions live on parallel to the elected band councils and there is a power there that has not yet been recruited to help with the problems expressed here.
2. There are well-documented measures of how reserve residents lag many grade levels behind the Ontario average in reading and math. The on-reserve education system takes the blame. Perhaps the incidence of FAS/E is part of the problem and as with programs here, what is needed is the right set of programs for the right populations. Diagnosis and assessment done here may well influence education well beyond this facility.
3. Concerning education, we were told that grade six is the average on reserves. What's the average among inmates? Has that ever been tested? Would it be helpful to do so?

3.0 The Kenora Justice System

There are interventions that are either beyond the power of individual institutions or which would benefit from a coalition, where the total impact of a joint venture would far exceed the sum of individual attempts. Fortunately, the members of this project constitute just such a coalition.

Cross-boundary coalitions are a common theme in courses and writings about organizational theory and organizational behavior. That makes sense; no organization can control every aspect of its environment. Supply chain management in the manufacturing sector is essentially a cross-boundary coalition, an attempt to develop a relationship stronger than just supplier and buyer, for the benefit of both firms. In the public sector, repeated attempts to develop and “integrated health care system” seek the same goals. Here, the PMT itself is a cross-boundary coalition and it includes not only the members of the system but also members representing both the citizens who are the – generally unwilling – clients of the system and those who provide services to those clients.

This is a rare strength and an equally rare opportunity.

For the purposes of this section, discussion will be (for the most part) limited to services provided in Kenora and to services provided locally. That includes current and potential services provided by PMT member institutions to each other. However, one must work in the context that what can be learned in Kenora should be disseminated to the entire Treaty #3 catchment area.

The following advice is in the words of the consultants but almost all was given by persons we met and interviewed.

1. Reference to training came up from many sources and about most institutions.

The general recommendation is this:

- 1.1 Three types of training are generally suggested:

- Cultural knowledge and/or sensitivity
- Training to change attitudes
- Anti-racism training, to change behavior.

In most assessments only the third type is seen as acceptable. We agree that it is the most powerful. Training about culture or specific races is commonly denigrated by experts. And we disagree, this time, with the experts.

We disagree because the Aboriginal representatives we encounter in the North generally want this kind of training. Not all, and not the experts and

advocates. But Aboriginal individuals believe that if non-Natives understood more, they would value the persons more. It is a mark of respect to the Aboriginal citizenry we seek to serve to pay attention to this preference.

- 1.2 Having said that we would strongly recommend the following:
 - If there is to be training about the Aboriginal experience it needs to include the history, the colonization paradigm, the impact of the residential schools, the psychiatric and social impact of those, the economic and health issues faced daily on reserves, housing, education, employment – the full gamut.
 - There should be complementary anti-racism training. Skip the attitudes; personal beliefs are not subject to attack – it is behavior that society has the right to manage.
 - The entire PMT should be involved in conceptualizing any broad training initiative; this cross-boundary work will facilitate other communication and future success.
 - Where appropriate PMT members should be involved in presenting such training.
 - Training in absence of clear policy is at best inspirational – training must be about how to implement change, not merely how to appreciate the need for it.

- 1.3 From Day One – literally – the PMT was interested in improving communication about clients across the system. That should of course continue; we have only small suggestions in that regard.
 - The Court Users Committee is regarded by all who participate as a good example.
 - Good examples we have heard about include MECCA in Kenora, Balmoral Detox in Thunder Bay and Sudbury police are reported to have a self-identification system in the mental health area that might have useful components.
 - The existing systems in Corrections seem impressive and will be stronger as the Case Management work continues. We are curious: is the new “Circle of Care” model in health a useful example? That model greatly simplifies the task of sharing information in pursuit of improved communication and case management.
 - From work in Thunder Bay we can add – and speak to at length in future – the need to involve post-incarceration agencies as early and as fully as possible.

2. Conversations about “seamless AA” began in discussion with the PMT member from Probation and Parole and continued at the District Jail. We continued the

discussion by speaking with the Northwestern Ontario "Delegate" to AA World Service in New York – essentially a board member position. There is wide agreement that alcoholism and addictions are a critical intermediate cause of criminality. The following vision – and it is only that so far – emerged.

- More AA meetings in the District Jail, maybe NA meetings also.
 - Local AA sponsors identified as soon as possible for any inmate wanting one.
 - Easy access by visit or by telephone to inmate-sponsor contact.
 - Such AA persons to be accorded the same status as visiting spiritual advisors or medical professionals.
 - Ongoing contact with that AA sponsor as a service provider by P&P.
 - Ongoing involvement of that sponsor in any concurrent or subsequent treatment program attendance.
 - Provision by AA of a central internet-based meeting accessible to inmates on return to their home communities if they do so.
 - Email access to the sponsor from beginning to end.
3. The incidence of FAS/E is addressed elsewhere. The advice here is that the entire PMT, likely with major Treaty #3 involvement, seek methods and funds to identify (1) the incidence of FAS/E in the incarcerated population at some chosen date and (2) ways to perform such a diagnosis of every inmate who arrives.
4. The similarly high incidence of mental health problems in the Aboriginal population in general and among inmates in any institution calls for recognition, documentation, research and innovative intervention. A major initiative in Thunder Bay involving the justice system and its allies, critics and service providers is breaking new ground in that regard. Connections should be made.
5. PMT member institutions complained that when trying to recruit Aboriginals to committees, work groups and the like, they were met with little enthusiasm and low attendance. Three thoughts come to mind.
- Previous experience may have made such invitees pessimistic about investing their time. Evidence of action – the goal of this project - will help.
 - "We", the non-Natives who manage the institutions, always ask Aboriginals to come to our meetings in our structure on our timetable. If you want their wisdom and input, go to them. It works.
 - Treaty #3 can, most likely, help with recruiting Aboriginal talent and experience to such venues where all agree it is critical.
 - To so involve Aboriginal citizens builds bridges and develops leadership for all who meet – it is a worthy goal.

6. There are many employment issues and no institution was satisfied with its own track record. The suggested Employment Systems Review (ESR) should be conducted, however briefly and should follow these guidelines:
- All PMT institutions should participate.
 - In most, there is history and there are promises. What is lacking is recent high-level demand for commitment and any study of the unique case of Kenora.
 - It is not totally unreasonable to at least attempt to engage Ministry-wide commitment to shared solutions.
 - There seem to be opportunities for shared recruiting, development and lobbying of (1) ministries, branches and such and (2) educational institutions.
 - Beyond that, the institutions represented on the PMT could engage in joint Human Resource planning re recruiting, training, development, cross-training, secondments and similar means to recruit, retain and develop Aboriginal representatives.
 - To approach this from another view: the extent of the exclusion of Aboriginal persons in the justice system would not, during the powerful advocacy and action years of the seventies and eighties, have been tolerated with regard to women and blacks. Aboriginals were marginalized then, even by the other active and successful designated groups. That need not continue.
 - The Faculty of Education at Lakehead University has long had a Native Teacher Education program and similar initiatives have grown alongside it. However, Aboriginal representation was limited to that area. The new Dean of Education hired, for the mainstream programs, three Aboriginal PhD's in one year. She later followed that up by recruiting two more Aboriginal, this time senior "chair" level persons to head two new programs. Five such appointments. If that can be done from such a very limited pool: Aboriginal persons holding a PhD in Education – the rest of us have little to excuse our inaction.
7. There is too little service from existing providers in many areas. There are areas of need for which there is no provider at all. This project could conduct a formal needs assessment in that vein, and this would provide a template for development of services which:
- Would help agencies to seek their own enhanced resources and
 - Would provide a plan of action for the PMT and the entire community to last five to ten years.

4.0 The External Causes

At the first meeting of the PMT, the group members were careful to remind each other that there were many, many things that were beyond their control.

In spite of that, almost every conversation during this analysis led to discussion of those historical and external causes. That was inevitable – we did ask explicitly for uncontrollable items and for barriers to success. What was striking, though, was the refusal to just file so many things under a list of things we could not change. Why was that?

First, who took the time to speak with us cared in a personal way, were unsatisfied with past attempts to improve the outcomes this project sought. But, second, there have been breakthroughs. So very many of the allegedly uncontrollable causes of the problems this project addresses have, however rarely, been shown to be subject to intervention. Hollow Water showed a path to healing from multigenerational abuse. Although too rare, there are reserves, including quite remote one, here and across Canada, where economic indicators and employment have been much improved – and not just those sitting atop a natural gas deposit. The battle against FAS/E has been shown to be winnable in the Yukon. Reserves right in Northwestern Ontario have brought crime rates tumbling down. The social indicators of almost all problems and disorder are known and while all are very difficult to change, none but the past is entirely intractable.

Those who spoke to us, and those who lead the institutions, wanted at least:

- to speculate about what might be possible,
- to suggest the cause-effect links,
- to describe pathways for possible intervention and
- to suggest who might have the power to make major change.

That level of concern and the clear evidence of reasoned reflection requires the consultants, in our view, to report fully about these discussions. If all possible initiatives are in fact beyond the scope of this project or the ability of its members, so be it. What is not appropriate, in our view, would be to choose to not “play back” to you the concerns, speculations and hope that you expressed to us.

It seems reasonable to begin with a too-brief description of the environment as you described it to us.

4.1 The Environment as Described to Us

To restate briefly: the barriers identified are, while still systemic, very often beyond the present reach of the members of the PMT and their agencies and institutions.

Yet no discussion of the effectiveness of the Justice System in Kenora can be useful if it chooses to be blind to the prior circumstances of the Aboriginals who are by far the most frequent users of that system.

This is a vulnerable population and the causes are numerous, almost all arising from colonization and decisions taken later following the same colonial paradigm. There are geographic, economic, structural and economic issues working against success. Those barriers would be close to intractable even for a population starting from strength. The Aboriginal population of Canada faces such major problems having been severely disadvantaged from the beginning and the primary agent of that was the Indian Residential Schools program. The following information was compiled in a report by NAHO from a very recent survey of on-reserve Aboriginal citizens.

Aboriginal persons surveyed reported the following impacts from attendance at residential schools.

- 81%: Isolation from family
- 80%: Verbal or emotional abuse
- 78%: Loss of cultural identity
- 76%: Separation from greater community
- 76%: Harsh discipline
- 74%: Loss of language
- 71%: Witnessing abuse
- 70%: Loss of traditional spirituality

- 67%: Physical abuse
- 63%: Bullying from other students
- 45%: Poor education
- 44%: Lack of food
- 43%: Harsh living conditions
- 42%: Isolation from family
- 32%: Sexual abuse

Participation and Impact

How many Aboriginals attended these schools? From the NAHO survey the following data emerged regarding the negative effects on health as a result of the Residential Schools. No distinction was made between physical and mental health effects, but persons familiar with conditions today would likely be willing to infer that both were similarly affected.

Age Group	% Attended	% Reporting Negative Health Effects
<30	5.5	19.9
30-39	11.5	34.3
40-49	26.0	45.7
50-59	45.4	58.5
60+	42.1	57.0
All Ages	19.8	47.9

A reader new to this area might conclude that with the decline in persons attending – now at zero – the impact of the IRS system would disappear over time. Sadly, there is reason to believe that the reverse is true. Here are some of the mechanisms by which results not only perpetuate but grow.

1. It is common that victims of sexual abuse (who also often suffer Post-Traumatic Stress Disorder - PTSD), unless they have an opportunity to heal, become perpetrators themselves. One such abuser can have many victims in succeeding generations (and in his or her own generation), thus the abuse grows and does not die out in the absence of the Residential School system.
2. Culturally and individually, Aboriginal residents of the IRS system were taught, by persons of considerable governmental and religious authority, that they, their culture and their spiritual traditions were inferior. Like abuse and hopelessness, this is infectious and intergenerational transmission follows.
3. Thus not just one but several generations of Aboriginal persons were denied the experience of growing up in a home with healthy parents. One learns little about parenting in residential school, so cannot learn or pass on good parenting skills and that also spreads as families continue and grow.
4. The causes of Aboriginal alcoholism and addictions aren't conceptually much different from those affecting whites. Disempowered victims commonly turn to substance abuse to "self-medicate" their stress and the feelings of (1) fear, (2) low self-esteem and (3) hopelessness. The only difference is in the percentage of the population which has endured such trauma and thus had such widespread problems in response.
5. Another common outcome of abuse is rage, so when a victim does strike out it is often violently.
6. When the above realities come together, one sees individuals who:
 - commonly had inadequate family support,
 - have been abused, likely in several ways,

- experience continuous stress, fear, self-loathing, anger, rage and suicidality,
- possess no spiritual or cultural “centre”,
- have experiences little educational or economic success,
- have a very good chance of having PTSD and
- have become addicted to one or more substances.
- Note also high-stress environments lead to earlier and more severe presentation of problems such as schizophrenia and bipolar disorder.

It is unsurprising that persons carrying such a load – with damaged coping tools – exhibit high degrees of suicidality and criminality.

It is further unsurprising, since our justice system has provided mostly punishment and little healing, that the rate of recidivism is so disturbingly high.

The persons we interviewed, members of the PMT and their colleagues, did identify ways in which individual institutions, and coalitions of institutions like this one, could have some impact of the goals of this project. But beyond that they presented us with a paradox. They said approximately this:

1. The interventions needed to make a profound difference are beyond our control.
2. The interventions needed cannot be allowed to remain so thoroughly beyond our control; we must find ways to reach into the environment to help.
3. We do not want to cross boundaries inappropriately by interfering, but it is too painful to do nothing in the presence of agony named criminality.

Those respondents didn’t just say that “someone else” has to fix that. They want to be a part of the solution.

4.2 Some Possible Pathways

1. According to one interviewee, “Family law people and smaller communities ‘get it’ quickly. Criminal law folks and cities don’t seem to understand the power of the person’s history, the impact of the destruction of family and culture. Nevertheless, the Gladue court now exists and while Kenora has operated in that way for a long time, the Gladue direction and precedent should have impact in many other jurisdictions.
2. Naicatchewenin First Nation. This is “one of our own”; Chief Smith’s community is embarking on a thorough and risky but needed healing process. It took, he reports, ten years to get ready, to develop the skills needed.

3. Muskrat Dam has a Family Healing process. It is holistic, requires attendance of whole families and provides housing, time and support to help both men and women to heal and recover.
4. An earlier program called "Accountability Conferencing" was well-regarded as preventing criminality and recidivism. They used the New Zealand Family Group Conferencing Model. (Not clear if it is still operating.) The program was effective but underfunded. It takes time and money to get at the emotional and spiritual dimensions of the process, including the grieving and the rage. The rage – at past abuse and neglect – must be let out slowly and in careful, controlled environments. In the Jail, there was support for Joe's work and that of the man who runs the Anger Management program.
5. Rama holds meetings with families in jail before release. Victims' and perpetrators' families all meet on the inmate's return, all celebrate it. All know in advance that the return is immanent and on arrival, all are supportive.
6. Many communities already have trained people, several of them having learned from the Hollow Water experience. But those trained resources don't always talk to each other, either within or among communities working at healing.
 - Those doing this critical work don't share a healing or even diagnostic paradigm.
 - They need both a common skill set and the opportunity to learn how to work together.
7. In general, the justice system "has the sword to compel action", but not the healing capacity. The healing came, in the Hollow Water experience, from traditional Aboriginal community healing models. Any attempt at healing needs to keep both parts in mind. For this Treaty #3 Justice Initiative, the justice contribution is already in place in many, many cases. There seems to be agreement that were we able to complement that with powerful healing models based on Aboriginal traditions, the rates of over-representation and recidivism would be considerably reduced.

Courageous Interventions

1. There is a need for family healing centres located away from the home reserve. The Muskrat Dam model has proved to be effective if fully resourced.
2. It would be very impactful if the various healing models could be analyzed and compared, and the core assumptions (values, paradigms) could be extracted, challenged and one or two very rigorous models developed.
3. Means to train and cross-train intervener staff should be developed.

4. Even with such work, the skill set is too limited in the small communities. There is need for a central health authority to do much of the work. This would require coordination at the Treaty #3 level.
5. There is a "Circles of Responsibility" model involving, among other things, persons who are essentially ; "sponsors for sex offenders". The program was modeled on interventions for pedophiles. While that cross-application makes sense, it is important to note that psychiatrically, a pedophile is a very different person than a trauma-survivor who continues the abuse on his or her own children. The causes are different and the prognosis is very different.
6. Leaving an alcohol treatment centre and returning (former inmate or not) to a typical home reserve is "like exiting drug rehab and being assigned to live in a crack house". The social pressure and the isolation are beyond the ability of a newly dry but far from strong alcoholic. Two suggestions were brought forward:
 - As recommended earlier but worth repeating here, some kind of seamless AA sponsorship, again from early in a sentence and providing the inmate with a seasoned sponsor from then until years later on the reserve (or any other community), with easy telephone and electronic access.
 - This would in turn be part of the goal of a seamless move from Jail to Probation (and to community). Probation and Parole should get in touch on day one of sentence, plan the jail + probation time all at once.
7. This one is likely way beyond our reach but worth mentioning. Two respondents made the case for a "a professional civil service, one that lasts through local reserve elections".
8. Another earlier idea should be repeated here: the development of a Northern Police College. We note that Con College is making a beginning at this, bringing in a program and building expensive and specialized facilities to enable much post-hire training to be done in the North.
9. Structurally and paradigmatically:
 - a. One of the PMT suggested that the government's Ministry of Justice should look more like a Ministry of Health.
 - b. The writer, having experienced the complexity and internal divisions within Ontario's Ministry of Health suggests that we go one more step and advocate for a "Ministry of Healing".
That is, after all, the core of what is needed.

Are they all dreams? Perhaps for the moment. But dreams can become visions and visions can turn in realizable plans. It is the consultants' view that the members of this

project underestimate their ability to conceptualize and inspire change. It seems also that there is readiness to risk on the part of senior governments. If the next level of allies – service providers, local and regional politicians, reserves and their leadership and especially Treaty #3, hospitals, academics who care, universities and colleges, the detox and treatment industry, mental health professionals, frustrated educators, health providers who deal with addictions, PTSD and FAS/E every day – if they all joined in the call for new models, new visions, new risks, what could not be achieved?

Victor Hugo said it: “There is nothing so irresistible as an idea whose time has come”.

Maybe it’s time.