



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Reconciliation in Action

Report on New
Westminster First
Nations Court

January, 2024

A REPORT OF THE PROVINCIAL
COURT OF BRITISH COLUMBIA

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Executive Summary

This report provides the stories and experiences of clients participating in the New Westminster First Nations Court (NWFNC), as well as outlining key features of the court.

The NWFNC is an Indigenous sentencing court established in 2006 that aims to provide a more culturally appropriate and responsive way of conducting sentencing for Indigenous offenders (referred to as “clients”). The main objective of this court is to reduce recidivism and the number of Indigenous people in jail and to give them the opportunity to change their lives by introducing tools for healing using Indigenous culture, traditions and values. Clients regularly attend court to review their progress towards completing their healing plan. Healing plans typically include: counselling (substance use, mental health), connections to community resources for improving education, employment, and housing; referrals to other health professions; efforts to re-establish connections with family; participating in cultural practices and ceremonies; and, meeting with Indigenous Elders in the community.

The NWFNC team includes the judge, defence counsel, designated Crown counsel (provincial and federal), Elders, Client Liaison Worker, designated probation officer and a designated duty counsel. Integral to the court is also the availability of existing services in the community and the ability and commitment of the client to access these services.

This report tells the stories, experiences and challenges of clients in the NWFNC and the significant impact the court has had on their lives, including:

- recognizing, respecting and incorporating Indigenous culture, traditions and values in the process consistent with the United Nations Declaration on the Rights of Indigenous Peoples;
- providing more holistic and tailored sentencing options that hold the Indigenous offender accountable while addressing the needs and circumstances of the individual;
- assisting clients to re-establish connections with family including children, and their community;
- building trust; and
- reducing recidivism and promoting rehabilitation;

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Consistent with the Truth and Reconciliation Commission of Canada's calls to action the NWFNC also helps to:

- reduce the over-representation of Indigenous people in prison by providing an alternative to incarceration and promoting rehabilitation and reintegration into communities;
- increase the engagement of clients and empower them to address the underlying causes of offending; and,
- address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD) by providing community supports for those who come before the Court with FASD.

The Provincial Court would like to thank the NWFNC's Client Liaison Worker, probation officer, Elders, judges and counsel for the information and feedback they provided for this report.



INTRODUCTION

THE EXPERIENCES OF CLIENTS PARTICIPATING IN NEW WESTMINSTER FIRST NATIONS COURT (NWFNC)

This report focuses on the experiences of clients participating in New Westminster First Nations Court (NWFNC). The client summaries highlight the many challenges facing Indigenous people appearing in court and the impact participating in NWFNC can have on their lives. A purely quantitative analysis would fall woefully short of telling their stories. Unlike a traditional court, in NWFNC the focus is on improving all aspects of the client's life which also affects recidivism. As detailed in the client summaries, the positive outcomes are often the result of connecting clients to people, services, their culture and community that would not have occurred outside NWFNC.

All clients of NWFNC have been impacted by inter-generational trauma resulting from years of colonization including the residential school system and sixties scoop that separated Indigenous people from their communities and their traditional culture and language. Clients witnessed violence and substance use in their childhood and were often the victims of physical and sexual abuse. Many clients were in foster care. As adults, most NWFNC clients suffer substance use disorder or mental health issues, or both, and unstable housing is common. Many have children who are in care. When reading the client summaries it may appear as though the impacts of the residential school system have simply been "copied and pasted" into each summary. This is not the case. Sadly the impacts are similar for many clients, however what is described in each client's summary is what they and their family have experienced; it is not a generalization.

This report also contains an overview of the operation of NWFNC including information about the positions and service providers associated with NWFNC. Recently, more serious criminal matters are being referred to the court. This change in practise is impacting the functioning of NWFNC.



OVERVIEW OF NWFNC

THE PROVINCIAL COURT OF BC LAUNCHED ITS FIRST INDIGENOUS SENTENCING COURT IN NEW WESTMINSTER IN NOVEMBER OF 2006

In November of 2006, the Provincial Court of BC launched its first Indigenous sentencing court in New Westminister. A local Indigenous judge, Crown prosecutor, probation officer and Native Courtworker came together to develop the framework for NWFNC with the goal of creating a holistic approach to sentencing for Indigenous people facing criminal charges, focused on healing underlying trauma.

Those appearing in NWFNC are referred to as “clients”. Their charges are transferred to NWFNC, with their consent, on the recommendation of the prosecutor, the client or their counsel, or a judge, but the permission of the prosecutor is usually required. There is an expectation that clients are committed to healing with the support of the Elders and other court supports. Assisted by the information contained in their Gladue reports, clients work with Elders, counsel and the judge to identify underlying issues that have contributed to their offending behaviour and how their overall well-being can be improved. All of this is considered when a “healing plan” is developed. Upon sentencing, aspects of the healing plan are incorporated into the conditions on a probation or conditional sentence order. (A conditional sentence order is a jail sentence served in the community.) In some cases, the healing plan is reflected in bail conditions and the client will work on their healing plan while on bail, and the prosecutor will withdraw the charges prior to sentencing, thus avoiding a criminal conviction.

Those appearing in NWFNC are referred to as “clients”. ... There is an expectation that clients are committed to healing with the support of the Elders and other court supports.

THE NWFNC TEAM

The NWFNC team includes the judge, defence counsel, designated Crown counsel (provincial and federal), Elders, Client Liaison Worker (added in 2021) a designated probation officer and a designated duty counsel. Consistency of those attending court is important for building a relationship with the client, supporting them on their healing plan and holding clients accountable.

Over the years NWFNC has been in operation, more community supports and service providers have come forward to assist clients. The following agencies provide services to qualifying clients and are sometimes in attendance on court days to make connections with clients:

- Alcohol and Drug Counselor - Native Courtworkers and Counselling Association of BC
- Victim Court Support Worker (also provides cultural supports to all participants)
- Indian Residential School Survivors Society (provides counselling/support to all participants and their families)
- Indigenous Therapists – two private therapists with funding from various sources (FNHA, IRS, MMIWG)
- Mental Health Court Advocate (MPA Society)
- Indigenous Support Worker
- Metro Vancouver Indigenous Services Society – group and individual counseling
- Vancouver Aboriginal Transformative Justice Services – connects to services and housing; Gladue aftercare worker
- Urban Indigenous Services (Ministry of Social Development and Poverty Reduction) – income assistance
- Unlocking the Gates Society – peer outreach program supporting transition from prison to community
- Urban Heiltsuk Support Team – support Heiltsuk clients participating in NWFNC to re-connect with community, income assistance, ID, status

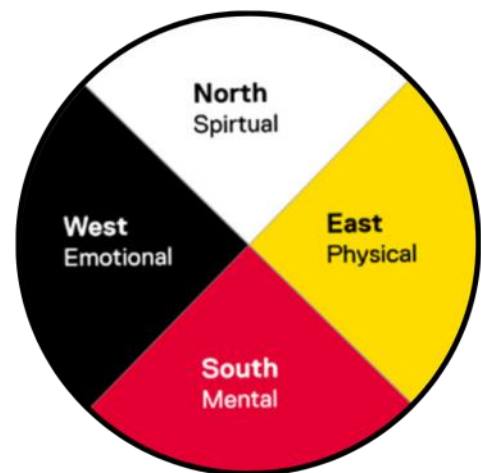
A HOLISTIC APPROACH

The Indigenous-based holistic approach in NWFNC uses many aspects of healing in how the court operates. Rather than a typical courtroom setup, everyone including the judge sits at tables that are configured into a circle. The circle represents the interconnectivity of all aspects of one's being, including the connection with each other and with the natural world. Having the client sit in the circle with everyone else helps them to share their story and be open with the Elders and the judge.

Each court day begins with a smudge and everyone is invited to participate. Smudging is a cleansing ritual and an important part of Indigenous culture and spirituality. Indigenous people have performed smudging ceremonies for centuries. Four sacred medicines are typically used in a smudging ceremony: tobacco, sweetgrass, sage, and cedar. One or all four can be used and an Elder places the medicine into a smudge bowl where it is burned. The smoke that rises up from the medicines purifies and restores balance and drives away negative energies. Each person in turn cups their hands to catch the smoke and then may put it over their head, ears, eyes, mouth, heart, and down their arms and legs. Once a smudge is completed the person becomes more grounded and into a state of balance. Drumming, songs and prayers are also common features of NWFNC.

The Indigenous-based holistic approach in NWFNC uses the four directions of the Medicine Wheel and the Seven Grandfather Teachings. The Medicine Wheel is an interconnected system of teachings relating to the directions, seasons and elements of life. The Elders use the teachings of the Medicine Wheel to help clients understand these connections and strive for wellness and balance in all areas of their life.

THE FOUR DIRECTIONS OF THE MEDICINE WHEEL



SEVEN GRANDFATHER TEACHINGS

| | |
|-----------------|---|
| WISDOM | To cherish knowledge is to know wisdom |
| LOVE | To know love is to know peace |
| RESPECT | To honour all of Creation is to have respect |
| BRAVERY | To face life with courage is to know bravery |
| HONESTY | To walk through life with integrity is to know honesty |
| HUMILITY | To know you are a sacred part of the Creation is to know humility |
| TRUTH | Is to know all these things |

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A healing plan addresses the four stages of being in the Medicine Wheel, and the Seven Grandfather Teachings are used to guide clients in their path forward. Other models for healing and different Indigenous traditions are respected and observed. Specific aspects of a healing plan typically include: counselling (substance use, mental health), connections to community resources for improving education, employment, and housing; referrals to other health professions (dentist, family doctor); efforts to re-establish connections with family including children; participating in cultural practices and ceremonies; and meeting with Elders in the community.

Many clients have lost out on the teachings of their culture and do not know how to exist in a peaceful way. Many clients do not know how to respect their Elders, women or themselves. Through participation in NWFNC and in particular through learning from the Elders, clients understand the importance of “respect” and they are better able to deal with their emotions. Clients who are angry and have few words to say when they first appear in NWFNC are eventually able to talk openly with Elders, service providers and the judge. Those involved with the court describe this as “witnessing rehabilitation” over the course of the client’s time with NWFNC – they are a different person when they leave.

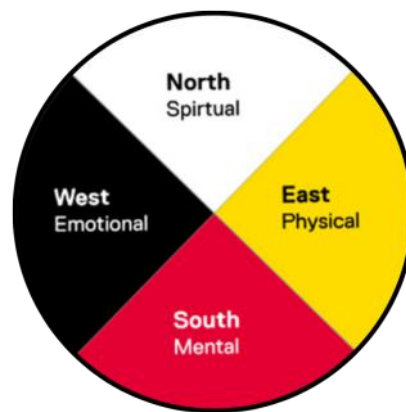
An integral part of a client’s journey in completing their healing plan is having them attend court at regular intervals for updates on their progress. Clients are held accountable by having them discuss what steps they have taken. They receive support and encouragement from the judge and Elders and other court participants. When a client is

struggling, the reasons for this are discussed in court and further support may be provided by the Elders or one or more community partners. These reviews occur as part of the NWFNC court day, and other clients who have not been sentenced yet see first hand that they will be supported, but also held accountable. NWFNC also seeks to acknowledge and repair the harm done to the victims and the community.

When a client successfully completes their healing plan, this typically coincides with the end of the probation order. The client is invited to mark their graduation from NWFNC by participating in a blanketing ceremony. The blanketing ceremony aligns with traditional Indigenous cultural practices, as it signifies the client’s acceptance of responsibility for their actions and acknowledges their growth over the course of their healing plan. It also signifies a welcoming back to their community. The blanketing ceremony occurs as part of the court day and family, friends or other supports, as well as victims, are invited to attend.

This is not only significant for the graduating client, but it is also motivating for other clients to witness.

The success of this holistic approach depends on the availability of existing services in the community and the ability and commitment of the client to access these services. Clients often have multiple barriers to accessing services including: transportation, challenges completing application forms, and health issues. Clients may also need help connecting with their culture and their community. This can be difficult for those clients living in the lower mainland, who may not know where they come from or have been disconnected from their family or community for a long time. In this regard, the Elders and Client Liaison Worker are vital in affecting change for the clients.



ELDERS

Currently there are five Elders participating in NWFNC, but there is no set number and in the past there have been more Elders on the roster. The Elders come from different communities and bring different strengths to the group. They participate in NWFNC because they want to help their people and give back to their communities. The Elders have a wealth of experience and cultural wisdom that allows them to build trust with clients, motivate clients to change, and support them on their healing plan. This support includes holding them accountable when they have not followed through on an aspect of their healing plan and reminding clients of the teachings of the Medicine Wheel to assist them in moving forward. Clients understand that they have a voice and as part of their participation in NWFNC they agree to work with the Elders. Some Elders invite clients to connect with them outside of court to participate in cultural activities or just to talk.

Elders receive training specific to First Nations Court and historically this training has been provided on an “as needed” basis with funding from different sources. As the seriousness of offences has increased, and with it the complexity of underlying factors, some Elders have expressed an interest in additional information sessions.

Elders receive an honorarium for their attendance at court. This is paid for by Legal Aid BC with funds received from the Law Foundation. Elders receive support from the Client Liaison Worker which includes ensuring Elders have materials needed for each court session.

First Nations Westminster Court makes a significant difference through the inclusion of Elders: offering the clients love coming from our hearts, spirituality, culturally grounded supports and understanding. The Elders come from diverse Indigenous cultures and perspectives, and give input into decision making. NWFNC provides our Indigenous peoples with a strong sense of belonging and hope for a brighter future.

Clifford White, Elder

CLIENT LIAISON WORKER

The Client Liaison Worker with NWFNC is a relatively new position (2021) with funding provided by the Law Foundation. The Client Liaison Worker filled a gap in the NWFNC team that had been identified for some time by working with clients between court dates and helping them access resources. Although the probation officer associated with the court provides consistent supervision of clients on their bail and probation orders, and refers clients to services and programs, it is beyond the scope of the probation officer to work with clients in the community or assist with other aspects of their lives. NWFNC stakeholders have commented that the addition of the Client Liaison Worker position has had a significant impact on the functioning of the court and resulted in better outcomes for clients.

In addition to providing the listed services for clients, the Client Liaison Worker also took on the role as a support for the Elders of NWFNC as there was no one else doing this work. This has included making sure they have materials needed for court, arranging transportation, and acting as a liaison between the Elders and other stakeholders.



Blanketing ceremony at New Westminster First Nations Court (client depicted is not one of the twenty described in this report)

The Client Liaison Worker assists clients in accessing culturally appropriate wrap around services by:

- Providing referrals to legal, social, educational, employment, medical and other culturally appropriate resources;
- Acting as a liaison between the client and criminal justice personnel to help overcome communication barriers and reduce Indigenous alienation from the criminal justice system;
- Informing others, including NWFNC stakeholders, about the cultural traditions, values, languages, socio-economic conditions and other factors relating to the client and their Indigenous community;
- Assisting the client in accessing services, for example: by arranging transportation, applying for benefits, getting their status card, and helping clients make appointments
- Acting as a liaison between the client and the Ministry of Children and Family Development (MCFD) where the client has a child or children and there is MCFD involvement.

INCREASE IN SERIOUSNESS OF OFFENCES REFERRED TO NWFNC

In January of 2021, the BC Prosecution Service amended its policy on sentencing to include specific considerations as it relates to Indigenous offenders. Similarly since 2018 the Public Prosecution Service of Canada has amended its policy on sentencing to include specific considerations as it relates to Indigenous offenders. These policies recognize that the “history of colonialism, displacement, and residential schools continues to translate into lower educational attainment, lower incomes, higher unemployment, higher rates of substance use and suicide, and higher level of incarceration for Indigenous persons.” The policy requires Crown to take into consideration these factors when determining their sentencing position for an Indigenous offender.

The effect of these policies has been an increase in the seriousness of charges being referred to NWFNC by both provincial and federal Crown Counsel. Crown Counsel propose community based sentences, including Conditional Sentence Orders (CSO), where previously they would have been seeking a lengthy period of incarceration and would not have referred the offender to NWFNC. It is now common to see charges such as serious assaults, sexual offences and trafficking in narcotics in NWFNC. If not for NWFNC and the wrap around services and supervision provided, these individuals likely would have received custodial sentences.

The increase in the seriousness of offences has had an impact on NWFNC. With the imposition of more Conditional Sentence Orders, and lengthier overall sentences, the role of the court in assisting clients to address factors that lead to offending behaviour has taken on greater importance. Clients with more serious charges tend to take more time in court and have more court appearances, including reviews after being sentenced to confirm compliance with their court order and progress of their healing plan. This increased supervisory role of the court has resulted in greater dependence on the Client Liaison Worker and Elders. Currently the court sits two days per month but stakeholders report that more court time is needed to adequately apply the holistic principles of NWFNC.

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CLIENT SUMMARIES

THERE ARE APPROXIMATELY 65 ACTIVE CLIENTS IN NWFNC. THIS REPORT FOCUSES ON TWENTY CLIENTS WHO HAVE BEEN IN FNC FOR MORE THAN A YEAR.

There are approximately 65 active clients in NWFNC. This report focuses on twenty clients who have been in FNC for more than a year, providing sufficient time to gather information about their background and for the client to work on their healing plan. The information contained in the summaries was provided in the fall of 2022.

Most clients have multiple court files from different locations throughout the province and sometimes from elsewhere in Canada. Upon acceptance into NWFNC, they are able to transfer these files to New Westminster and deal with all outstanding charges. In most cases, the client pleads guilty and is sentenced with a term of probation, or in more serious cases receives a Conditional Sentence Order. Some clients are on release conditions for a lengthy period of time before a guilty plea is entered. If the client has progressed during this time and the prosecutor determines that it is no longer in the public interest to proceed, the prosecutor may stay the charges before sentencing (for example, see clients #13 and 19).

Gladue reports were prepared for 16 of the 20 clients and a Pre-Sentence Report with a Gladue component was prepared for most clients, including three of the four clients where a full Gladue report was not prepared. The time frame of this report includes the transition of Gladue report writing from Legal Aid BC to the BC First Nations Justice Council, as well as the pandemic, and this resulted in delays in the preparation of reports. For some clients the delay was too lengthy and the sentencing proceeded without a report. Otherwise, reports are provided to the Elders in advance of sentencing and these are returned to counsel at the conclusion of that hearing. As a result of the sensitive information contained in a Gladue report, even where a report is filed with the court, it is not accessible to the public without a court order.

Gladue reports assist the judge, Crown and defence counsel in making informed decisions. Reports provide a full picture of the client including their unique history and systemic factors. Gladue reports are instrumental for the development of the healing plan in consultation with the Elders.

The summaries detail for each client the nature of the most serious offences before the court, their criminal record and the sentence imposed. Information is also provided if the client committed any new offences after they were sentenced. The services and resources accessed by the client both before and after involvement with NWFNC are indicated. The “background and healing plan” section includes information about the client’s upbringing, family history, and factors that contributed to offending. The client’s journey on their healing plan is outlined including strides made in improving all areas of their life. Given the systemic impacts of inter-generational trauma, success looks different for each client and where appropriate, barriers to change are identified.

CLIENT #1

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|------------------------------|-----------------------|--|
| FNC Start Date | 2021.07.29 | | |
| Offence(s) | Assault | | |
| Bail Order | Yes | | |
| Order Type (sentence) | Probation | Conditional Discharge | |
| Length of Order | 1 Year | | |
| Criminal History | One prior, same offence type | | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|-------------------------------------|
| Housing | Housing | Couch Surfing | Housed |
| Income Source | Income Assistance | Income Assistance | Employed |
| Education | Grade 12 | Grade 12 | No Change |
| Health | | | |
| Mental Health | Doctor | Doctor | Doctor & Clinic |
| Counselling | | None | Individual Counselling |
| Substance Use Resources | N/A | N/A | N/A |
| Family Connection or Reconnection | N/A | N/A | N/A |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | None | FNC, Elders and FNC Support Wrk |
| Other | Recreational activities | | Recreational Activities 2-3x per wk |

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Client #1: Background and Healing Plan Summary

Client is an early twenties female with significant mental health concerns and substance use binge history. Client is First Nations but adopted into a non-Indigenous family with no connection to her culture or spirituality. Client's father may have attended and suffered effects of residential school system. Client has been involved in an abusive and dependent, intimate relationship. Client first appeared in First Nations Court on July 29, 2021 on bail order. Client placed on bail supervision on June 9, 2021. FNC involvement assisted with improving her probation attendance.

During her sentencing, client benefitted from interaction with the Elders and teachings of the Medicine Wheel. As part of her healing plan she is to report to the FNC for regular reviews, report to probation officer, connect with FNC Liaison Worker, explore Indigenous culture and spiritual practice, counselling for trauma, substance use, anger management, respectful relationships, and Forensic Services. Client was successful in engaging in parts of her healing plan; attended regularly for probation supervision, FNC reviews and Forensic Outpatient Services appointments. She gained employment and resumed her recreational activities. Her engagement with Forensic Outpatient Services was helpful in problem areas such as substance use and anger management. To her credit, she maintained sobriety for the duration of her involvement in FNC. Unfortunately, limited time on her order prevented more engagement with Trauma Counselling. It is not known if she actively utilized the Medicine Wheel teachings outside of FNC but access to this court definitely served as a loving embrace for her and encouraged her independence as demonstrated by her employment, return to recreational activities and she maintained a distance from her former abusive partner. On July 28, 2022, her order was terminated three months early due to her progress and she participated in a graduation Blanket Ceremony with the Elders of FNC where she was welcomed back into the community and the blanket will always provide her with a reminder of her success.

CLIENT #2

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|--|-------------------------------------|--|
| FNC Start Date | 2020.11.19 | | |
| Offence(s) | Possessing weapon for dangerous purpose, assault with a weapon, theft \$5000 or under. | | |
| Bail Order | Yes | Bail Supervision 2019.08.18 | |
| Order Type | CSO & Probation | | |
| Length of Order | 9 Months | 3 mos CSO + 6 mos Probation | |
| Criminal History | Yes | Mischief, breach, theft, assault | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|---------------------------------|-----------------------------------|------------------------------|------------------------------------|
| Housing | Supportive Housing | Supportive Housing | Continued |
| Income Source | Income Assistance | Yes | Continued |
| Education | Under Grade 12 | Yes - Grade 9 | N/A |
| Health | Clinic & Doctor & Hospital | Yes | Continued |
| Mental Health | Clinic | Yes | Continued |
| Counselling | Individual Counselling | Yes | Continued |
| Substance Use Resources | residential treatment, individual | Yes | Continued |
| Family Reconnection | Immediate Family | Not connected | Yes - Parent and children |
| Cultural & Spiritual Connection | 1-1 Elder Support/ Teaching | No | Yes |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | Yes |
| Cultural & Spiritual Connection | Spiritual Practice | No | Yes |
| Other | Advocacy | No | Yes |
| Other | Transportation | No | Yes |

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Client #2: Background and Healing Plan Summary

Client is an under 40 female with significant health and substance use concerns. Living in supportive housing prior to involvement with FNC. Client is a full status member of a northern B.C. First Nation community. Client, parents and siblings all attended and or suffer with effects of residential school system; poverty, abuse, substance use, family disruption and dysfunction, family member incarcerated, separation from culture and spirituality, trauma, low education level and health issues. Client was a young teen parent and her children were raised by a family member. Relationships with the children's fathers were not long lasting. Client first introduced to substances at age 12 by a family member who also abused her in various forms. Client has been homeless for the majority of her adult life. Client attended a residential addictions recovery program a few years ago to address her longstanding substance use. Client developed serious health complications due to her substance use that have required numerous hospitalizations and weekly medical appointments at a multipurpose clinic where client also attends for individual substance use counselling, mental health, and primary care. Client was able to first appear in First Nations Court on June 3, 2021 on a bail order. Prior to this client was not able to attend court due to poor health. Client placed on bail supervision on August 18, 2019 and the reporting condition was removed on June 3, 2021 based on joint submission by FNC Liaison and FNC Probation Officer noting that her poor health was creating so many challenges for client that client risked criminalization for not reporting. Crown was agreeable since client was maintaining contact with FNC Liaison in community. This decision led to enhanced connection with FNC and no breaches.

During her sentencing, client benefitted from interaction with the Elders and teachings of the Medicine Wheel. As part of her healing plan she is to report to the FNC for regular reviews, report to the probation officer, connect with FNC Liaison, explore Indigenous culture and spiritual practice, attend for substance use counselling with the goal of attending Indigenous Residential treatment centre, reconnect with family and children, and maintain health care appointments. Unfortunately, client's deteriorating health has impacted her ability to fully engage with the healing plan. However, to the client's credit, she has attended all her medical appointments, has prioritized her health by attending the hospital when needed, maintained regular contact with FNC Liaison and Probation Officer, has connected with her children by telephone and arranged for an in person visit, maintains individual substance use counselling when health permits, engages with housing support staff for recreational/therapeutic activities and utilizes the Medicine Wheel teachings and participates in regular smudging. Client and liaison had also arranged a residential detox appointment, but due to the long wait for detox bed the appointment was not attended by the client. Staff at supportive housing, probation officer, defence counsel, duty counsel and liaison are in regular contact to support the client.

Client has had no new substantive offences or breach related offences while engaging with First Nations Court.

CLIENT #3

CLIENT & OFFENCE DETAILS

FNC Start Date 2019.12.19

Offence(s) PSP under \$5000, possession of controlled substance breach of undertaking

Bail Order Yes

Order Type (sentence) Probation Sentenced 2021.03.11

Length of Order 2 Years

Criminal History No

New Offences (during FNC order) No

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|---|
| Housing | Supportive Housing | Homeless | Supportive Housing |
| Income Source | Income Assistance | PWD | No change |
| Education | Under Grade 12 | Grade 9 | No change |
| Health | Nurse | None | Connected to nurse at supportive housing |
| Mental Health | N/A | | |
| Counselling | Individual Counselling | No | Art therapy |
| Substance Use | Harm Reduction | No | Opiate Agonist Therapy |
| Family Connection or Reconnection | Children | No connection | Reconnected with 1 of 4 children |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC, Elders, Indigenous Support Wkr, Indigenous Community Group |
| Other | N/A | | |

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Client #3: Background and Healing Plan Summary

Client is an early 20's male with substance use history and diagnosis of ADHD and FASD. Client identifies as Indigenous from the Williams Lake area. Maternal grandparents attended and suffered effects of residential school system; trauma, substance use, distrust of systems, poverty, family disruption, separation from culture and spirituality, and family members in the generations after also felt the effects. Client experienced dysfunctional family dynamics and adverse childhood experiences throughout childhood. Client was a teenage father and now has 4 children with 4 different mothers. Client did not have a relationship with his children or mothers, however, client has reconnected with one of the children. Client began using cannabis at 8 years old, consuming alcohol at 14 years old, methamphetamines at 15 years old, and heroin at the age of 18. Client continues to struggle with substance use issues and lack of family supports.

Client first appeared at First Nations Court on December 19, 2019. Client has had sporadic attendance at First Nations Court, and reporting has improved but remains inconsistent. Client has found secure supportive housing, has made connections with Indigenous support worker, enrolled in opiate agonist therapy, and has been open to other substance use resources. When the client first entered First Nations Court they were not open to substance use counselling and were living in a homeless encampment. Client has had no new criminal offences or convictions.

CLIENT #4

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|--------------------------------|--|-------------------------------|
| FNC Start Date | 2020.03.10 | | |
| Offence(s) | Utter Threats, Breach Recog k- | | |
| Bail Order | Yes | | |
| Order Type (sentence) | CSO & Probation | Sentenced 2022.02.10 | |
| Length of Order | 3 Months | 3 mos CSO + 15 mos Probation | |
| Criminal History | Yes | Violence, Weapons, Breaches since 2012 | |
| New Offences (during FNC order) | Yes | Breach no contact order | Breach new offence of Assault |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|--|--|
| Housing | Homeless | Homeless or Shelter or Couch Surfing | Housed off and on |
| Income Source | Full time Job | Employed off and on | Income Assistance |
| Education | Grade 12 | Grade 12 | No change |
| Health | N/A | N/A | N/A |
| Mental Health | Clinic | GP only | Forensic Outpatient Services |
| Counselling | Indigenous Program | None | Indigenous Trauma Counselling |
| Substance Use Resources | Detox | Scattered participation recovery prgms | Few periods sobriety, no recovery prgm |
| Family Connection or Reconnection | Children | No family reconnection | No improvement |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC, ICW, VATJSS, Therapy, Elders |
| Other | Advocacy | None | children |

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Client #4: Background and Healing Plan Summary

Client is a male in his mid-40s with a substance use and violence history. Client is First Nations from Southern Manitoba. Both maternal grandparents and client's parents attended and suffered effects of residential school system; trauma, substance use, distrust of systems, poverty, family disruption, dysfunction and suicide, separation from culture and spirituality. Client's lifestyle perpetuates the cycle of substance use, abuse and trauma. Client first appeared in First Nations Court on March 10, 2020 on a bail order and remained on bail supervision until sentencing on February 10, 2022. FNC involvement assisted with improving his attendance with Community Corrections and was instrumental in connecting him with two Indigenous Support Workers and an Indigenous Trauma Therapist. Unfortunately, this client continually sabotages his own success and vacillates between periods of sobriety and stability and then during relapse, he reverts back to old patterns of behaviours creating instability.

To his credit he always maintains contact with his Probation Officer and Indigenous Support Workers. His connection to his Indigenous Therapist is off and on. As part of his healing plan he is to report to the FNC for regular reviews, report to probation officer, connect with FNC Liaison Worker, counselling for trauma, substance use, anger management, and/or respectful relationships. When he attends for his Trauma counselling, the Medicine Wheel teachings from FNC are reinforced and access to FNC definitely served to connect him to his culture, with encouragement to "smudge" daily, and has provided continued support and opportunities for change. Sadly, he still struggles with fear of facing his traumas which leads him to revert to his learned maladaptive coping of consuming alcohol and feeling angry. He has tremendous support in FNC and the Elders are patiently waiting for him to pick up on their offers of help as is their way.

CLIENT #5

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|--|---|
| FNC Start Date | 2021.04.13 | |
| Offence(s) | B&E with intent to commit offence | |
| Bail Order | No | |
| Order Type (sentence) | CSO & Probation | Sentence 2021.12.14 |
| Length of Order | 3 Months | CSO 8 mos, 25 days + 12 mos Probation |
| Criminal History | Extensive: B&E, Theft, Robbery, Breach | Crim history dates back to 1991 (youth) |
| New Offences (during FNC order) | Yes | Breach of order and new offence |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|---------------------------------------|---|
| Housing | Rental housing | Homeless | Lives multi family with daughter, Mom |
| Income Source | Income Assistance | On disability | No change |
| Education | Under Grade 12 | Gr.10 | Gr.10 |
| Health | Doctor & Hospital | Brain Injury | No change, referred Brain Injury resource |
| Mental Health | Clinic | None | MPA MH Court Wrk |
| Counselling | N/A | | |
| Substance Use Resources | Individual Counselling | Daily heroin user | Sober, on daily methadone, refer Substance Use Services |
| Family Connection or Reconnection | Children | Contact with Mom and 1 adult daughter | Contact all 3 daughters & former spouse |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC, Elders, Indigenous Support |
| Other | Personal Effects | | Help organize appts, Help amend order |

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Client #5: Background and Healing Plan Summary

Client is male in his mid-fifties with brain injury and serious substance use history since his early teen years. Client is Indigenous on his mother's side with little to no connection to their culture or spirituality. Client's grandparents all attended and suffered effects of residential school system in Lillooet; residential instability, poverty, substance use, mental health, history of suicide, family disruption and dysfunction, incarceration, separation from culture and spirituality, trauma, low education level and mental health. Since his mother was placed in foster care and eventually adopted, they both are disconnected from their family and community. Client has been involved in an emotionally dependent, intimate relationship off and on for 20 + years. Whenever he is involved or in contact with his ex partner, he relapses due to emotional instability in the relationship and often re-offends during this time. Client first appeared in First Nations Court on April 13, 2021. FNC involvement assisted with improving his probation attendance due to team planning efforts. Connection to FNC Indigenous Liaison and Elder support provided an environment that works with him to slowly apply interventions and helped him stabilize. Making appointments same day, same time to aid his memory, helping him develop an organizational system due to brain injury are examples of interventions.

During his sentencing, client benefitted from interactions with the Elders and teachings of the Medicine Wheel. As part of his healing plan he attends FNC for regular reviews, reports to probation officer, connects with FNC Liaison Worker, exploring Indigenous culture and spiritual practice, and attending counselling for trauma and substance use. Client is successful in engaging with parts of his healing plan: attends regularly for probation supervision and FNC reviews and Elder support outside of court; connects with Indigenous Support Worker; and working with MPA Mental Health Court Worker. His most impactful gain from FNC has been support for his sobriety which resulted in reconnection with his three daughters and their mother who all express that they finally have the "real" client back in their lives.

CLIENT #6

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|---|--|
| FNC Start Date | 2021.03.11 | |
| Offence(s) | Theft \$5000 or under, wilfully resisting or obstructing a peace officer, breach of probation order, breach of release, possession of stolen property, break and enter. | |
| Bail Order | Yes | |
| Order Type (sentence) | CSO & Probation | 90 day CSO and 9 month probation order |
| Length of Order | 1 Year | |
| Criminal History | Weapons, breach, fail to comply, theft | |
| New Offences (during FNC order) | Yes | Breach of probation, commercial B&E |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|--|
| Housing | Supportive Housing | Yes | No change |
| Income Source | Income Assistance | PWD | No change |
| Education | | Information not available | Information not available |
| Health | N/A | | |
| Mental Health | N/A | | |
| Counselling | Individual Counselling | No | Indigenous Clinical Counsellor |
| Substance Use Resources | Addictions Support Worker | Yes | Continued |
| Substance Use Resources | Residential Treatment/ Recovery | No | 90 residential treatment program |
| Family Connection or Reconnection | Home Community | No | Yes - Elder from home community |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC, Elders, Elder 1-to-1, Indigenous Support Worker |
| Other | N/A | | |

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Client #6: Background and Healing Plan Summary

Client is under 30 male with FASD diagnosis and substance uses history. Client is a status member of a First Nation in the Northwest Territories. There is limited information on family history available, as client is displaced from family and Indigenous community. Due to impact of FASD client is not able to live independently and requires 24 hour support through specialized adult residential care. Through specialized adult residential care the client has access to medical, dental, employment, education, community connection, life skills, extra curricular activities, substance use support, and other resources through caretakers and case management worker. Client struggles with peer group and decision making. Client has challenges with understanding and following through with court orders.

Client entered First Nations Court program on March 11, 2021. Client attended court regularly with case management support worker and other support workers, and benefitted from engaging with the Elders at First Nations Court. Client continued to struggle with peer group, decision making, and complying with court orders. Client and case management worker maintained connection with Indigenous support worker from First Nations Court. Client had periods of great improvement, including working 1-to-1 with First Nations Court Elder, attending residential treatment, and working part-time through program at adult residential care. Client was unable to complete 90 day residential treatment program due to the treatment program not having the capacity to provide for client's needs. Client had the opportunity to connect with an Indigenous Elder from client's First Nation in the Northwest Territories by telephone through Gladue writer and Indigenous support worker. Through referral by Indigenous support worker client started working with an Indigenous clinical counsellor.

CLIENT #7

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|---|------------|--|
| FNC Start Date | 2019.05.20 | | |
| Offence(s) | Possession for the purpose, trafficking in controlled substance | | |
| Bail Order | No | | |
| Order Type (sentence) | Probation | 2020.10.22 | |
| Length of Order | 2 Years | | |
| Criminal History | Motor Vehicle Act Offence | | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|--|
| Housing | Rental housing | Couch surfing & homeless | Housing provided by employment |
| Income Source | Full time Job | Social assistance | Employed full-time |
| Education | N/A | Information not available | |
| Health | Hospital | Information not available | Hospital stays for detox and mental health |
| Mental Health | Hospital | Information not available | Hospital stays for detox and mental health |
| Counselling | Individual Counselling | No | Indigenous Program and Counselling |
| Substance Use Resources | Detox | Information not available | Residential detox & Indigenous detox support |
| Family Connection or Reconnection | Immediate Family | Yes | Continued |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC, Elders, Indigenous Support Worker |
| Other | | | |

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Client #7: Background and Healing Plan Summary

Client is an under 30 male with history of substance use and gang involvement. Client is Metis, but is unsure from where exactly - all the client knows is their father is Metis and there was involvement by Metis Family and Child Services while client was in the foster care system. Client's mother suffered with substance use issues, father had gang involvement, was incarcerated and eventually committed suicide. Client met his father once and suffered grief from not having the opportunity to have had a relationship with his father. Client and siblings were placed in one home and client continues to have a good relationship with adoptive family. Client and siblings reconnected with their biological mother in adulthood. Client noted the relationship is not positive, and his mother continues to struggle with substance use. Upon entering FNC client had completed residential recovery, had supports in the community, was committed to remaining sober, and no longer associated with gangs.

Client entered FNC on May 20, 2019. Client was doing well when they first entered the program, but faced challenges with securing transitional housing or other stable housing, and relapsed while living with biological mother and sibling.

Client has an ongoing cycle of substance use with periods of sobriety and relapses. Due to COVID-19 and client's substance use, court appearances at FNC were sporadic. Client remained in contact with Indigenous Support Worker and eventually attended detox, multiple residential recovery programs, mental health and substance use respond centre, and Indigenous substance use programming. Client secured employment outside of the Lower Mainland which has improved client's recovery success. Client has found income and housing stability through employment. Client's attendance at FNC improved, and client was accompanied by a support person when returning to the Lower Mainland to prevent relapse. Client noted certain areas in the Lower Mainland as triggers for relapse. Client is doing well, but has yet to address underlying trauma, which may be essential for client's substance use recovery, along with maintaining connections to positive supports.

CLIENT #8

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|------------------------------------|--|--|
| FNC Start Date | 2020.10.22 | | |
| Offence(s) | Assault by choking, sexual assault | | |
| Bail Order | Yes | | |
| Order Type (sentence) | CSO & Probation | 2021.09.23 | |
| Length of Order | 3+ Years | CSO 6 months, CSO 18 months, Probation Order 2 years, SOIRA 20 years | |
| Criminal History | No | | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|---------------------------------|--|
| Housing | Rental housing | Yes | No change |
| Income Source | Full time Job | Seasonal Full-Time Employment | No change |
| Education | Under Grade 12 | Grade 11 and trade school | No change |
| Health | Doctor/clinic | No doctor or health care centre | Recommendation as part of healing plan |
| Mental Health | Clinic | No doctor or health care centre | Forensic Psychiatric Services |
| Counselling | Individual Counselling | Yes | No change |
| Substance Use Resources | Indigenous Program | Yes | No change |
| Family Connection or Reconnection | | Information not available | |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No connection | FNC & Indigenous Support Worker |
| Cultural & Spiritual Connection | 1-1 Elder Support/ Teaching | No connection | Consistent connection to FNCNW Elder |
| Other | | | |

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Client #8 Background and Healing Plan Summary

Client is an early 30's male with substance misuse history and behaviour patterns, particularly during challenging times as a coping mechanism. Client is from a First Nation in Northern British Columbia, but is disconnected from community and culture. Client's mother and grandparents (Indigenous lineage) did not attend residential school, but generations before have. Client had an unstable childhood. Client's parents separated when client was a toddler, and client's mother suffered with substance use and mental health. Client subsequently experienced poverty, poor attendance at school, witnessed substance misuse (drug and alcohol), new boyfriends coming and going, and sexual abuse by female friend of mother while in mother's care. Client was abused by mother's friend from the age of 10, which continued for years, and occurred by physical interaction and through message and video. As a result client develop an online sex addiction. Client's father took custody when client was around 12 years of age, and client's life improved and stabilized while under his father's care. However, client began using drugs and alcohol in teenage years to suppress anger from upbringing.

When faced with relational and life challenges client engages in substance use and goes in a downward spiral with alcohol, drugs and financial debt.

Client works full-time on seasonal basis in the trades industry at work camps throughout BC when work is available. Client suffers with managing time and finances when not employed. By liaising with First Nations Court Indigenous support worker, defence counsel, community corrections, policing agencies, client and employer, client was able to maintain work at a fly in and out camp by confirming the camp is drug and alcohol free and creating a strict schedule. Client attended AA meetings with assistance of an Elder while at camp. Client has been provided tools for financial management and connection to 1-to-1 Elder support through First Nations Court. The Elders of First Nations Court have implemented Medicine Wheel teachings into client's healing, and have discussed anger management and boundaries with client. During engagement at First Nations Court client had a child, the Elders encouraged the client to continue looking deeper inside and to continue healing so the client can be the best parent possible. Client started attending individual counselling with Indigenous substance use counsellor through a referral from Native Courtworker and Counselling Association of BC prior to entering FNC. Client has now been working with the counsellor for 2+ years. The Elders encourage the client to do more therapeutic work, and start working with a clinical counsellor. Elders asked the client at sentencing if client knows the damage caused to the victims, the client was emotional and showed understanding and remorse for their actions. The Elders of First Nations Court have suggested connecting to cultural roots, financial management, connecting with primary care doctor for mental health, and clinical counselling to address behaviour and for deeper healing. As part of their healing plan the client is to attend court appearances regularly for reviews, report to community corrections, attend counselling and programming as directed (including sexual offence prevention), attend for psychiatric intake, and obey a curfew, among other components. Client continues to struggle with substance use, and has not been able to maintain sobriety, but shows insight and has been honest with continuing struggles. Client is open to trying programs and services in regard to personal healing.

CLIENT #9

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|------------------------------------|---|
| FNC Start Date | 2019.04.23 | |
| Offence(s) | Intimate Partner Violence x 2 | |
| Bail Order | Yes | |
| Order Type (sentence) | CSO & Probation | 2021.05.06 |
| Length of Order | 6 Months | 6 mos CSO + 18 mos Probation |
| Criminal History | 2 prior IPV, Sex Assault, Breaches | Dates back to 1992, limited & scattered |
| New Offences (during FNC order) | Yes | Commit 2nd IPV Assault on same partner |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|--------------------|--------------------------------------|--|
| Housing | Rental housing | Lived with mother | Supportive Housing & with Partner |
| Income Source | Income Assistance | Full disability | Some p/t employment off and on |
| Education | Grade 12 | No change | No change |
| Health | Doctor & Hospital | Debilitating health issues | Slow recovery due to alcohol consumption |
| Mental Health | Doctor & Clinic | Was treated depression/suicidal | Psych Assess determined no MH needs |
| Counselling | Group Program | No | Partial complete Relationship Viol prgm |
| Substance Use Resources | Indigenous Program | Scattered attend 1-1 A&D counselling | Improved attendance at 1-1 A&D counselling |
| Family Connection or Reconnection | Home Community | Disconnected | Reconnection with community |
| Cultural & Spiritual Connection | Spiritual Practice | Minimal | Prayer, smudge, FNC Elders & Liaison |
| Other | Advocacy | N/A | Referrals, support outside court Liaison |

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Client #9: Background and Healing Plan Summary

Client is in his mid-fifties with a substance use history. Client is from a coastal First Nation with a disconnection to culture and spirituality. Client's father attended and suffered effects of residential school system; poverty, abuse, substance use, family disruption and dysfunction, separation from culture and spirituality, trauma, low education level and health issues. Client has been abusive in three of his intimate relationships. Client first appeared in First Nations Court on April 23, 2019 on a bail order. Sentenced twice in FNC for Intimate Partner Violence Assaults when he was intoxicated. Client benefits from interaction with the Elders, Medicine Wheel teachings and engaging in spiritual practices such as daily prayer and smudge with sage. As part of his healing plan he is to report to the FNC for regular reviews, report to a probation officer, connect with FNC Liaison Worker, attend counselling for trauma, substance use, anger management, respectful relationships and Forensic Services. Client has been successful in engaging in parts of his healing plan: attended regularly for probation supervision, FNC reviews, intermittent connection with Elder outside of court, Indigenous 1-1 substance uses counselling, and attendance with Forensic Outpatient Services for an assessment that ultimately determined no mental health needs as substance use is primary contributor. To his credit and after several referrals to Intimate Partner Violence programming, he attended and completed 6 of 10 group sessions of Respectful Relationships through Community Corrections. His continued struggle to maintain sobriety for more than several months at a time has contributed to his re-offending, poor health and is a barrier to full engagement in counselling, including for trauma. He continues to be supported and encouraged by the FNC and the team environment.

CLIENT #10

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|----------------------------|-------------------------|
| FNC Start Date | 2019.12.19 | |
| Offence(s) | Assault with weapon, theft | |
| Bail Order | Yes | |
| Order Type (sentence) | Probation | Sentenced 2020.09.29 |
| Length of Order | 2 Years | |
| Criminal History | No prior convictions | |
| New Offences (during FNC order) | No | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|--------------------------------|------------------------------|--|
| Housing | Supportive Housing | Shelter | Supportive Housing |
| Income Source | Income Assistance | No change | No change |
| Education | Under Grade 12 | No change | No change |
| Health | Clinic & Doctor | Same | Same |
| Mental Health | N/A | | |
| Counselling | Individual Counselling | No | Connection to Social Worker |
| Substance Use Resources | Residential Treatment/Recovery | No | Referral to Indigenous Treatment wait list |
| Family Connection or Reconnection | N/A | N/A | N/A |
| Cultural & Spiritual Connection | Spiritual Practice | No connection | Connection with Elders, spirituality |
| Other | | | |

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Client #10: Background and Healing Plan Summary

Client is a thirty year old very vulnerable female with significant trauma, lifestyle challenges and substance use history beginning at age 7. Client is First Nations with some connection to her culture or spirituality as a young child but due to placement in foster care system this connections was severed. Client's mother and maternal grandmother attended and suffered effects of residential school system; poverty, abuse, substance use, family disruption and dysfunction, family member early death, separation from culture and spirituality, trauma, low education level and health issues. Client has been involved in co-dependent, intimate relationships. Client first appeared in First Nations Court on December 19, 2019 on a bail order. FNC involvement assisted with improving her connection to probation supervision and Indigenous culture and spirituality.

During her involvement in FNC, client benefitted from interaction with the Elders and teachings of the Medicine Wheel. As part of her healing plan she is to report to the FNC for regular reviews, report to probation officer, connect with FNC Liaison Worker, participate in Indigenous culture and spiritual practice, counselling for trauma, and substance use including residential treatment. Client has struggled to move past survival mode although she has engaged in parts of her healing plan. She has maintained contact with probation officer due to heavy reliance on support workers and FNC Liaison reminders, has attended an Indigenous resource and benefitted from connection to Elders, culture and spirituality. Unfortunately, her substance use creates instability and she has challenges following through with other parts of her healing plan. Still she is a survivor and success looks different for every individual. Given her past history and her struggles with lifestyle and substance use, any stability in housing, attending court, probation and connecting to resources can be considered a success for her.

CLIENT #11

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|------------------------------------|--------------------------------|
| FNC Start Date | 2021.07.08 | |
| Offence(s) | Breach Long Term Supervision Order | |
| Bail Order | Yes | |
| Order Type (sentence) | Probation | Sentenced 2021.09.23 |
| Length of Order | 1 Year | |
| Criminal History | Aggravated Assault 2013 LTSO | Current offence of Breach LTSO |
| New Offences (during FNC order) | No | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|--|
| Housing | Rental housing | Group Housing | Transitioned to Rental Housing |
| Income Source | Full time Job | No change | No change |
| Education | Under Grade 12 | Working on GED | Working on GED |
| Health | N/A | | |
| Mental Health | Doctor | Regular involvement | Regular involvement |
| Counselling | Indigenous Program | No | 1-1 Indigenous Trauma Counselling |
| Substance Use Resources | 1-1 Indigenous Counselling | | Indigenous counselling for |
| Family Connection or Reconnection | Children | Regular involvement | Reconnection and support offered |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | Indigenous Parents Program | FNC, Indigenous Wrk, Elders, Therapist |
| Other | | | |

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Client #11: Background and Healing Plan Summary

Client is a 29 year old male with severe intellectual disability and excessive alcohol misuse history. Client was raised on a First Nations reserve passed around between his separated parents, grandparents and extended family members. Client and his family definitely suffer from the impact of colonialism; poverty, neglect, multiple forms of abuse, substance use, family disruption and dysfunction, trauma, low education level and functioning. Client first appeared in First Nations Court on July 8, 2021 on a bail order.

During his involvement in FNC, client benefitted from healing interaction with the Elders, exposure to his culture and teachings of the Medicine Wheel. As part of his healing plan he is to report to the FNC for regular reviews, report to a probation officer, completion of 30 hours CWS, connect with FNC Liaison Worker, explore Indigenous culture and spiritual practice, counselling for trauma and substance use. Client was successful in engaging in his healing plan; attended regularly for probation supervision, FNC reviews, completed his CWS, attended trauma, substance use and cultural teachings at 1-1 Indigenous counselling. To his credit, he maintained employment, continued to engage in his GED courses, had FNC advocacy in re-establishing visitation with his child and was successful in transitioning from residential group housing to independent housing. On August 25 2022, his order was terminated several weeks early due to his progress and he participated in a graduation Blanket Ceremony with the Elders of FNC where he was welcomed back into the community and the Elders told him that the blanket will always provide him with a reminder of his success.

CLIENT #12

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|--|---|
| FNC Start Date | 2021.08.26 | |
| Offence(s) | Robbery | |
| Bail Order | Yes | |
| Order Type (sentence) | Probation | Sentenced 2021.11.16 |
| Length of Order | 3 Years | 1 day jail |
| Criminal History | Scattered: 2002 to 2005, nothing for 10 yrs, then 2018 | PSP, Dang Operation MV, Armed Robbery, Breaches |
| New Offences (during FNC order) | No | |

Client Resources

| RESOURCE CATEGORY | RESOURCE TYPE | Prior to First Nations Court | During time in First Nations Court |
|-----------------------------------|---------------------------------|---|--|
| Housing | Indigenous housing | Indigenous Housing & Shelter | Indigenous Housing & Shelter |
| Income Source | Income Assistance | | |
| Education | Under Grade 12 | No change | No change |
| Health | N/A | | |
| Mental Health | Clinic | Hospital emergency visits | Referral to MH clinic |
| Counselling | Indigenous Program | Indigenous Parenting | Indigenous 1-1 trauma counselling |
| Substance Use Resources | Residential Treatment/ | Indigenous Sober residence | Indigenous Sober residence, 1-1 NCCABC |
| Family Connection or Reconnection | Children | No contact | Contact and Visit with one child |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | Cultural/Spiritual practice, Elders, Pgrm | Same, Elders, Indig Prgm, Indig Resource |
| Other | N/A | | |

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Client #12: Background and Healing Plan Summary

Client is a 42 year old male with a crystal methamphetamine substance use that created a history of depression, psychosis and suicide attempts by overdose. Client is First Nations but separated as a young child from Indigenous culture and spirituality as part of the "sixties scoop" and raised in foster families. Client clearly suffered effects of colonialism and residential school system legacy; poverty, neglect, sexual abuse, substance use, family separation, disconnect from culture and spirituality, trauma, low education level and mental health issues. Client has been involved in co-dependent, intimate relationships. Client first appeared in First Nations Court on August 26, 2021 on bail order and was sentenced in November of 2021 with a probation order for three years.

As part of his healing plan, he is to report to the FNC for regular reviews, report to probation officer, connect with FNC Liaison Worker, continue Indigenous culture and spiritual practice, counselling for trauma, substance use and for Forensic Services. Client continues to struggle to maintain sobriety and adhere to his healing plan which also affects his ability to maintain residency at the Indigenous Sober residence. He frequently struggles with managing his anger and emotions, often leading to relapse. To his credit, he typically maintains contact with probation, attends FNC reviews, has reconnected with and visited his young child and attends for 1-1 Indigenous Trauma counselling and when living in Indigenous Sober residence, he has been described as a "model" resident until he relapses. His family dysfunction and disruption and early exposure to intoxicants at age four contributes to his chaotic life as an adult.

CLIENT #13

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|---|---------------------|
| FNC Start Date | 2021.07.08 | |
| Offence(s) | Possession for the purpose of trafficking | |
| Bail Order | No | Court Summons |
| Order Type (sentence) | N/A | Pre-sentence review |
| Length of Order | N/A | None |
| Criminal History | No criminal history | |
| New Offences (during FNC order) | No | |

Client Resources

| RESOURCE CATEGORY | RESOURCE TYPE | Prior to First Nations | During time in First Nations Court |
|-----------------------------------|---------------------------------|---------------------------|---|
| Housing | Rental housing | Yes | Continued |
| Income Source | Full time Job | Yes | Continued |
| Education | Trades | No | Yes |
| Health | N/A | Information not available | Information not available |
| Mental Health | N/A | Information not available | Information not available |
| Counselling | Individual Counselling | No | Indigenous Organization and Programming |
| Substance Use Resources | Indigenous Program | No | Counsellor through work benefits |
| Family Connection or Reconnection | Immediate Family | Yes | Continued |
| Cultural & Spiritual Connection | 1-1 Elder Support/ Teaching | No | FNC Court Elder |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | FNC and Indigenous Support Worker |
| Cultural & Spiritual Connection | Investigate Culture | No | Metis citizenship research and Elder |
| Other | N/A | | |

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Client #13: Background and Healing Plan Summary

Client is under 25 male with no previous criminal record. Client is housed in a rental unit with roommates, and has full-time employment in the trades industry. Client identifies as Metis, and is currently in the process of renewing citizenship with the Metis Nation of British Columbia with assistance from liaison worker. Client was raised by mother off and on, and by other family members when not in mother's care. Mother suffered with substance use, moved a lot, and had an abusive boyfriend. Client's father was absent and passed away on clients 17th birthday. Client was sexually abused by older male while underage. Client started using cocaine at age 16, and heroin and crystal meth at age 17. Client's personal struggle with substance use led to offence.

Client is not monitored by community corrections on bail, and has remained on pre-sentence review. Client was sober for one year and completed a 90 day residential substance use treatment program prior to engaging with First Nations Court. The Elders of First Nations Court have requested client to attend counselling, explore Indigenous heritage and work on financial management. If client does not commit new offences and works on healing plan, Crown Counsel may stay the charge. Client has been attending court when required to do so for over one year, has connected with alcohol and drug counsellor from Indigenous program, found a 1-to-1 counsellor through employer, started working with an Elder of First Nations Court to learn more about Indigenous/Metis culture and has remained free of substances. Client shared with First Nations Court that they are working on childhood trauma and 12 step program for substance use. Client learned about Medicine Wheel teachings by Elders of First Nations Court, and regularly works with liaison worker on planning/working on overall wellness. Client has been requested by Judge of First Nations Court to write a letter of self-forgiveness to the satisfaction of Elders. Client has received positive feedback from the Elders and Crown Counsel of First Nations Court, and it has been stated that the client shares from his heart, has earned "a break" from the Crown office, and the client is a role model for other clients of First Nations Court.

CLIENT #14

| CLIENT & OFFENCE DETAILS | | | |
|-----------------------------------|--|--|--|
| FNC Start Date | 2019.07.18 | | |
| Offence(s) | Break and enter and commit indictable offence, breach of undertaking, breach of probation, assault with weapon, theft \$5000 or under, | | |
| Bail Order | Yes | | |
| Order Type (sentence) | CSO & Probation | 2020.10.01, 2022.04.07 | |
| Length of Order | 2+ Years | CSO 8 months, probation 9 months, time served, probation 18 months | |
| Criminal History | Property offences, breach, fail to comply | | |
| New Offences (during FNC order) | Yes | Break and enter, breach, deal with identity document without lawful excuse, possess break-in instrument. | |
| CLIENT RESOURCES | | | |
| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
| Housing | Supportive Housing | Substance use residential recovery | Homeless and residential recovery |
| Income Source | Income Assistance | Income assistance | Working on PWD/disability assistance |
| Education | N/A | Information not available | Information not available |
| Health | N/A | Information not available | Referred to Indigenous clinic |
| Mental Health | N/A | No | No change |
| Counselling | Individual Counselling | Yes | Off and on |
| Substance Use Resources | Residential Treatment/ Recovery | (1) Indigenous substance use recovery program and (1) non-Indigenous substance use recovery program | Re-entered Indigenous substance use recovery program |
| Family Connection or Reconnection | N/A | No | No change |
| Cultural & Spiritual Connection | Cultural & Spiritual Connection | Through Indigenous substance use recovery program | FNC, FNC Elders, Indigenous Support Worker, Indigenous victim case management worker |
| Other | | | |

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Client #14: Background and Healing Plan Summary

Client is under 40 male with FASD, ADHD and anxiety diagnosis, with significant substance use history. Client is from a Yukon First Nation. It is unclear if client's parents or grandparents have attended residential school. Client was placed in child welfare system and is disconnected from family and First Nation community. Client has returned to Indigenous community once or twice, and would like to return. Client expressed feeling anger and abandonment toward mother for being placed in child welfare system. Client was placed in several foster homes, and faced sexual and physical abuse while in foster care. Client began using substances as a pre-teen, and suffers with an substance use to crystal methamphetamine.

Upon sentencing at First Nations Court client was 18 months sober and residing at a non-Indigenous substance use residential recovery program (third stage). Client had graduated from an Indigenous based substance use residential recovery program, and moved onto third stage housing. Client completed several programs and had an individual counsellor. Client received a healing plan with several conditions and healing components, including attend counselling and programming as directed, write an apology letter to the satisfaction of the Elders, and community work service hours. Unfortunately, the third stage substance uses residential recovery program shut down due to COVID -19. Client relapsed not long after and returned to habitual ways of coping, including committing break and enter offences to support substance use. When client returned to First Nations Court one Elder spoke to the client about habitual break and enter offending, and advised client to acknowledge this behaviour. Client is now back in an Indigenous based substance use residential recovery program and doing very well. Client has completed all community work service hours at the Indigenous based substance use residential recovery program, and has worked with Indigenous Support Worker and First Nations Court Elder on apology letters and significance of the letters. The Indigenous Support Worker of First Nations Court has referred client to resources including education, employment, housing, and health. Client accesses cultural and community connection through Indigenous recovery program, and both individual and group counselling. Client benefits from routine and structure, and will require support in transitioning from residential substance use recovery to independent living.

CLIENT #15

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|---------------------------------|---|--|
| FNC Start Date | 2022.05.05 | | |
| Offence(s) | Assault and Breach of Probation | | |
| Bail Order | Yes | | |
| Order Type (sentence) | Probation | 2022.11.17 | |
| Length of Order | 2 Years | 21 days time served and 2 years probation | |
| Criminal History | Assaults and breaches | | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|-------------------------------------|---|
| Housing | Rental housing | Single Room Occupancy | No change |
| Income Source | Income Assistance | Disability Assistance/ PWD | No change |
| Education | N/A | Information not available | Client interested in upgrading and attending Native Education College |
| Health | Clinic & Doctor | Primary care physician | No change |
| Mental Health | N/A | Information not available | |
| Counselling | Individual Counselling | No | Individual Indigenous counselling |
| Substance Use Resources | Substance use Resources | Residential substance uses recovery | Wellbriety/group counselling |
| Family Connection or Reconnection | N/A | Information not available | |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | FNC, Elders and Indigenous Support Worker, Gladue aftercare worker |
| Other | | | |

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Client #15: Background and Healing Plan Summary

Client is an under 50 male with a substance use history. Client is from a southern Alberta First Nation. Client experienced unstable upbringing and adverse childhood experiences by witnessing substance use by parents, father being murdered, and subsequently going into the foster care system where client experienced abuse. The offence client is before First Nations Court for involves violence against client's adult child. Client has underage children whom are in the care of the victim.

Upon entering First Nations Court client had been sober for 2 years, but was no longer accessing services for counselling or substance use. Client had completed a residential substance use recovery program and became a spiritual advisor and facilitator while at the facility. Client has completed two parenting courses and is eager to continue on healing path. Client had started engaging with Indigenous support worker of First Nations Court and Gladue aftercare worker prior to sentencing. Client was then referred to Indigenous individual counselling and wellbriety (Indigenous version of 12 step program). Client has set a goal to upgrade basic education and return to post-secondary school to become a support worker within the Indigenous community. Client has also benefitted from working with Elders of First Nations Court. Client's healing plan includes use best efforts to abstain from alcohol and illegal drugs, continue to investigate Indigenous heritage, write a letter of self-forgiveness to the satisfaction of the Elders of First Nations Court, and return to First Nations Court for reviews.

CLIENT #16

CLIENT & OFFENCE DETAILS

| | | |
|------------------------------------|---|------------------------------|
| FNC Start Date | 2021.08.26 | 1st appearance 2022.04.07 |
| Offence(s) | Assault, Poss Weapon, Poss Stolen Ppty, Utter | |
| Bail Order | No | |
| Order Type (sentence) | Probation | Sentenced 2022.06.02 |
| Length of Order | 9 Months | |
| Criminal History | 1 prior Poss Weapon Dangerous | |
| New Offences (during FNC order) | No | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|--------------------------------------|---|
| Housing | Supportive Housing | Homeless, then in Supportive Housing | Support Wkr seeking alternate housing |
| Income Source | Income Assistance | In place | No change |
| Education | Under Grade 12 | No change | No change |
| Health | N/A | | |
| Mental Health | Doctor | No change | No change |
| Counselling | Individual Counselling | No change | No change |
| Substance Use Resources | N/A | | |
| Family Connection or Reconnection | N/A | | |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | | Slowly gain trust and engage - fearful client |
| Other | Personal Effects | | Support wkr, PO, VATJSS help resources |

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Client #16: Background and Healing Plan Summary

Client is a vulnerable female in her mid-twenties with complex, multiple mental health and cognitive functioning needs. Client is fearful, anxious and distrustful of system. She was in the foster care system and her child has been in care since birth. Client is First Nations but there does not appear to have any connection to her community or culture. She bears the inter-generational impacts of colonialism and residential school as evidenced by: poverty, anger, abuse, substance use, family disruption and dysfunction, foster care, homelessness, separation from culture and spirituality, trauma, low education level, mental health and health issues. Client first appeared in First Nations Court on April 7, 2022. Very little is known about the client.

During her sentencing, the client benefitted from interaction with the Elders and teachings of the Medicine Wheel. As part of her healing plan she is to report to the FNC for regular reviews, report to a probation officer, connect with FNC Liaison Worker, counselling for trauma, mental health, substance use, anger management, parenting and life skills. Client is slowly engaging in her parts of her healing plan by utilizing a creative team collaborative approach for probation supervision outside of traditional offices or at FNC reviews and through interactions with other supportive team members, Indigenous FNC Liaison, Gladue after care Support Worker, 1-1 Support Worker, and MPA MH Court Worker.

CLIENT #17

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|---|--|
| FNC Start Date | 2019.08.16 | |
| Offence(s) | Theft Under x 2 | |
| Bail Order | Yes | |
| Order Type (sentence) | Probation | Sentenced 2021.11.15 |
| Length of Order | 1 Year | |
| Criminal History | Prostitution, Breaches, Property Offences | Dates back to 2006, consistent offending |
| New Offences (during FNC order) | No | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|---|
| Housing | Homeless | Homeless | Homeless, referred to Supportive Housing |
| Income Source | Income Assistance | No change | No Change |
| Education | Grade 12 | No change | No Change |
| Health | N/A | | |
| Mental Health | Forensics | | Forensic out patient services |
| Counselling | N/A | | |
| Substance uses Resources | Day Program | No | Clinic for methadone |
| Family Connection or Reconnection | Children | Off and on connections | Regular connection with children and mom |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | | FNC, Elders and Indigenous Support Worker |
| Other | | | |

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Client #17: Background and Healing Plan Summary

Client is a female in her late forties with street entrenched substance use history. Client is First Nations through her grandfather who was French Cree but she had little connection to her culture or spirituality. Client's family members have been impacted from colonialism and effects of residential school system; including substance use, poverty, abuse, family disruption and dysfunction, family member incarcerated, separation from culture and spirituality, trauma, and low education level. Client has been involved in an abusive and dependent, intimate relationship. Client first appeared in First Nations Court on August 16, 2019 on a bail order. FNC involvement assisted with improving her probation attendance.

During her sentencing, client benefitted from interaction with the Elders and teachings of the Medicine Wheel. As part of her healing plan she is to report to the FNC for regular reviews, report to a probation officer, connect with FNC Liaison Worker, explore Indigenous culture and spiritual practice, counselling for trauma, substance use, anger management, respectful relationships, and for Forensic Services. Client was successful in engaging in her parts of her healing plan. She attended regularly for probation supervision, FNC reviews and Forensic Outpatient Services appointments. It is not known if she actively utilized the Medicine Wheel teachings outside of FNC but access to this court definitely served as a loving embrace for her and encouraged and maintained a distance from her former abusive partner. On August 25, 2022, her order was terminated and she participated in a graduation Blanket Ceremony with the Elders of FNC where she was welcomed back into the community and the blanket will always provide her with a reminder of her success and restored with the community.

CLIENT #18

CLIENT & OFFENCE DETAILS

| | |
|---------------------------------|---|
| FNC Start Date | 2019.11.14 |
| Offence(s) | Break and enter with intent to commit offence |
| Bail Order | Yes |
| Order Type (sentence) | Probation |
| Length of Order | 2 Years 2020.10.01 |
| Criminal History | Utter threats, breach of probation, (IPV) assault |
| New Offences (during FNC order) | No |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|--|
| Housing | Supportive Housing | Yes | No change |
| Income Source | Income Assistance | Regular income assistance | Working towards disability assistance/ PWD |
| Education | N/A | Information not available | Community health centre |
| Health | Clinic & Doctor | No | |
| Mental Health | Doctor & Clinic | No | Forensic psychiatric services |
| Counselling | Individual Counselling | No | Counsellor at community health centre |
| Substance Use Resources | Individual Counselling | No | Indigenous substance uses outpatient |
| Family Connection or Reconnection | Children | No | Seeking legal help for child in care for visitation |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | FNC, FNC Elders, FNC Indigenous Support Worker, indigenous medicines |
| Other | | | |

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Client #18: Background and Healing Plan Summary

Client is early 40's female with substance use history and involvement in sex work. Client is from an eastern Canada First Nation and American tribe. It is unclear if client or client's parents attended residential school. Client reports experiencing abuse in all forms during upbringing. Client has one child that resides with the father, and client does not have access to child or visitations. Client in perpetual lifestyle of substance use.

Client sentenced with healing plan including return to First Nations Court for reviews and counselling and programming as directed. Client did not attend reviews in person at First Nations Court due to COVID-19 and suffering with health issues. Client remained in contact with First Nations Court Indigenous support worker, but was inconsistent with reporting to probation officer but this improved with staffing change. Client was inconsistent in accessing services although a struggle with stability was identified as a barrier to follow through on referrals to Indigenous substance use outpatient and individual counselling. To client's credit, there was good follow up with forensic psychiatric services.

CLIENT #19

CLIENT & OFFENCE DETAILS

| | | | |
|---------------------------------|---------------------------------------|---------------------|--|
| FNC Start Date | 2021.04.13 | | |
| Offence(s) | Possession for purpose of trafficking | | |
| Bail Order | No | | |
| Order Type (sentence) | N/A | Pre-sentence review | |
| Length of Order | N/A | 2022.09.22 | |
| Criminal History | No criminal history | | |
| New Offences (during FNC order) | No | | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|------------------------------|--|
| Housing | Homeless | Couch surfing | Supportive housing |
| Income Source | Unemployed | Employment insurance | Student |
| Education | College | Grade 12 and Trades | College/substance use worker program |
| Health | Doctor | Yes | No change |
| Mental Health | N/A | | |
| Counselling | Individual Counselling | No | Indigenous clinical counsellor |
| Substance Use Resources | Indigenous Therapist | No | Indigenous clinical counsellor |
| Family Connection or Reconnection | Children | Yes | No change |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | FNC, FNC Elders, FNC Indigenous support worker, Indigenous medicines |

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Client #19: Background and Healing Plan Summary

Client is under 40 male with substance use history and anxiety, depression, addictive personality and autism spectrum disorder diagnosis. Client is Indigenous from Manitoba, Canada. Client's mother and maternal grandparents attended residential school and suffered the effects of the residential school system including: trauma, substance use, distrust of systems, poverty, family disruption, separation from culture and spirituality, and family members in the generations after also felt the effects. Client experienced dysfunctional family dynamics and adverse childhood experiences throughout childhood. Client's father became involved with gangs and was in and out of jail until murdered when client was a young adult. Client's mother suffered with substance use and became involved in prostitution to support substance use. Client started using alcohol and drugs while a teenager, but reports alcohol is the main issue. Client was injured in vehicle and work related accidents which prohibits client from continuing in trade industry and causes chronic pain. Client used alcohol and substances to alleviate pain. Client's offence is related to substance use to cocaine and crack cocaine.

Upon entry into First Nations Court program client was sober from alcohol and substances, residing with two children and mother, although separated from the mother. Client and mother of children remained in one household for betterment of children. Client entered First Nations Court with no prior criminal history. As the client addressed substance use issues and had no criminal record, Crown Counsel willing to allow client to remain on pre-sentence reviews, if client does well charge will be withdrawn. Client started working with First Nations Court Indigenous support worker immediately after entering program. Client was eager to start healing plan, and was referred to housing, educational, and indigenous clinic counsellor services. Client also worked 1-to-1 with two Elders of First Nations Court and attended all review hearings. Client entered and completed substance use worker program and started working as peer support in community where they reside during engagement with First Nations Court. Client also advocating for harm reduction services in their community. Client blanketed and graduated from First Nations Court, charges withdrawn, and client is now fulfilling practicum obligation for the substance use worker program.

CLIENT #20

CLIENT & OFFENCE DETAILS

| | | |
|---------------------------------|---------------------|------------|
| FNC Start Date | 2021.04.13 | |
| Offence(s) | Assault | |
| Bail Order | Yes | |
| Order Type (sentence) | Probation | 2021.07.29 |
| Length of Order | 2 Years | |
| Criminal History | No criminal history | |
| New Offences (during FNC order) | No | |

CLIENT RESOURCES

| RESOURCE CATEGORY | RESOURCE TYPE | PRIOR TO FIRST NATIONS COURT | DURING TIME IN FIRST NATIONS COURT |
|-----------------------------------|---------------------------------|---|--|
| Housing | Rental housing | Subsidized housing | No change |
| Income Source | Income Assistance | Yes | No change |
| Education | N/A | Information not available | |
| Health | Clinic & Doctor | Yes | No change |
| Mental Health | N/A | | |
| Counselling | Individual Counselling | Indigenous counsellor | No change |
| Substance Use Resources | Indigenous Program | Indigenous substance use outpatient and Indigenous trauma program | Graduated from program |
| Family Connection or Reconnection | Children | Children in care | Children returned to client |
| Cultural & Spiritual Connection | FNC & Indigenous Support Worker | No | FNC, FNC Elders, FNC Indigenous support worker |
| Other | | | |

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Client #20: Background and Healing Plan Summary

Client is early 30's female with substance use history with alcohol and cannabis and ADHD diagnosis. Client is from a First Nation near Pemberton BC. Client's maternal grandmother and maternal great grandparents attended residential school and suffered the effects of the residential school system; trauma, substance use, distrust of systems, poverty, family disruption, separation from culture and spirituality, and family members in the generations after also felt the effects. Client was raised by her young mother as single parent, moved a lot, and experienced substance use and poverty within the home. Client expressed witnessing violence and suffering abuse during upbringing. Client resided with maternal grandparents off and on, but had access to culture and community through them. Client has two children and is pregnant with a third child. Client shows understanding and remorse for offence, which is the assault against client's eldest child.

Upon entering First Nations Court program client had completed an Indigenous trauma program, parent programming, and sought counselling through three Indigenous substance use and counselling programs, one of which client has graduated from. Through engaging and completing programs, and addressing substance use issues, client gained full custody of children before sentencing at First Nations Court. Client is working on repairing relationship with children and is using tools learned through programming. Client's healing plan includes attend court hearings for reviews, attend counselling and programming as directed, and completing 50 community work service hours. Client has benefited from working with Elders of First Nations Court, both in court and 1-to-1, and the First Nations Court Indigenous support worker. Client continues to engage in counselling, but has scaled back on programming as now has full custody of children. Client has completed majority of community work service hours, however, remaining hours have been terminated as client is nearing third trimester of pregnancy.

4

ANALYSIS

CLIENT AND COMMUNITY OUTCOMES

The client summaries demonstrate the traumatic histories of Indigenous people appearing before the court and how participation in NWFNC assists clients in healing and improving their overall wellness in addition to addressing specific factors that led to their offending. As clients are disconnected from their home communities and come from all over BC and other parts of Canada, they require help in learning about their history and their culture. All clients benefited from working with the Elders and being encouraged to connect with their culture and spirituality. Some clients spent time with an Elder in the community where they were provided with additional support, and participated in cultural practices.

NWFNC has a number of Indigenous service providers that have become involved with the court. Some are not able to attend each court sitting as time to attend court is not specifically provided for as part of their duties. The ability of clients to access these wrap around services is improved through the relationship with the Client Liaison Worker who is able to identify and remove barriers.



Blanketing ceremony at New Westminster First Nations Court (client depicted is not one of the twenty described in this report)

RECONNECTING WITH CHILDREN



For 7 of the 20 clients considered in this report, their participation in NWFNC resulted in re-establishing contact with their children. The client's work on their healing plan along with assistance from the Client Liaison Worker in working with the MCFD led to significant changes. This includes clients who had no contact with their children now having visits and being regularly involved in the lives of their children. In the case of client #20, participation in NWFNC supported the work the client was doing to have her children returned to her care.

HOUSING



Nine clients experienced significant improvements in housing as a result of participation in NWFNC. Prior to their participation, these clients were either homeless, living in a shelter or "couch surfing". With the assistance of the supports associated with NWFNC and as part of their healing plan, these 9 clients were able to move to supportive housing, independent living, or returned to living with family.

COUNSELLING AND TREATMENT



All Clients participated in at least one type of counselling as part of their healing plan while in NWFNC. Of the 20 clients considered for this report, 12 received services for mental health issues, and 17 participated in individual counselling (eg. trauma counselling). Almost all clients have a long history of substance use and 17 clients participated in substance use counselling including attending detox, treatment centres, group and individual counselling. Another client was referred to substance use counselling but had multiple barriers that prevented them from participating.

NWFNC benefits from people associated with community services being able to attend court regularly. Clients are able to make a personal connection with someone while still in the courtroom, and confirm a date for a first appointment. This makes it easier for clients to follow through with getting services and participating in programs. For most of these agencies, attending NWFNC is extra work that is not funded and sometimes workers are not able to be in court and the ability to connect with the client is lost.

RECIDIVISM



Of the 20 clients considered in this report, 5 committed new offences while participating in NWFNC. Each of these clients has suffered significant childhood trauma, and chronic substance use and each have several prior convictions. One client has a brain injury and two have been diagnosed with Fetal Alcohol Spectrum Disorder. Despite new offences these clients remained in NWFNC in an effort to assist clients in addressing past traumas, provide ongoing support and referrals to culturally appropriate counselling. The stability associated with participating in NWFNC assists clients in making appointments and participating in programs.

RECONCILIATION IN ACTION

As Indigenous communities work to restore and rebuild their justice systems, the Provincial Court aims to incorporate aspects of Indigenous justice, culture and practices into Indigenous sentencing courts. Since 2006 the Provincial Court has worked with local Indigenous communities to open 8 more Indigenous sentencing courts in Duncan, North Vancouver, Merritt, Kamloops, Prince George, Williams Lake, Hazelton and Lillooet.

While recognizing that these courts are within the colonial system, Indigenous stakeholders have commented on the positive impact that NWFNC has on reconciliation.

Indigenous stakeholders have observed that the inclusion of aspects of Indigenous justice and the participation of the Elders creates a space where clients learn to trust the court. As a result, clients feel safe in sharing information about

their lives and are receptive to accepting help. NWFNC is open to the public and there are often members of the client's family, service providers, members of the community or student groups who come to observe court. Everyone attending NWFNC learns from hearing from the clients and the Elders about Indigenous culture and the impact of colonization on Indigenous people.

The impact of NWFNC predates the Calls to Action from the 2015 Truth and Reconciliation Commission and the language of "reconciliation" becoming part of the Canadian dialogue. NWFNC continues to contribute to reconciliation through recognition of the harm caused by colonization, by taking a holistic approach to healing for clients and communities, and by providing an alternative to incarceration. Given the risk of death by overdose and suicide for some clients, NWFNC has also likely saved lives.

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Non-Indigenous stakeholders have commented that through their participation in NWFNC they have witnessed the multi-generation effects of colonization on the clients and their communities. This impacts reconciliation as non-Indigenous participants have gained better understanding of the importance of the holistic approach of the court and the importance of

earning the trust of clients. They also learn from the Elders and are able to put this into practise by taking a step back and ensuring that Indigenous culture, language, and tradition is respected and honoured in NWFNC. This has a ripple effect as the experiences in NWFNC are used in their work outside the court.

First Nation Court New Westminster is a testament to Reconciliation in action. This court models joint initiatives between Indigenous organizations, Indigenous Elders, the Crown, and various community partners working together as Allies in the best interest of the client and community. The Case Management wrap around model demonstrates the importance of ally-ship within colonial systems. The FNC model supports many of the Calls to Action for Justice, in addition to addressing issues such as poverty, education, mental health, addictions and most importantly reconnecting Indigenous people in British Columbia back to their culture and communities in order to heal.

Kim-Marie Rumley
A/Director of Court Services, NCCABC

ADDRESSING OVER-REPRESENTATION OF INDIGENOUS PEOPLE IN CUSTODY

NWFNC is having an impact on reducing the number of Indigenous people who are incarcerated. There has been an increase in the seriousness of offences referred to NWFNC in keeping with the policies of the Public Prosecution Service of Canada and BC Prosecution Service on sentencing in relation to Indigenous peoples. Serious offences such as robbery, aggravated assault and trafficking in narcotics are being referred by Crown to NWFNC. Where Crown in the lower mainland would previously have been asking for a custodial sentence, they are referring some cases to NWFNC and seeking either a term of probation or a Conditional Sentence Order.

Prosecutors view the participation of Elders, healing plans, referrals to Indigenous services, and client supports as important factors in reducing risk, resulting in a community-based, as opposed to custodial, sentence. The requirement for clients to attend court regularly for reviews increases the overall supervision of the client and their accountability while on bail, probation, or a conditional sentence order.

Of the 20 clients considered in this report, 7 received a Conditional Sentence Order followed by a period of probation. Offences include break and enter, assault with a weapon, and sexual assault. One client (#1) who did not have any prior convictions received a conditional discharge and the Crown withdrew the charge for two clients, who had done well on bail, prior to sentencing (see clients #13 and 19).

For all other clients the passing of sentence was suspended and they were placed on probation. The length of probation ranged between 9 and 36 months with most orders two-years in length. Probation orders may be longer than what would be imposed outside NWFNC but given their history of trauma and underlying issues, this amount of time is needed for clients to make lasting progress on their healing plans.

The probation officer attached to NWFNC reports that there are far fewer breach charges submitted for NWFNC clients as a result of the ability for the NWFNC team to intervene and help clients get back on track. Where clients live outside New Westminster, probation officers are able to use the information contained in the client's electronic community corrections file to learn about their participation in NWFNC and the components of their healing plan. This assists the probation officer in supervising the client while they work on their healing plan and if an issue arises, rather than proceed with a breach charge the probation officer will seek further information from the NWFNC team on how to support the client. This information sharing and appreciation of a client's history leads to fewer administrative charges and fewer Indigenous people being taken into custody.

LOOKING AHEAD

For many years in BC, Indigenous sentencing courts have played a significant and important role in reconciliation. These initiatives are typically community led with the court collaborating with these communities to develop a unique, holistic approach to sentencing that places the wellbeing and health of Indigenous people at the centre. This report details the positive impacts the court is having on clients and public safety while ensuring that the holistic approach utilized is community and wellness-centred to restore traditional community healing practices and balance and contribute toward reconciliation.

Looking ahead, the Provincial Court foresees increased demand for court time as the number of clients and seriousness of offences referred to these courts continues to increase.



Blanketing ceremony at New Westminster First Nations Court (client depicted is not one of the twenty described in this report)