



Podcast: Voices from the Field 34 – Decarceration and health – Part 4: the BC First Nations Justice Council

Description

Decarceration and health: Breaking down bars for systemic change is a mini-series within Voices from the Field. It explores the realities and impact of community-based justice alternatives, their connection to health, and what is needed to affect and inspire change and address the current injustices reflected in the over-incarceration of First Nations people, Inuit, and Métis people across the country.

Decarceration and health: Breaking down bars for systemic change – Part 4: the BC First Nations Justice Council. In this episode, we speak with Miranda Seymour, Mark Connelly, and Dr. Jason Webb from the BC First Nations Justice Council (BCFNJC). We explore the new BCFNJC pre-charge diversion pilot project in Prince George, BC, and its foundations in promoting healing, safety, and a sense of belonging among participants, through trauma-informed practices. We also review additional initiatives at the BCFNJC, and how communities can get involved to promote and restore health and justice in their community.

Bios

Jason Webb, PhD

Jason Webb, PhD, is a Senior Policy Researcher at the BC First Nations Justice Council. After earning a PhD in Sociology from York University, Jason completed a Post-Doctoral Fellowship at Wilfrid Laurier University in the Department of Criminology. Jason has extensive qualitative research experience in urban poverty and homelessness, which includes topics such as harm reduction, sex work, criminalization of poverty, and political economy. He recently completed a course on Canadian housing policy at McMaster University. Using a rapid ethnographic assessment in Prince George, BC, Jason designed the Circle of Courage pre-charge diversion program that led to a successful funding application to Public Safety Canada.



Miranda Seymour



Miranda Seymour is a policy lawyer. She was born in Prince George, BC and is a member of the Lheidli T'enneh Nation. She is a daughter of Laura Luth, granddaughter of the late Mary Gouchie, and great-granddaughter of the late Lisette Seymour. Miranda holds a Bachelor of Arts in Geography from the University of Northern British Columbia, a Juris Doctor from Thompson Rivers University, and a Master of Laws from Osgoode Hall Law School. Miranda was called to the British Columbia Bar in 2015 and prior to joining the BC First Nations Justice Council, spent 8 years in private practice, mostly in the area of wills and estates. Miranda is honoured to have the opportunity to be a part of the transformative work of the BC First Nations Justice Council and was excited to join the team in December 2023.

Mark Connelly



Mark Connelly has been hired as the Associate Director of Northern Diversion and Healing to lead the Prince George pre-charge diversion center pilot project. Mark is from Sto:lo Nation, Coastal Salish from Seabird Island on his maternal side and settler on his paternal side, but grew up and has lived in Prince George since he was two years old. Mark has his Master of Social Work focused on improving trauma-informed practices for Indigenous Peoples through the lens of the neurobiology of trauma, adverse childhood experiences, and attachment theories. He has experience in healthcare and has worked with Indigenous youth in acute mental health and substance use facilities.

Andrea Menard



I am a Métis individual associated with the Otipemisiwak Métis Government and work on Treaty 6 lands in amiskwaciwâskahikan (Edmonton). Originally, my family hailed from the now-dissolved Red River Settlement within Treaty 1 territory. Our Métis lineage bears the surnames Bruneau, Carrière, and Larocque.

I am humbled to have been recognized as one of the Top 5 Most Influential Lawyers of 2023 by CIO Times and as one of the Top 25 Most Influential Lawyers of 2022 by Canadian Lawyer Magazine. These



accolades reflect my deep commitment to partnering with Indigenous nations across Treaties 4, 6, 7, 8, and 10, including collaborations with the Otipemisiwak Métis Government.

My personal journey as a Métis individual informs my ambition to reform academic and legal workplace policies through the inclusion of Indigenous laws, enriched by my PhD studies in Social Dominance Theory and Legal Pluralism at Royal Roads University in the Doctor of Social Sciences program.

As a sessional law instructor at the University of Calgary's Faculty of Law and at Osgoode Hall Law School, I develop and teach innovative courses such as "Reconciliation and Lawyers" (LAW 693) and "In Search of Reconciliation Through Dispute Resolution" (ALDR 6305). In addition, I serve as the Lead Educational Developer for Indigenizing Curricula and Pedagogies at the Centre for Teaching and Learning at the University of Alberta.

Denise Webb



Denise Webb is a Research Associate with the National Collaborating Centre for Indigenous Health. Denise holds a Master of Science in Health Services Research, with an emphasis in health policy and specialization in Indigenous health, from the Institute of Health Policy, Management, & Evaluation at the University of Toronto. Her research focuses on the intersection and relation between health policy and First Nations, Inuit, Métis public health. Denise is of Irish and Scottish settler ancestry and is an aspiring ally, working toward informing the decolonization of health systems and policy research.

Transcript

Denise Webb: Welcome to Voices from the Field, a podcast series produced by the National Collaborating Centre for Indigenous Health. The NCCIH focuses on innovative research and community-based initiatives promoting the health and well-being of First Nations people, Inuit, and Métis people across Canada.

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Denise Webb: Hello and welcome to *Decarceration and Health: Breaking Down Bars for Systemic Change*, a mini-series within Voices from the Field. My name is Denise Webb. I'm of Irish and Scottish settler ancestry and live as a guest on the unceded traditional territory of the Lheidli T'enneh here in northern



British Columbia, and work as a Research Associate with the National Collaborating Centre for Indigenous Health. I'll be co-hosting this mini-series alongside Andrea Menard.

Andrea Menard: Hello, tânsi, bonjour, everyone. And thank you, Denise. I am a Métis, anticolonial legal scholar originally hailing from the Red River Settlement, where my families last names are Bruneau, Carrière, and Larocque. I am also a card-carrying member of the Otipemisiwak Métis government, or the government of the Métis Nation within Alberta, and I currently reside on the unceded lands of Treaty 6 and Métis Nation Homeland Region lands.

I have over two decades of experience working in law, government, legal non-profit, legal academia, and legal regulatory sectors, and I have built relationships across what is now known as Canada with Indigenous nations, organizations, and individuals, as well as with non-Indigenous professionals and academic partners, where we collaborate on a number of decolonizing and reconciliation programs and initiatives.

Denise Webb: Thank you, Andrea. *Decarceration and Health: Breaking Down Bars for Systemic Change* builds off a report I completed that was published by the National Collaborating Centre for Indigenous Health in 2024, titled *Barred: Over-incarceration of Indigenous People in Canada's criminal legal system, the health implications, and opportunities for decarceration*. The report was intended to help inform the public health crisis pertaining to the over-incarceration of First Nations, Inuit and Métis people in Canada's criminal legal system. It also explores avenues to decarceration through community-based justice alternatives, including diversion programs, Indigenous courts, and Indigenous-lead healing lodges.

Over incarceration has both immediate and far-reaching negative health impacts, and is a determinant of health. This podcast mini-series is an opportunity to listen and learn from experts in the field and those with lived experiences working in the criminal legal system, about what changes are needed, and how Indigenous laws and legal principles can be respected and upheld to support Indigenous-led and distinct justice systems.

I am incredibly thankful to Andrea, who graciously agreed to support the NCCIH by leading and guiding this mini-series; for sharing her knowledge, legal expertise, and passion for this topic. It is an honour to have you here, Andrea.

Andrea Menard: No problem, Denise. It's a pleasure to be here co-hosting with you as we both interview some fantastic people involved in breaking down systemic barriers, and leading transformative changes within the criminal legal spheres that are not well understood or known of right now.

So, I appreciate the space that the NCCIH has given to this important podcast. My aim is to build momentum through learning what others are doing, and moving things forward in a good way.



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Denise Webb: In this episode, we speak with Miranda Seymour, Mark Connelly and Dr. Jason Webb from the BC First Nations Justice Council, or BCFNJC. We learn about innovative initiatives at the BCFNJC that are working to decolonize the criminal legal system and provide culturally safe decarceration approaches for First Nations people across BC. We learned how these approaches are intimately connected to supporting optimal health and well-being and addressing the social determinants of health.

Andrea Menard: In the first half of the episode, we explore the new Pre-Charge Diversion Pilot Project in Prince George, BC. We learn about the program's development and its foundations in promoting healing, safety, and a sense of belonging among participants through trauma-informed practices and meeting participants where they're at.

The second-half reviews additional initiatives at the BCFNJC and how communities can get involved to spark change in their community to promote and restore health and justice.

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Denise Webb: Welcome, Miranda Seymour, Jason Webb, and Mark Connolly to this podcast miniseries. Thank you all so much for taking the time and joining us to share your expertise and talk about the work of the BC First Nations Justice Council and its Diversion Program, amongst many other programs and initiatives. It's an honour and so exciting to have you all here.

I'm wondering if you could first please introduce yourself to the listeners, and tell us about your background and your role at the BC First Nations Justice Council? Miranda, maybe you could start?

Miranda Seymour: Hello, my name is Miranda Seymour. I was born and partly raised in Prince George, and partly raised in Calgary. I am a member of the Lheidli T'enneh Nation, which is a First Nation here in BC made-up of over 800 band members, and its traditional and unceded territory covers all of the city of Prince George and eastward, all the way to the Alberta border, and as far to the west and to the south, until we meet up with neighboring nations completely. Lheidli T'enneh means 'the people from where the two rivers meet', which is a reference to the Nechako and Fraser rivers. I traced my ancestry through my mother, Laura Luth, through my late grandmother, Mary Gouchie, and through my late great grandmother, Lisette Seymour.

In terms of my education, I received my Bachelor of Arts and Geography from the University of Northern British Columbia, a Juris Doctor from Thompson Rivers University, where I was part of the first law class, and actually our class just celebrated our 10-year reunion this year. And I also have the Master of Laws, from Osgoode Hall Law School.



I was called to the bar in BC in 2015, and prior to joining the BC First Nations Justice Council, I practiced for about 8 years, mostly in the area of wills and estate. But over that time, I kind of had been following the growth of the BC First Nations Justice Council and was just so glad to join the organization in December 2023. I work on the policy team as a policy lawyer, and outside of work and school I'm an animal lover, and right now I have two very old puggles, brother and sister puggles named Kootenay and Kennedy.

I just wanted to make a quick note that myself, Mark, and Dr. Webb are staff with the BC First Nations Justice Council, and I'll mention a little bit later that the Justice Council is comprised of a 6-member Council. So, we don't represent the views of our Council, and we are not speaking on behalf of our Council today, but rather, we're speaking in our capacity as staff with the BC First Nations Justice Council.

Jason Webb: Good morning everybody. My name is Jason Webb. I'm a Senior Policy Researcher with the BC First Nations Justice Council. I started in this role in February 2023, originally as a Contractor to design the pilot that we'll be talking about today, and then I became permanent full-time just shortly after the new year.

My background is that I have a Doctorate in Sociology from York University. After that I did a Postdoctoral Fellowship at Wilfrid Laurier University in the Department of Criminology. We're still going through that data, and my contribution to it, my first publication, got an R&R recently from the *International Journal of Homelessness*. My background is largely in the criminalization of poverty and homelessness in Canada. I often look at theories of alienation and marginalization, and postindustrial societies. So that means that I'm looking at a lot of theories on ideologies of citizenship. I also have a very strong background in community-based ethnographic research, which we'll talk about a little bit today, that informed the pilot.

And I'm a British settler, my family's been here for a short time. And I currently work and reside in Toronto, Ontario, which is covered by Treaty 13 as well as the Dish with One Spoon Treaty. And I'm very happy to be here and looking forward to our conversation.

Mark Connelly: Hello everyone. My name is Mark Connolly. I have been hired on as the Associate Director of Northern Diversion and Healing with BC First Nations Justice Council. I started here on May 6, so I'm just coming up to my four months, so I'm still a relative newbie within the organization.

I did my Undergrad and Masters at UNBC in Social Work, really focusing on trauma-informed practices with Indigenous people and how we can improve those trauma-informed practices within our current healthcare system. So stepping over to the criminal justice side of things, I thought it was going to be quite difficult, but sadly there are a lot of close correlations between the disparities of Indigenous people in our criminal justice system and within healthcare, so a lot of that language transitions quite naturally.



My background before social work; I was a chef and general manager with Earl's Restaurants for about 20 years, so I think that's how I got this position – was just my managerial experience to support the development of our Diversion Center here in Prince George.

I am Coastal Salish from Sto:lo Nation on my mother's side from Seabird Island, just outside of Agassiz, and on my father's side I am Irish and German settler side. So I live and reside on the traditional territory of the Lheidli T'enneh. I moved here when I was two, so I essentially say I was born and raised in Prince George, so I know the disparities our community has faced and have lived and grown on this land. So, coming with the experience of working with people in the service industry, and then social work and in healthcare; it's the lens we need to, you know, support the Justice Council here in BC.

Andrea Menard: Can you please provide a high level overview of the BC First Nations Justice Council, including how the Council was formed, its mandate, goals, etc.?

Miranda Seymour: Yes. So I'll start. I'll give just a brief overview of how the Justice Council was formed, and then I'll pass it over to Dr. Webb to talk a little bit more about the Justice Council.

So, the BC First Nations Justice Council was formed in 2015 through resolutions made by the First Nations Leadership Council, which is comprised of the BC Assembly of First Nations, the First Nations Summit, and the Union of BC Indian Chiefs. The Justice Council receives its mandate from the Chiefs of BC, and we represent the 204 BC First Nations in justice related issues. And it's in an effort to bring about change in the justice system, which includes working to decrease the number of Indigenous people in prison and the number of Indigenous children in care.

So in 2017, the BC First Nation Justice Council entered into Memorandum of Understanding [MOU] with the province of BC, with the ultimate goal of developing a provincial Indigenous justice strategy. In 2019, the Justice Council held its first BC First Nations Annual Justice Forum, and it was during that forum that the BC First Nations Justice Strategy was formed. The Strategy, which ultimately came together after numerous consultations and meetings with First Nations leadership, contains 25 individual strategies and 43 corresponding lines of action, and these were designed to reform the justice system in BC so that it's safer for Indigenous people, as well as to further the restoration of First Nations justice systems and legal traditions. Since 2015, the Justice Council has grown quite a bit. In 2023, the Justice Council entered into an MOU with the Government of Canada. It's expanded its network of Indigenous Justice Centers across the province and gone from a small team of dedicated employees to over 100 people.

So today we continue to work with Indigenous peoples, leaders, organizations, service providers, and justice partners to implement the justice strategy in BC.



Jason Webb: Thank you, Miranda. So I'll begin here: in February of 2020 the BC First Nations Justice Council released the BC First Nations Justice Strategy, and this is the document that we all work from and that we are trying to realize. So the BC First Nations Justice Strategy is made-up of 25 strategies, and under those strategies, we have 43 lines of action.

Very much what our project, this pilot, is a part of is Strategy One. And Strategy One is the inclusion of, or including the presumption of diversion for Indigenous people who are involved at all levels in all of the criminal legal system. So that includes with law enforcement, with courts and with corrections, and with post-release initiatives as well. And the pilot is very much a reflection and a realization of Strategy One.

Denise Webb: Awesome, thanks to you both. There's a lot going on, and I'm so excited to get into it.

So, I want to know a little bit more about the types of programs and initiatives that exist within the BC First Nation Justice Council, or the Justice Council, including the Indigenous Justice Centers that you had mentioned there, Miranda. Can we have another kind of overview of the types of programs that exist?

Miranda Seymour: Yes, absolutely. As mentioned earlier, the Justice Council is guided by a strong Council which is comprised of six Directors. Currently the Directors are Kory Wilson, Chief Lydia Hwitsum, Clifford White, Andrea Hilland, Boyd Peters and Dr. Judith Sayers. We also have a network of Indigenous Justice Centers, or IJCS for short, across the province. Currently there are nine physical IJCs in operation in Prince George, Prince Rupert, Merritt, Chilliwack, Vancouver, Victoria, Nanaimo, Kelowna, and Surrey, as well as one virtual IJC which services the whole province. We also plan to stand up a further six physical IJCs before the end of 2024. With these additional IJCs, we hope to serve some of the more remote and underserved areas of the province, and then still of course, the one virtual IJC.

So another program and initiative that we have has to do with Gladue services. So, in 2021, the Justice Council assumed responsibility for the administration and management of Gladue services from Legal Aid BC. This included the delivery of high quality Gladue Reports and improvements to Gladue writing, and education about Gladue. For example, on July 4th and 5th of this year, in partnership with the Continuing Legal Education Society of BC, the Justice Council delivered two days of education and training in Gladue, and if I'm not mistaken, the recordings and materials from that training can be accessed for free on the CLEBC's website.

The next program is Legal Aid. So similar to Gladue services, the Justice Council is working to transition Legal Aid services in BC for Indigenous people from Legal Aid BC to the Justice Council. So currently the Legal Aid Transition Team is working to develop a legal aid model that is innovative



and holistic, and one that's vastly different from the current colonial Legal Aid model, so that it provides more effective and more culturally-informed legal aid services for Indigenous people in BC.

So, all of the work that the Justice Council does is about listening to and capturing the many voices from the many communities across the province. So from September 2023 to January 2024, the Legal Aid Transition Team traveled throughout the province to conduct 36 in-person meetings and three virtual engagement sessions, where they spoke with Indigenous people, justice service providers, and legal professionals. The discussions and all of the feedback were compiled into a report which can actually be found on our website under the 'About Us' tab under 'Reports and Publications.' So the plan is that this report, as well as some possible small pilot projects, will lead to the formation of the model of Legal Aid services that the Justice Council will administer for Indigenous people in BC.

Another initiative has to do with education. So this comes from our Strategy 20 of our Justice Strategy, and it calls for the development of standards of cultural competency and training programs for all those who interact with Indigenous people in the justice system. So much of this work is still in its initial stages, but the plan is to develop cultural competency standards which ensure that those working in the justice and policing fields are educated in things like cultural safety, the impacts of colonization, and how they might play a role in progressing reconciliation and Indigenous well-being.

The final program and initiative on my list – although not the final program and initiative that the Justice Council is working on – has to do with what we call Tracking Justice, and this is found under our Strategy 16 of the Justice Strategy, where we've put in a requirement that we track the progress and impact of the Justice Strategy. So, if you go to the Justice Council website, under the 'Justice Strategy' tab, and click on 'Tracking Justice', you'll be taken to an interactive page where you can click on each of the 25 individual Strategies and see the work that's being done to further each strategy. Tracking Justice was rolled out at our 2024 Justice Forum this year, and it's meant to be a public accountability tool that will foster transparency by making the information on the progress of the justice strategy available to everyone. So, Tracking Justice can be accessed not only by the Justice Council, but also by Indigenous people and by our government partners.

So something that I think was pretty neat about Tracking Justice is that the Justice Council worked with a design agency called MetaLab to develop Tracking Justice, and MetaLab provided all of their time and expertise pro bono. And it's also neat, I think, that this is a form of storytelling. It's being done in a modern way, but ultimately this is a way for us to share our stories with everyone.

Andrea Menard: So, let's move on to the Prince George Pre-Charge Diversion Program. And this question is for Mark Connelly. What is the Prince George Pre Charge Diversion Program, and how does it work?

Mark Connelly: Thank you. I just want to start off by saying that we're like the Prince George's Diversion Program, also known as the PG Pilot, within BCFNJC, is actually coming from federal



funding, where a lot of the rest of BCFNJC is provincially based. Where I am this subdivision of BCFNJC funded through Public Safety Canada, and Northern and Indigenous Crime Prevention Fund directly in our response to support our Track One in the presumption of diversion.

So the Prince George Pre-Charge Diversion is really designed to simplify, to divert Indigenous people away from the criminal justice system. So what we're really looking at in our partnerships is at that point of contact within the criminal justice system, which we see as interactions with the RCMP, is being able to divert those people directly into social service mechanisms. So we have a multitude of social services here in Prince George from Northern Health, Central Interior Native Health Society, which directly works with street-entrenched individuals, Lheidli T'enneh, Carrier Sekani, Prince George Urban Aboriginal, and many more resources doing great work on the street. So we're not looking to duplicate services as far as the social work perspective goes, it's really based on almost wanting to act as a social service hub to keep these individuals on the street that continually interact with the criminal justice system – having a place to go at that point of contact where RCMP officers can directly bring those individuals to the Diversion Center here in Prince George.

Denise Webb: And so, Mark, we're also wondering why Prince George for the program, and what is the program setting out to do?

Mark Connelly: Prince George was picked by the research and work of Dr. Jason Webb here on the podcast, who researched many different communities, but really saw what was happening here in Prince George, BC – and for those of us here in Prince George, if you drive downtown, you kind of see the epidemic of street-entrenchment, substance use concerns. And for business owners downtown, we see what is happening as far as criminal Justice, City bylaw, RCMP interactions, which we are leading in many of these categories in very sad ways. Where in our research, just with Prince George Corrections, we have 85% Indigenous population, where the national average is about 46%. So, we are almost doubling that as far as Indigenous populations involved with the criminal justice system. And our downtown core has a higher population of youth that are street-entrenched, and in those populations, there's a higher percentage of female identifying on the streets of Prince George. So, Prince George was picked for the epidemic in this situation we find ourselves in.

And so the program is really setting out, in the grand scheme of reforming the criminal justice system, is reducing recidivism within Indigenous populations, and reducing the number of Indigenous people within the criminal justice system. But for the Diversion Center, it'll just have to be those small wins for social services to support people to live a healthier lifestyle in a holistic way.

Andrea Menard: Thanks, Mark. I think the Diversion program is really important because it gets people out of being charged again and again and again. So I think that's great news. I was part of a Diversion program for youth here in Edmonton with the Edmonton City Police, so it's nice to also see a Diversion program for adults. Is that right, it's for adults as well as youth?



Mark Connelly: We'll be looking at all age ranges and not just focusing on Indigenous populations, like our case management. Because we are BCFNJC, it will be Indigenous populations, but we will be supporting anyone that comes to our center and diverted away from that criminal justice system.

Andrea Menard: That's great. OK, so Dr. Webb, what went into the development of the program?

Jason Webb: So my background is in qualitative research, specifically community-based ethnographic research. Because I come from the position that the best way to understand any kind of social or justice issues in the community is to talk to the people who are most affected by it, and talk to the people who are most engaged, in remedying those problems in the community, right? That doesn't necessarily mean that I won't talk to police officers, but in this particular case, I didn't. My main focus was talking to the folks who were in the encampments and on the streets of Prince George, as well as service providers and Indigenous organizations that work within the downtown area.

So, because we had budgetary constraints and time constraints, we needed to get a proposal out as quickly as possible. So after much mulling and talking to friends and colleagues, it was decided that I would do what's called a 'Rapid Ethnographic Assessment.' It's a technique that has been used in the United States in healthcare and other areas. For example, what they would do is that if there was an outbreak of an STI within a community, they would bring in ethnographers to hang out with folks who are most affected by it to understand where the transmission originated, and what are the best practices in order to keep it under control. It's a really, really effective technique of just getting a sense of what's happening on the ground, and what's happening with service organization.

So for a couple of weeks I was a guest in Prince George, and it was kind of divided into two halves: the first half was spending time on the street. At the time this was in 2023, so there was two major encampments in Prince George, the first being Moccasin Flats, and the other one was on 1st and George Street. And so, I spent some time there speaking with people as well as folks who were on anywhere from 1st to 3rd Avenue on Prince George. That's where a lot of the service organizations are located, so I spent some time hanging out with folks there. And then I had both in-person and virtual meetings with service providers. From that I was able to sort of collect field notes and do a formal analysis. And that's where the proposal came out of was from those interactions and learning what was needed.

But I think at the end of the day when we look at Prince George specifically, it's very much a systems-based problem right? So, in Prince George it's considered to be the 'Hub of the North,' it's the largest city in the north and a lot of folks come from remote communities to access services, or to visit family. And as well that Prince George is very close to the provincial correctional centre, so the Prince George Regional Correctional Centre. So people are released and then they are effectively trapped in downtown Prince George because it's very expensive and very inaccessible to get anywhere, to get home. So a lot of people get stuck. There's a lot of other reasons why, but that is the main cause of it.



So I think when I was designing this pilot, what I really wanted to do was a, to create a safe environment for folks on the street that was – the key is that there needs to be a safe, culturally appropriate space for people, because the streets aren't safe. And the other one was to – there's this concept, the idea of ontological security, and that's a very fancy way of saying that if people have a sense of who they are and where they belong, then that's crime prevention. Ontological security is crime prevention. If people have that sense of belonging in who they are, then I think having that connection to community is so, so important [...] I've been studying homelessness for over a decade, and one thing I can really say is that we can talk about the health disparities, and we can talk about criminalization, but I think for me, I'm very much interested in how homelessness is an extreme form of social marginalization. And when we look to the work of Jesse Thistle and his work on Indigenous homelessness, and for Indigenous people experiencing homelessness, it's more than just being unhoused, but it's also a disconnect to land and spirit and community. And I think that is definitely a byproduct of colonial violence. And I think that's what I was trying to design with this pilot, is not just necessarily giving people a space, but also giving people an opportunity to reconnect with some kind of community, even if it's a temporary one.

Denise Webb: Thank you, Dr. Webb. It's so interesting to hear about just the principles that went into this Diversion program, and how that makes it so much more meaningful; principles of safety and sense of belonging. It's incredible.

So my next question is for Miranda: I'm wondering if you can tell us what sorts of partnerships exist within the program?

Miranda Seymour: Yes, some partnerships have been established, while others are growing, and some still need to be formed. And while all partnerships are important for the success of the program, there are a couple of main ones.

So the first one is the Lheidli T'enneh Nation, which includes Lheidli T'enneh Chief and Council, and the Lheidli T'enneh Elder Society. Since this program will take place, and a physical Diversion Center will be situated on Lheidli T'enneh Territory, it's extremely important to make sure all things associated with this program are done in a good way, and especially to make sure that we respect and follow any local traditions and protocols. To date, we've had a couple of meetings with the Lheidli T'enneh Chief and Council, and we have had one meeting so far with the Lheidli T'enneh Elder Society, and we want to do all we can to consult with them, keep the lines of communication open, and involve them as much as they want to be involved for the Justice Council. It's about doing things in a different way and in a better way than has been done in the past. And I personally feel super fortunate to be living here in Prince George, and being a member of the Nation while this program is being started here on Lheidli Territory.

The other main relationship we want to foster is with the local RCMP. The RCMP will be the main referral source for individuals coming into the Diversion program. So, although there's oftentimes a



negative association between police and Indigenous people, we really hope to shift that thinking and have a paradigm shift away from such a crime and punishment model, to a more holistic and healing model where, like has already been said, individuals are being diverted away from the criminal justice system and into this program, where we want to meet people where they're at and help provide them with the support they need with the hope that they can begin a healing journey, and out of that arrest, incarceration, repeat cycle.

Other vital partnerships will include involving and working with many of the amazing community social service providers that have been doing great work in Prince George for years. For example, our local health authority, which is Northern Health, the Prince George Native Friendship Centre, Central Interior Native Health Society, the Prince George Urban Aboriginal Justice Society, and hopefully eventually the City of Prince George. And this has also been mentioned as well; although our most valued relationship is with Lheidli T'enneh, also recognize that Prince George is considered a hub. It's home to Indigenous people from all over. So we also want to acknowledge all of the Indigenous people who find themselves experiencing homelessness and other challenges in the city, and hope to form partnerships with, for example, a local Tribal Council here in Prince George, which is the Carrier Sekani Tribal Council, which is made-up of six member nations, as well as with their Wellness Services Branch, which is the Carrier Sekani Family Services.

Andrea Menard: Thanks, Miranda. So Dr. Webb, are there characteristics of the program that separated from other examples of diversion programs out there?

Jason Webb: Yeah, thank you. So I would say that there are three points that I can highlight. The first is that this program is intended to serve Indigenous people experiencing homelessness. As Mark pointed out not exclusively, but that's who we want to serve primarily.

The second is that while mental health, and harm reduction, and trauma-informed practices really are the foundations for this pilot, I designed it with a decolonization and decarceration kind of lens. That's where it comes from.

And the third point is that a lot of diversion programs, pre-charge diversion programs, are very much like mental health initiatives. And while we do have, as I said earlier, a mental health component to it, what we're looking for are substantive justice outcomes. And when I say that I mean that we want people to have zero contact with police, zero contact with the colonial criminal legal system altogether. I know that may seem like a lofty goal, but that is something that I personally want to see. So as you know, we want to end that cycle that a lot of Indigenous people experiencing homelessness do encounter.

So diversion occurs among multiple points in the criminal legal system, from pre-charge to post-charge, to pretrial, post plea. And in my view I think post release initiatives are also diversion because as we know, usually for the first three to five years that someone is released from incarceration, they're



at high risk of reoffending. So as far as I'm concerned, if you have a close release initiative, so people have access to housing, access to supports, and again, sort of shoring up that ontological security, that is also diversion as far as I'm concerned, right? So our program is pre-charge, so we are looking at referrals from law enforcement, but also referrals from community as well. Some pre-charge programs have someone from the community who says, "Hey, there's a person on my street who is not doing very well. It looks like they're in crisis. Can someone come out and help them?" So kind of like a 3-1-1 call that you do to the city, but instead of calling the city you call us. So we want those folks to gain access to the space. So that one, is that they're safe, and two, is that we can get them connected to services that are already in communities.

So as Mark has said really well, we're not replicating services, we're trying to fill a gap, because currently in Prince George, their Diversion Centre are the shelters. So we want to be able to draw people away from that and sort of maybe free up the shelters, give them some space and some time to do the important work that they do, so that we can follow up on those substantive justice outcomes that I mentioned earlier.

Mark Connelly: Yeah, because other examples of that Diversion program where we spoke, a lot of things are based off mental health concerns, is PACT. The Peer Assisted Care Teams, which has just rolled out here in Prince George through Prince George Native Friendship Centre, where when we first met with the RCMP, the superintendents and the other officers in charge of officers was like, "Aren't you guys - it sounds exactly like PACT," where it's like no, PACT is based on going out to calls, like our Car 60 here in Prince George that supports individuals within acute mental health concerns. Whereas our Pre-Charge Diversion Program is those that are going to be involved, or possibly involved, with the criminal justice system.

So when we look at, "How do I get referred to the Diversion program," you'd be involved with the criminal justice system. Because we're jumping in about 500 years late to the game of diverting people away from this colonized system, we now have to reform that system from the inside. So we've learned how to speak their language through socialization and our educational academic journeys. So now we have to go in and add that holistic Indigenous lens to how do we heal people, because healed people will help heal others around them. Healed people heal families, healed families heal communities.

So will this take five years? No. Will this take seven generations? Maybe, but it's the work that we have to put into place to deconstruct the criminal justice system. And luckily, we're using public safety money to do so.

Denise Webb: Thank you for that breakdown, that actually, Dr. Web and Mark, that really helps.

Can you tell us how partnerships or networks within the program are used to connect participants with the services they might need?



Mark Connelly: Services like ACT and ICM, which are directly providing medication, working with those who have been diagnosed in downtown Prince George with acute mental health concerns, and keeping them connected to their service, is working on those cross referrals. So when we say RCMP is our main referral, it's like those are the ones that are being called. Outside of BC ambulance, RCMP are the only other service that are on call 24/7, 365 days a year who are being brought out to these acute situations.

And for Indigenous people to normally receive the social services that they require, they're already normally really far down the rabbit hole before they get a referral to a social work, where the Pre-Charge Diversion Center will be an office, a center with social workers trained to deescalate and support those RCMP officers who haven't had years or decades of experience working with Indigenous people in a culturally safe manner to deescalate and then support, because not only are we looking at this from, "Keep them away from the criminal justice system," but also the social determinants of health within Canada, which anyone worth their grain of salt have researched that. And sadly, seeing the health disparities that Indigenous people are facing. But through colonization, through the history of intergenerational trauma, there was also the self-determination in health to what quality of health they want, because we can provide as much information and enough support, but as Dr. Webb alluded to, these are the environments that they live and have grown in. So street-entrenchment is not that dirty word of, "They live on the streets," it's, that's the lifestyle that they've been accustomed to, or [it's where] their friends, family, live and reside. So they have that self-determination to live that lifestyle. So how do we keep these Indigenous individuals for the equity in healthcare that they deserve and they also want?

Denise Webb: So this kind of goes into the next question. So if you can tell us more about the program's connection to health and well-being either for individuals going through the program, and/or the community as a whole?

Mark Connelly: In the design of this program, as we said, it's a pilot program for BC and through BCFNJC, but it is based on trauma-informed practices, Indigenous ways of knowing, and coming at it in a good way. So the health and well-being of the individual is the most important thing. And that is something that has developed in them through being an infant to a teenager, to an adult. And even the mother state of being while having the child in utero, because my research and my thesis was based on the neurobiology of trauma, Attachment Theory and adverse childhood experiences. And how you look at trauma-informed care is seeing all that is that person, where Miranda said, "Meet that person where they're at." So you're not just meeting them where they're at that day, where they may have an infection or a chronic disease or an acute mental health concern, it's looking at the entire holistic well-being and history of that individual, and of that individual's generations that built them to who sits in front of you today



Also taking into account the social determinants of their health and their environments and their self-determination, because we know not every individual that enters the Pre-Charge Diversion Center is going to be like, “Yes, I was just brought here by the police and this is where I want to be today.” No, there's going to be people that just aren't ready for our services at that point in time, but we need to be available. Going back to what the pre-charge is; we're also not going to just be operating in regular office hours, because we know criminal activity, mental health concerns, the well-being of individuals, doesn't happen Monday to Friday, 8 to 4. Working with the RCMP will involve working outside of regular office hours, working with people in downtown Prince George will not involve regular office hours, but we need to have those hours to interact with the rest of society. So enhancing services will not only be the services that we provide, but how we look at the entire individual and their well-being at any hour during the day.

Denise Webb: Based on your research on trauma-informed practices, your research looked at health and social service delivery here in the north, in the Prince George area. I'm wondering if you can help us to understand more fully for the Diversion program specifically; how can we describe what trauma-informed practice is when working with Indigenous people?

Mark Connelly: Well, that's a large question. Well, I think we discussed this before; even going through my graduate studies in a room full of MSW students, I did an exercise – because my thesis is based on improving trauma-informed practices in healthcare – but I just asked them to take a minute and write down what is trauma-informed care to you? And then we had 17 different answers of what trauma-informed care is. So looking at Pre-Charge Diversion: it's looking at the biopsychosocial understanding of the traumas this individual may have lived through, the adversities they have survived, and how that has directly affected their ability to handle life on life's terms, where you're looking at the entire picture of that individual and their skill sets to handle problem situations, because with trauma it has directly affected their neurobiology, their stress response systems. Attachment theory directly affects trust, love, connection. Adverse childhood experiences are leading to poor health outcomes, which Indigenous people in Canada already have poorer health outcomes than the common person that may enter our healthcare system.

Andrea Menard: I also see that as a decolonial approach too. I mean, the colonial approach is, “You have to listen to me,” “You've come in with such and such,” “Today we're going to bandage you up.” So this is turning the corner and decolonizing what we've been kind of sort of living and programmed to do, of how to address and assess and take care of each other.

Mark Connelly: My research really looks at not only healthcare, but the criminal justice system and how anybody in the station of authority may be retraumatizing the person they're actually trying to help. So, it's limiting, or like we said, our goal is zero interactions, but now we just have to try to limit these interactions that are continually retraumatizing, which may lead to reincarceration of these individuals.



So the actions that we do, and the inactions that we don't see, are implicit biases that are unrecognized, because I am highly trained in working with Indigenous people as an Indigenous man, and I still have implicit biases that I have to be consciously aware of. So it's how do we educate the criminal justice system to look at this in a holistic, Indigenous lens to not only understand the culture in which they are working in, because nation to nation, area of Canada to area of Canada, is going to shift a little bit. So if you're going from Prince George to Port Nelson, to Edmonton to Toronto, your practices will need to change. But it's having that humble sensitivity to yourself to be able to support those Indigenous people, whether it be healthcare, or social work, or the criminal justice system.

Andrea Menard: My question to the panel is: First Responders also have trauma, and they're also acting out of trauma, and they haven't gotten a fulsome education on Indigenous peoples; we're not all the same, it's not a pan-Indigenous society that you're living in. So I think that what you're saying, Mark, will also reduce the trauma on First Responders [...] with [what] that Pre-Charge Diversion Program is doing. Does anybody have any comments on that?

Jason Webb: One of the things that we've seen in the Diversion literature – there's lots out of the United States – is that one of the unintended benefits is that Pre-Charge Diversion Programs actually do take work off of individual officer's caseloads. Because they're no longer having to drive someone to the hospital, or drive someone to the shelter, now they can refer someone to a space, a culturally appropriate safe space, for people to deescalate and to connect them to services. So it definitely has that effect [...] and it's been in the literature. And I would say that definitely would have an impact on the degree in which First Responders are experiencing and working through trauma. Absolutely, yeah.

Andrea Menard: Thanks for that, Jason. I'm wondering how this Diversion program compares with Indigenous Court, because it seems to me – so I used to go into Calgary Indigenous Court, we call it Indigenous Court here in Alberta (Edmonton Indigenous Court), and it's sort of like a Diversion program. So does anybody want to comment on how does this compare to Indigenous Court?

Miranda Seymour: With Indigenous Court, it's a sentencing court, and individuals have to plead guilty to work through the process. Although not to disparage Indigenous Court, they're doing great work across the province, but I guess it's still kind of situated in that colonial model. Many of them still take place in traditional courthouses, not all, although they make efforts to do things in a different way. Often the judge will not sit at the bench, and they'll sit more in a circular configuration, and there's Elders involved. And again, you take that holistic view of looking at – oftentimes, I don't believe they even call them offenders, they refer to them as Clients to maybe involve the victim, the families and to – just I think it's somewhat similar in just trying to do things in a better way and looking at the whole person, looking at the victim and the whole community in an effort to heal the person and to hopefully not see them come back into the justice system. This is pre-charge, this is hopefully catching them before they get into that cycle, or to break that cycle.



But as wonderful as Indigenous Courts are, there could be some changes there to try to represent a true Indigenous way of doing things, true restorative justice. So, they're similar in some ways, but quite different than others.

Andrea Menard: In Alberta, we have Drug Court, which is really similar to a Healing to Wellness Court – which they call in the States – but Drug Court: I'm looking for structure here in this Pre-Charge Diversion Program, because in Drug Court they have a structure. So you have to go, you're not accepted, you have to watch Drug Court, and then maybe they'll accept you. You have to be clean for a number of days. If you make a mistake, you get some sort of demerits, but they're not demerits, there's something right? And the whole goal of Drug Court – and it's open to everyone – you want to finish the program because you won't get charged in the end.

Do you get demerits in this Pre-Charge Diversion Program? Is there any structure that people follow?

Mark Connelly: As far as the structure in that, it's not like a ticky-box Excel sheet for how you get through the Diversion program. Because we are meeting people where they're at, at street level in Prince George, what one person needs could be part of, or completely opposite, than what somebody else needs. Because some people have family that they're trying to get back to in Nak'azdli, or Fort Nelson. There are different stories for every individual that comes towards us. Or they're just trying to get into detox, because they've been trying to get into treatment, where we talk about that cross-referral and working with other community providers, because we could have social workers at Central Interior Native Health who have been working with this individual for months or years, and they're finally at that point to go to a treatment program. Or if we're trying to repatriate someone back to a family; sometimes those communities aren't chomping at the bit to have that individual back in the state that they're in. So how do we support them on their healing journey to get them reincorporated back into their community, their culture?

So having cultural leaders in-house – and not everyone is at the point of wanting full ceremony – [but] some people have a lot of experience with ceremony and just want help connecting to a Sweat Lodge, or you're teaching an individual what smudging is and how it can support people. So, I am not going to have a spreadsheet of, “Have you smudged today? Did you call your parole officer? Have you talked to your auntie lately?” No. It'll be, “What does that person need to help them heal at that point in time in their journey?”

Miranda Seymour: I was also just going to mention, and maybe Dr. Webb and Mark can jump in if I say this incorrectly, but from what we understand and what we know, this is the first Pre-Charge Diversion Program that's being led and initiated by an Indigenous organization. So yeah, I might be saying that incorrectly, but most pre-arrest or pre-charge diversion programs like the ones that originated in the U.S. were started by either law enforcement or a municipality. And I think similar in Canada; any that that have come about that we understand, like I said, have not been started by Indigenous-led organizations. So I think we're kind of blazing the trail in that way.



And so maybe what the Diversion program and the Diversion Center looks like in a year might be different than what it looks like in five years. And so I think we'll be figuring out some of those things as we go along; what works and what doesn't work.

Denise Webb: Awesome. Thank you. Based on what we've discussed here and how holistic this program is, and how it views the whole person and meets the person where they're at; so I hear this and I think that Diversion programs could be used as a public health response for Indigenous people interacting with the criminal legal system.

Mark, I'm wondering if you have any comments on that based on your experience with creating the program, and your expertise in its structure and form?

Mark Connelly: Well, structure and form is how you look at the program, and "I look at everything from this lens of trauma-informed" has become the catch phrase over the last 10-15 years in academia. But it's the essence of how we meet that person. And as a public health response – it's 17 more podcasts on how we look at the opioid epidemic, how we look at the cancer and diabetes rates, infant mortality within Indigenous populations, all stemming back from those social determinants of health from colonization. Because if people aren't receiving that proper healthcare, or that ability to put food on their table, or that teenager to get shoes or clothes for school, then it turns into subsistence living, where we're not talking about trying to survive in the wild, we're talking about trying to survive in the wild of the Canadian society as a whole.

And people that are even above the poverty line are really struggling to keep a healthy lifestyle. And for Indigenous people that are street-entrenched, as a lot of the research that Dr. Webb has done for this program, is the majority of the crimes that we're looking to keep those Indigenous people out of the criminal justice system, are called Subsistence Crimes, to eat or to support that substance use that is stemming from that intergenerational trauma. And you know, I'm a big Gabor Maté fan, and his line of, "Don't ask why the addiction, ask why the pain." That is directly related to health and the health outcomes of Indigenous people in Canada.

So can it help the public health response? Yes. In all my research, I don't see people coming out of jails, prisons, cells in a healthier state, whether mentally or physically. And if you're living on the streets committing subsistence crimes, what is the quality of life and the quality of health that these individuals are living with? That's kind of how I see it as a public health response.

Andrea Menard: So I don't know if anyone knows this, but in Edmonton, when someone releases someone from being incarcerated, they don't even give them a bus ticket, they're stranded.

Mark Connelly: I did not know that. And that's what's happening in Prince George, where working at the Fire Pit, which is a local Indigenous-run organization, just trying to feed the downtown population where they'll see individuals just dropped off on the corner in their orange jumpsuits. Even



if they've been working with social services within the Correction Centre, they will have none of that when they're released. So as we know, the Northern Corrections catchment area goes from Williams Lake to the Pacific Ocean, to the Yukon border, to the Alberta border, so it's an area that is larger than the size of France. When these individuals are brought to the Correction Centre just as is, because that's how they were picked up and brought to whatever RCMP catchment, and then there were charges laid and going through the criminal justice system and then brought to Prince George. It doesn't matter where they are from in Northern British Columbia, they are released to the streets of Prince George. And if they are provided a ticket, it's a taxi voucher that will take them downtown Prince George. So they go down over the bridge, take a left to Moccasin Flats, because those are the relationships that they made within the Prince George Regional Corrections Centre so that's the community they're used to.

So if people are remanded, and us as the pre-charge, but also working on post release, is staying in contact with those workers up at the Regional Corrections Centre. And then [when] they're individuals being released at 3:45, we go pick them up and keep them connected with the social services where we can stay in contact with those nations, we can stay in contact with those probation officers, social workers, doctors, to keep them connected and hopefully just stall that reintegration back into that street-entrenchment or substance use activity that got them incarcerated in the first place.

Since Greyhound stopped in Northern BC, we see the rates of murdered and missing Indigenous individuals have skyrocketed. All these other entities are doing whatever they can; Northern Health BC Bus is to have safe routes of transportation. But that is why repatriation is a part of the Pre-Charge Diversion Program, to help these individuals just get home safely.

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Denise Webb: Miranda and Jason: I'm wondering if you could tell us more about other BCFNJC community-based justice programs such as the Indigenous Justice Centres, Indigenous Women's Justice Plan, and the Community-Based Justice Fund?

Miranda Seymour: So our Indigenous Justice Centres are not what we might think of when we think of more of a traditional legal clinic. Our IJCs take more of a holistic approach to justice, and we aim to provide culturally appropriate information, advice, support and representation directly to Indigenous people at the community level. The lawyers and staff working out of the IJCs also provide wraparound supports by facilitating connections to things like housing, mental health and addictions treatment, and employment services.

Currently out of the IJCs, we provide Indigenous people with free legal and outreach services in the areas of criminal and child protection, and that's regardless of whether they qualify for legal aid. Although going back to Strategy One of our Justice Strategy, upholding the presumption of diversion, through the IJC's, the lawyers and staff work to promote diversion at every interaction.



Out of the IJCs, we also have what we've called Aunties. These are culturally appropriate support persons that help Indigenous people navigate the justice system. The Aunties who work out of the IJCs fulfill what is traditionally recognized as a role of Aunties and Uncles in many Indigenous communities. Oftentimes, Aunties are seen as mentors and role models, so they can help guide Indigenous people through those stressful interactions with the justice system.

Our IJCs also have Elders, and just to share one of my personal experiences at the Prince George IJC: I recall one day I was working out of the office, and I had my door closed while I was in a meeting but I thought I could smell sweetgrass. Once I opened my office door, I could see the Elder smudging the office. He came into my office and he asked if I wanted to be smudged. And had a conversation with me; he asked me what community I was from and what kind of work I was doing with the Justice Council. And just having come from years in private practice and working in very traditional law firms, I was pretty blown away about how everything working in the office that day made me feel. I felt lighter, I felt a sense of peace. And although the work that we do is often – it's heavy, it's stressful – I felt ready to take on that day. So it just made me grateful to be able to work for an organization committed to doing things so differently. And although a lot of our teams are spread out across the province, that through the Elders in our Justice Centres, they're committed to making sure we all feel safe and connected.

So the next program comes out of Strategy 11 of our Justice Strategy, which called for the development of an Indigenous Women's Justice Plan, or IWJP for short. In developing the IWJP guiding draft, the recommendations and calls for action of many reports were considered. So the National Inquiry into Missing and Murdered Indigenous Women and Girls Calls for Justice, the Red Women Rising Report, and the Highway of Tears Symposium Report, just to name a few. So once a Women's Team was assembled, they brought the guiding draft of the IWJP into 17 in-person community engagements, and three virtual engagements to receive feedback from community members. And then at our annual Justice Forum this year, the Indigenous Women's Justice Plan final draft was released. So this isn't the final report, it's a final draft. So it leaves space for further revisions. The IWJP is structured in a way that puts women at the center. And like our Justice Strategy overall, it embodies what we call Track Two Work, which is working to recognize First Nations right to self-determination, the revitalization of legal traditions, and respecting the unique rights, values and traditions of Indigenous peoples, including recognizing the gendered context of legal traditions.

So the IWJP final draft can also be found on our website under the 'About Us: Supports and Publications' tab. And I'm actually wearing a commemorative pin and it's a red dress that was released, or handed out at our Justice Forum to celebrate the Indigenous Women's Justice Plan.

Denise Webb: Thank you, Miranda. Thank you for taking the time to explain those additional programs, there's so much going on within the Justice Council.



I'm wondering if there's links to health that we can think about within these two different programs you just described, whether that's through the role of having Elders on site, the Aunties Program you were describing, or even embedded within the Indigenous Women's Justice Plan?

Miranda Seymour: Yeah, I think valuing, or recognizing, and putting in place the holistic approach. That people come into the Justice Centres, and it isn't a law firm where it's like, "OK, tell me your story and we're going to court." It's like I said, looking at diversion at every interaction so that hopefully going to court in a traditional way is the last resort. And just working on more building trust with people and that it's not kind of just funneling people through a quick interaction. And helping to reduce the stigma around having a legal issue, especially in the areas of child protection and criminal, which can be complicated and stressful and take a toll on anyone. So I think just seeing the whole person and meeting them where they're at, and in situations where maybe they're not ready or willing to kind of look into those wraparound supports, like going to treatment or, addictions and mental health, that that's OK. We'll still be there, the Aunties are there, the Elders are there to still support them through their healing journey, whatever that may look like for that individual person.

There are so many women that work at the Justice Council, and it's just so wonderful to see. I'll be sitting in meetings, and you'll look at the screen and it's all women. So it's been a nice thing to see. Especially for myself, coming from more of a traditional legal practice, that although things are changing, it still can be kind of the old boys club and still dominated by men. o it's just exactly like you say, just putting the power not back into the women – they've always had it, especially through our matriarchal societies – but just being surrounded by all that energy and all that healing has been really refreshing.

Jason Webb: The other initiative that we put out this year, the Community-Based Justice Fund, is in partnership with the BC Ministry of the Attorney General. I should just start out by saying that this fund is our way of advancing both Strategy 15 and Strategy 24. So Strategy 15 is the strategy to ensure that every First Nation community can build and expand their own justice programs. And the last one is Strategy 24, the strategy to increase the number of First Nations justice workers. So that's what we're trying to do with the Community-Based Justice Fund.

So individual communities can apply, but also multiple communities can apply under one nation. So each application is worth \$42,000. So for example, if it was seven communities applying under one nation, that's \$294,000 that they can receive. And there's two streams: the first stream, Stream One, just focuses on communities who want to develop a Diversion workplan, if they want to advance community dialogues, if they want to push for, advocate for sustainable core funding, which is exactly what a lot of folks need nowadays, where if communities want to build a Diversion Toolkit or have in-community engagements. And all that is Stream One.

Stream Two is for communities that already have existing justice programming, and that is our way of really promoting self-determination for communities to take care of each other and themselves. So



this is this is what we're really passionate about. The application is available on our website, so BCFNJC.com. And yeah, we've already had multiple nations apply and we're very excited to see this fund go out to communities.

Denise Webb: So this is for the panel: broadly speaking, what are some of the challenges that have come up with in this work, and starting up the programs per se, and what can you tell us about how the Justice Council has overcome these challenges? Whether it's funding challenges, bureaucratic, things like that? Jason, maybe you want to start?

Jason Webb: Yeah. Well, I think on a personal note – I mean, this is before I worked with the Justice Council – there's very much like an ivory tower kind of environment and I didn't really have a lot of interaction with the legal system/justice system. And I didn't really mention this earlier, but a big part of the design for this is founded on the notion of radical care and dare I say, even radical love. It's this notion that doing research and thinking about homelessness in Canada, we are far too quick at abandoning people who don't conform to this very colonial way of living, and I see a lot of people experiencing homelessness who get abandoned by the system. I think in order for us to rethink about how do we care for each other, is that sometimes you're going to have to really embody that radical care and radical love, [so] that you just don't give up on people at all.

And so from a person who hasn't worked within the legal system at all, that can come off as like real hippie-dippie nonsense, right? Law enforcement officers and crown lawyers and judges are going to be like, “Oh yeah, that's a great idea.” It doesn't matter if there's a title next to my name, it's the quality and the strength of the ideas is what matters. And so I was always kind of aware of that, that seemed like a personal challenge. But what I realized is that in the time that I've been working here, is that there seems to be this real need, this real desire for change within the criminal legal system. And I'm not letting the colonial system off the hook in any way. But I also see when we talk to justice partners across the province and whatever else, there seems to be this hunger for “we need to do something different, cause the current system is not working.”

And so when we started all working together – Miranda, Mark and I started working together – and sort of bringing these ideas forward, I was actually quite surprised about how oftentimes our ideas were just readily accepted. Because it seems like everyone is on the same page about, “We need change.” That was definitely one of the challenges, at least for me, was that do our ideas interface with the current system? And I would say yes, but there were challenges for sure. People are going to say, “Well, what do you mean by pre-charge?” Well, it's kind of self-evident, but we had to explain that to a lot of people.

So I mean, yeah, we're kind of treading new ground and people are going to be like, “Well, you can't do that.” It's like well, no you can do it, we clearly did. So anyway, I'll leave it there. Thanks.

Denise Webb: And now from Miranda or Mark, if you guys want/have anything else to add?



Miranda Seymour: Maybe at the risk of repeating some of what Dr. Webb has already said; I came into this organization and this work with kind of seeing a similar challenge, just that being a brand-new organization and just trying to grow in an area as vast as British Columbia is. It kind of made me think back to law school; I mentioned earlier being a part of the first law class at Thompson Rivers University, and being a part of a new law school, there was some skepticism on whether this first new law school in Canada in over three decades would be any good, if it would provide education comparable or even better than the well-established law schools, whether it would last, whether students and professors would choose TRU over the “reputable law schools.” But here it is. The Law School was celebrating 10 years since its first graduating class, and the Law School is still going. And for the first time in May 2024, the Law School hosted the Kawaskimhon Moot, which is a national Aboriginal moot competition. And currently in the Law School, there is at least one Indigenous sessional lecturer and one Indigenous full-time professor. So the Law School is still going, and it looks like it's trying to incorporate more Indigenous ways of knowing and doing.

So similarly with the Justice Council, it's been growing fast in some areas and maybe more slowly and thoughtfully in other areas, and that there will be challenges along the way. But I think with the challenges, they've been handled in a good way by forming these strong teams, like Jason has mentioned and Mark has mentioned, and making sure that each team member feels supported and valued. And in December 2023, when I joined the organization, I had the opportunity to attend a new Employee Welcome Ceremony. Thinking back to being in traditional work settings, I never experienced a welcome to a company like that. We were able to be a part of a Blanketing Ceremony. There were welcomes from the local First Nation Elders. We were even offered traditional clothing to wear if we wanted to. So, I felt like that day started me off in such a cultural and such a good way, that even when sometimes things have been a little bit stressful or it feels overwhelming, I think back to that very first special day and remember that the Justice Council is setting out to do things in a good way, right from our CEO to everyone working to further the Justice Strategy.

Mark Connelly: That was amazing, Miranda, thank you. Also, when speaking of challenges, like when I started with BCFNJC; even before I had my first interview, I was like, “Why me? I know absolutely nothing about the criminal justice system.” Thinking they are from a colonial perspective to huge different entities that operate within this system, but coming at it from a trauma-based lens as an Indigenous man who was working in healthcare and is a glorified dishwasher – that's what I was as a chef and General Manager – but just working with the people, and looking at criminal justice and diverting people away from that system is the same underlying concerns of how it is a broken system where we need to help individuals. And being able to help these individuals in a healthy way will keep them away from the criminal justice system.

So the challenges of overcoming that – or it doesn't need to be in a specific language or strategy, it's the underlying heartbeat of what we're doing at BCFNJC, is that trauma-informed, culturally safe perspective for all the different nations we work with within BC. So every strategy you read, every line



of action, that's the underlying tempo of how we're approaching the criminal justice system. But yes, do we need lawyers to rewrite those policies? Obviously, but coming in as a social worker with a completely different perspective on this, I think it's actually helping us more.

Andrea Menard: Thank you, Mark. What advice would you give listeners who might be interested in engaging in or developing their own programs similar to the ones we discussed today, and how can they ensure this work is carried out in a good way?

Miranda Seymour: I don't know if this sounds obvious, but my advice would be to not be afraid to do things differently. Things don't always have to be done the same way. Just because someone once said, "Because that's the way things have always been done." So, to not be afraid to challenge and question the status quo. If there's a better way that we can be doing things, I think we absolutely should be doing it that way. And to make sure that you listen to all of the voices. In a country like Canada, where Indigenous voices have been silenced, it's important to give everyone a voice at the table, particularly in a province like British Columbia, where there's 204 First Nations as well as Inuit and Métis voices.

I think it's also important to collaborate the many Indigenous, non-Indigenous grassroots organizations and NGOs that have been doing much of this good work for many years. As has been mentioned earlier, we make efforts to not duplicate the work that's already being done on the ground in the many communities across the province, but rather we want to hold up and respect the work of so many organizations that have been working and struggling in these spaces long before the Justice Council came to be. And the more we can work together for the betterment of Indigenous people, the better, and hopefully, different things will be for everyone.

Andrea Menard: Thanks, Miranda. Dr. Webb?

Jason Webb: Yeah, thank you, Miranda. That's perfect. Well, the first thing that comes to mind is that if you're a community that wants to start your own Pre-Charge Diversion Program, come look us up. We would love to have a conversation with you. We kind of envisioned that this pilot is not just in Prince George, we want to see this pilot and other municipalities across British Columbia. Not just in municipalities, but we want to see it in First Nations homelands as well, we just want to see it widely used. And of course it will change over time. So yeah, come talk to us. We're very nice and we love chatting with people.

But I really want to emphasize the relationship side of things as well. One of the things that I kind of envisioned was having a Community Diversion Network. So having it within the municipality, because my background is in urban sociology, so I think about cities. And so having a Diversion Network is awesome. So you have all community partners coming together to help out people in crisis before things escalate, before they become more entrenched into the criminal legal system. So I think



relationship-building is a really, really, big part of that. I say it a lot, but I think it's just par for the course.

And you know what? There is nothing wrong with doing a little good research either. Try to figure out what are some of the main justice concerns in your community? And ask the people that are involved. Like what exactly is that that they need? I think there's a lot of different ways that you can do research. I'm an empiricist, but I'm a post positivist, meaning that anything can be data, not just narratives. Emotions, that's also data as well. So I think having good research is really, really – it also sets you up for success as well because oftentimes if you're looking for funding, especially from the colonial state, they like to see that type of research. But if you're working from a qualitative standpoint, that's just as valid as a quantitative standpoint, right? So there's many different ways that you can do it.

Andrea Menard: So Dr. Webb, to kind of go a little bit into what you said so that the rest of us can understand: so qualitative is getting people's stories?

Jason Webb: Correct.

Andrea Menard: And it could be outside the box. So Indigenous research is also whatever Indigenous peoples think as well. So that's what you're thinking, like whenever people come up with [...] what they want to research in their communities?

Jason Webb: Narrative and storytelling, and individual narratives is, and I put these in bunny, is “data,” I put those in quotation marks. But that to me is just as important as how many people are arrested per year on this particular charge. Because we want to know the human experience, and we want to know about, “What is it like to interact with a police officer? What is it like for you?” And that's where we can kind of sort of identify some issues.

So for example, I've done research in other cities where people experiencing homelessness, and that also includes Indigenous people experiencing homelessness, have talked about how police officers will confiscate their drugs and confiscate their paraphernalia like pipes and cleaners, and tinfoil and whatever else, which is acutely dangerous for someone who is a substance user. That is very, very dangerous. So I think that's that in itself is data. Hopefully I'm making sense.

Andrea Menard: Yes, and you're saying you're encouraging people to research, because these grants need evidence?

Jason Webb: Sometimes they do. Yeah, most of the time they do.

Andrea Menard: Because they're colonial and they don't...

Jason Webb: Exactly. That's exactly it, yeah. I get to the point eventually, just have to be patient with me. *(laughs)*



Andrea Menard: No, that's great. Thank you very much, because sometimes I've applied for grants as an Indigenous person and they're like, "What, where's your data?" and I'm like, "Well, you know, I'm using creative data." They're like "go away." I know, I know. But we need people like you around to encourage us all to say, "Hey, if you don't get in there and keep on doing it, people will change."

Jason Webb: Yeah, keep doing it. Yeah [...] scholarship isn't about intelligence, it's about persistence. That's what it's about, it's about just keep plugging away until you get the results that you're looking for that doesn't benefit your career, it benefits the community. That's what you're supposed to be doing.

So anyway, that's my scholarship idealism.

Andrea Menard: Thanks, Dr. Webb. And Mark?

Mark Connelly: So piggy-backing off of what My colleagues Jason and Miranda have said, is what I've seen so far in my short time with BCFNJC is [...] I'll just say I have really tried to embody the concepts of two-eyed seeing, where we have to speak the language of not only the criminal justice system, but our funders, because we're not pulling this money out of a magic hat. We need that quantitative, ticky-box data from face-to-face interactions with people. Because we have the overarching goal of lowering recidivism and getting those interactions with RCMP down to zero, but you can't do that in a purely quantitative and/or qualitative manner. It's being able to speak the language of a lawyer, but embody the sympathy of a social worker. Working with somebody, sitting on a chair after they've just been brought in from the RCMP, and working in a culturally safe manner.

So, do we want to have Indigenous Law as the body of this? Yes, but we need to be able to speak the language of the Criminal Code of Conduct in order to reword that and redesign it, to have the practices that we are looking for how do we work within that system knowing it's frustrating, knowing it's designed to put roadblocks in our ways. So being very creative in the designs of your programs and diversion – it's not a copy, paste blueprint that the government is looking for, it's a look at what that community needs to support the individuals.

Andrea Menard: Thanks, Mark. One last comment that I want to make is: I think the overarching thing that is happening is relationality is Indigenous Law. And so what I hear Miranda, Jason and Mark saying is this is a change. This is relational and we are practicing Indigenous laws, and they're overarching what we're doing and they're becoming the roots, is going right to the roots of who we are as people, as Indigenous people. It's Indigenous laws that will heal, it's Indigenous laws that will fill the gap, and you are today talking about relationality, which is Indigenous Law.

Denise Webb: That brings it to the end. This has been a phenomenal conversation and discussion. I am so inspired, I know the listeners will be too. And it's just been so incredible to hear about what Andrea just said, what Miranda, Jason and Mark even saying on and on again, that is that decolonial



approaches to how the system operates are achievable. That's what you're doing, and you're trailblazing and setting an example, and it's been so incredible to hear about it.

The report that I've written on this, that came before this podcast, it just talked about the health issues, the systemic health issues that run through the system, and how the current system isn't working and all the literature points to the need to follow Indigenous laws, to go back to how things should be, and just kind of uplift and support that self-determination piece. And that's the whole purpose of this podcast; to learn how that's being done. And I think this has just shown such incredible examples of how to achieve that and inspire others.

So thank you so much for your time and for your energy and support for this podcast.

Jason Webb: It's all good, thank you for having us.

Mark Connelly: Thank you. Anytime.

Miranda Seymour: Thank you, Mahsi'choo. Thank you.

Andrea Menard: Thank you, Merci, Miigwetch, hiy hiy.

-Music-

Denise Webb: To hear more podcasts in this series, head to *Voices from the Field* on the National Collaborating Centre for Indigenous Health's website nccih.ca. Music on this podcast is by Blue Dot Sessions. It appears under a Creative Commons license. Learn more at www.sessions.blue

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