

# FINAL REPORT

A Toolkit for the “Bridging the Boundaries” Project  
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Submitted to qathet Community Justice (Lift Community Services)  
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## Project Description

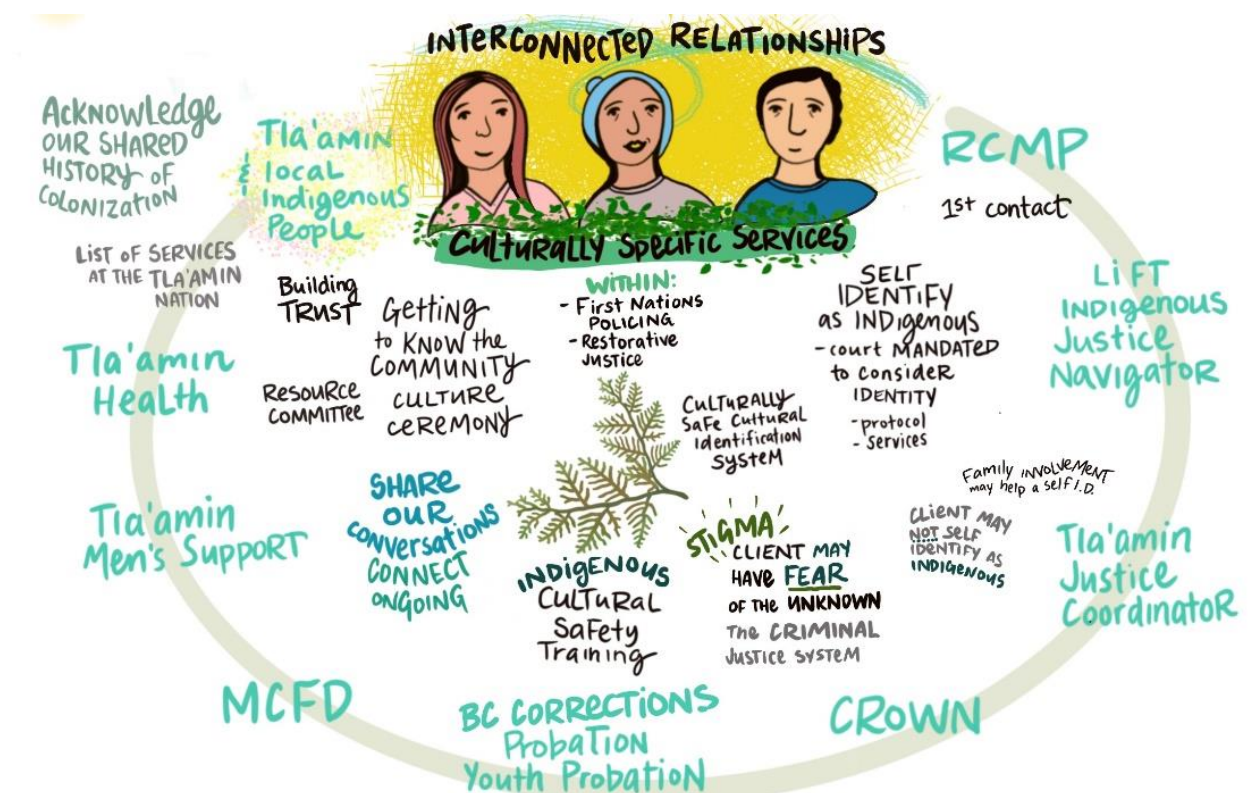
"Bridging the Boundaries" is a community focused project that was coordinated by qathet Community Justice and in partnership with Tla'amin Government as well as other local justice partners. The project officially started with a project launch event, which was held virtually in March of 2021. The Indigenous Justice Navigator was hired for this project around the time of the event launch. The goals of the project focused on: 1) support clients in navigating settler justice institutions, 2) evaluate to identify barriers and inform policy development, and 3) liaise with community partners and existing service providers to encourage a culturally-safe approach to justice. There were many key learnings that were realized during this project, though a focal point was relationship building and communication between qathet Community Justice and Tla'amin Government. Decolonial ways of working together and receiving feedback from Tla'amin Government and the Tla'amin Nation Justice Worker were key to the project moving forward.



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# What is Working/Strengths in the Community

<b>Indigenous Community Leadership</b>	Leadership from Tla'amin Nation and those who work within the justice field. The Tla'amin Nation Justice Worker is seen as a strength in the community.
<b>Continuity in Services (office hours, space, direct line to legal aid)</b>	A strength that helps the community is having specific office hours and same time and place (same building as the court house) each week, as well as having a direct phone line to legal aid.
<b>Building Relationships</b>	Relationships between Tla'amin Nation, RCMP, Crown, MCFD, Probation, Lift, etc, have been essential in building momentum in anti-racism and cultural safety work.  Tla'amin Nation organizes quarterly resource committee meetings, which are successful in building relationships and communicating.
<b>Cross Cultural Training with Tla'amin Nation</b>	Tla'amin Nation offers cross cultural training within the community and many enjoy and participated in the training.
<b>Appetite for Change</b>	There is a willingness amongst most of the partners to have discussions about anti-Indigenous racism and/or what can be done better.
<b>Court Registry</b>	The Court Registry position was informative and helpful in answering questions of the navigator (having a person to ask questions within the court).
<b>Navigator Position</b>	Many respondents shared that they found the Indigenous Navigator position to be helpful (to have another point person in the community). The position also addressed a gap which is that Indigenous people who are not from the Tla'amin First Nation could be assisted by the navigator.



# Identified Systemic Gaps

<b>Accessibility</b>	
Serving Non-Tla'amin Indigenous peoples	There needs to be more legal advocacy supports for non-Tla'amin people
Serving Indigenous youth (non-Tla'amin members)	Many of the youth in Powell River who are not Tla'amin citizens live away from their communities and cultures. There's a gap in serving these youth.
Accessibility to resources	Access is a primary barrier. There is a lack of resource accessibility to the that exacerbates the social issues that the clients face, thus there is a need to make sure available services are accessed.
Transportation	Tla'amin nation members have difficulty with transportation and the Tla'amin Nation Justice Worker often provides that transportation, though there is no community availability.
Technology Barriers	Due to Covid-19, clients call into the court, but often they do not have reliable technology to call into the court hearings.
Onus of connecting to resources	Currently, the onus on the person/client who is charged to connect with adequate supports, which often leads to lack of connection to resources.
Legal Aid accessibility	Legal Aid is overwhelmed and certain cases may get neglected.
Local Legal Counsel accessibility	There is a shortage of lawyers in the community – there is often a chance of a conflict of interest.
<b>Training and Additional Indigenous Focused Resources</b>	
Indigenous Cultural Safety Training	There is a need for further Indigenous cultural safety training in the community amongst non-Indigenous peoples who work within the justice system.
Need for Friendship Centre or similar community service centre	Indigenous people approached the navigator for assistance with Indian Status cards, filling out various forms and paperwork, information about Covid-19 vaccinations - there is a greater need for help navigating institutions.
Communication	Better communication between all agencies, organizations, institutions to better serve Indigenous community (new methods, increased time dedicated, etc.) Communication for changes in court processes due to Covid-19 will help.
<b>Following Protocol</b>	
Engagement protocol	It was identified that it may be useful to have formal engagement protocol with Tla'amin nation (developed as a group) for matters beyond identifying Tla'amin Nation members in contact with the justice system.
<b>Law Enforcement</b>	
Communication with Advocates	Police should communicate with advocate first before [Indigenous] person directly deals with court issues
Systemic Knowledge of colonization within RCMP	Local RCMP commit to learning historical and current traumas in community.
Identifying Indigenous Peoples	RCMP being first contact between Indigenous peoples and the criminal justice system, there is a barrier in identifying and referring Indigenous peoples to available services.
<b>Gladue Writing</b>	
MOU for Gladue Writing	MOU with Crown for Restorative Justice and Gladue issues
<b>Capacity</b>	
Additional Capacity for Tla'amin Nation	Tla'amin capacity for Restorative Justice is needed (in house process). Crown has been working on creating an MOU for Indigenous justice processes (Restorative Justice) - implementation ongoing. ***

## Key Learnings and Possible Action Items

In this section, we explore some of the themes described above in the chart, adding more context and providing some quotes and insights from key stakeholders.

Overall, many learnings emerged in this project regarding what was working well in relation to reducing barriers for Indigenous peoples in the justice system, and what still needs work. Each learning contains some possible action steps that any community may learn from. Some of the themes are as follows:

### Relationships are Central

A distinct theme emerged in all our interactions with justice collaborators in this project—the dominant one being that relationship and connection to one another was central to positive outcomes. This is related at least in part to the fact that the core criminal justice system itself is designed as a system without consideration or support for relationship. One justice collaborator named that “All our bureaucracies were created to ‘not help’ so we have to actively work against that. And the key to that is relationship. I can best help my clients when I can connect them to the right people.”

These relationships become vital to navigate a system that is challenging for even those with the most privilege available to them. Understandably, those who are already marginalized find themselves entangled in a complex maze as soon as they enter the criminal justice system—and relationship is the key to navigating that maze for clients of the criminal justice system, and justice collaborators alike.

The project revealed that while some were satisfied with the existing connection and relationship, others saw an opportunity for growth. Someone observed that regular connection among justice collaborators and the community was a critical piece of justice work, especially for serving marginalized folks: “The flow of information sharing and cooperation is really important.” Many cited the regular meetings that justice partners would have as critical to serving marginalized folks, and that this was disrupted, at least somewhat during the Covid pandemic. However, all stakeholders without exception saw the ongoing value of continuing to meet, connect, reach out, and be aware of what all the services of the various institutions could offer, and that this effort must be sustained.

### Possible Lesson for Action

It may be no surprise that relationships are the foundation for effective change to happen, but it is nevertheless undervalued or even erased by the criminal justice system. Any project wishing to remove barriers in the justice system will have the most success by centering relationship. In this way, the role of a “Navigator” is crucial. This role is already highly valued by the work done by the Tla’amin Nation Justice Worker. Without such a role, most justice partners recognize their limitations to assist marginalized people in the complex maze of the criminal justice system.

Another action item of this important relationship piece is to ensure there is an ongoing opportunity for stakeholders to work across silos.



## Attune to Bigger Impacts

While relationships were highly appreciated, a theme emerged that a sense of “harmony” may not always reveal the full picture. The work of anti-racism in this region (and all regions), therefore, needs to be attuned to the bigger impacts, often invisible to colonial/white folks.

While a sense of community and relationship may be perceived to be flowing smoothly, especially for those with more ascribed power, underneath there may be ongoing systems in place preventing important change from happening, and from more marginalized voices from speaking up.

Part of this seemed to include a tension between allyship and meeting the needs and obligations to the funder. At times, for example, those leading the project felt an impulse to check in and slow down, but were obligated by meeting certain deadlines of the funder to deliver certain outputs (which will be discussed further below). This pressure sometimes interfered with the ability to attend to the ever-important relationship, and to check in about whether a stated “goal” of the initial project proposal was still working, or if a change needed to be made. A justice collaborator working in community noted: “The Nation itself is working out what it means to be an independent treaty nation. There are so many things we can’t predict and understand. But it can’t compromise our relationships. We still have to listen.”

Accordingly, it is important to take an intersectional approach to this work or to view this work from many different angles. As one participant said “this work is both professional, but also deeply personal and it’s important we move ahead but don’t step on one another’s toes”. This shows both the connection to the work as well as how it’s important to have good communication.

### Possible Lesson for Action

A possible corollary solution from this learning is to ensure that justice collaborator meetings include a time on agenda to ask the tough questions like: “What is NOT working right now? Would someone like to share any feedback that may require all of us to make improvements or changes?” Instead of focusing only on the harmony of the relationship.

To make spaces safe and brave for those voices to be heard when things are not going as well, recognizing that those with less power are less likely to speak up without that explicit invitation.

## Flexibility with Outcomes and Timelines

As noted above, relationship does not operate with outcomes and timelines. The proposal writers, for example, noted that they developed the majority of the proposal in 2019, it was approved in late 2020, and implementation began in early 2021. As most readers will identify, the impacts of Covid 19 had both measurable and immeasurable impacts on community capacity, mental health, and all aspects of life. Someone working in the community at that time observed that the white/settler mindset was: “We’re all going to do all these things in a pandemic anyway!”

### Possible Lesson for Action

Make time for relationship, even when it means slowing the project down, or changing course. Deadlines and timelines are, for the most part, a colonizing approach to community development efforts. One community partner reflected that it may require “having coffee together for 10 years to even know where to begin.” While most projects need to proceed on a more efficient timeline than a decade, the point of taking the time for deeper understanding for relationship building remains. The strength of the relationships in the project will determine the utility and sustainability of changes that are implemented, and in many cases, it is only through relationship that actual change occurs. Note that this in itself is an opportunity for anti-racist action, as colonized structures tend to centre systems and written transactions instead of the development of relationships.

In addition, Tla’amin Nation had taken more active towards self-governance and self-determination since 2019, and the landscape of their needs had already changed by the time of this project’s implementation in 2021. At the time the proposal was written, a key worker at Tla’amin nation indicated she felt “overwhelmed” but then named that there were now new staff and programs within the Nation to support her—she had more capacity, and more support internally. One of the proposal writers indicated: “When we wrote the proposal, the world was on the [Tla’amin Nation Justice Worker’s] shoulders, but then the landscape changed for Tla’amin. That’s an important piece too.” This relates back to the learning above about attuning to bigger impacts. That given the direction Tla’amin Nation was taking and the progress they were making, it would have been beneficial to build into the project a chance to regularly connect with the Nation and key staff there to ensure the project was still meeting the outcomes and timelines that were useful to them.

## Cultural Education is Key

Most justice collaborators voiced a strong indication that education, especially cultural training, was crucial for their institution’s evolution into understanding how to remove or reduce barriers for Indigenous and marginalized peoples within the criminal justice system. Therefore, an ongoing learning of this project is to affirm the good work that is happening with the cultural training. Some of these efforts include (but are not limited to):

- San’yas Indigenous Cultural Safety training
- Trauma awareness training
- Cultural awareness competency initiatives in hiring practices
- Cross-cultural days led by Tla’amin Nation (including the “Blanket” exercise).

In addition to the high praise for these cultural initiatives and programs, and the emphasis on their usefulness for systemic system change,

### Possible Lesson for Action

Determine what the existing cultural education opportunities are in your region. Find out how education is changing regarding hiring practices and training practices within the criminal justice system and beyond. What gaps are there? Where in the system can we identify and overcome harmful colonial narratives that can now be replaced with anti-racist learning and educational opportunities that make criminal justice spaces more inclusive and informed for everyone?

there was also some mention of the importance for Indigenous peoples themselves to have opportunities to experience their culture in positive ways, as needed or requested. The purpose here is also making sure it is understood what was lost through colonization, and the strength in Indigenous identity.

## Bold Policy and Practice Changes Help

*(some are already making a difference!)*

Several justice collaborators noted that in the past several years, some big policy shifts are already making a difference across the system. For example, a member of a Probation team that serves Powell River observed that “there’s been big policy shifts in how BC Prosecution Service is sentencing Indigenous people. Over representation of the justice system and custody. I think in a lot of communities, we’re seeing less Indigenous clients coming to our office on new orders.” Accordingly, policy changes that encourage diversion at one level of the Criminal Justice System has impact all the way down through the system. Ultimately, keeping Indigenous peoples from deepening involvement in the Criminal Justice System is an important factor in removing barriers—so that they don’t have to face those barriers in the first place.

For those interested in changes in the Prosecution Service’s policy changes from January 2021, it can be seen here: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/policy-manual-index.pdf>

In addition to this, agencies can change how they do business. At one point in this project, Lift Community Services (the grant holder) realized in dialogue with the Nation that any Navigator position would properly reside with the Nation. Funds for this portion of the project were then transferred to the Nation for the Nation to choose how to assist with navigation services.

### Possible Lesson for Action

Do not underestimate the importance of pushing for not just practice change, but for long-term policy change. Policy change, however, is notoriously challenging to usher into being. Accordingly, taking bold action, as that taken by the Nation and Lift Community Services, could spark new possibilities for anti-racist projects, and reflect a reality that is not yet written in “policy”—but could influence it.

To make spaces safe and brave for those voices to be heard when things are not going as well, recognizing that those with less power are less likely to speak up without that explicit invitation.

## “Learn Why the Cedar Grows”

**Colonial and/or settler organizations need to prioritize curiosity, learning and listening.**

A key learning from this project is foundational to anti-racism, and it reaches far beyond individual efforts to “remove barriers” for people encountering the Criminal Justice System. It is this: Community and government organizations in relationship with Indigenous Nations are wise to take steps to ensure they are taking the lead of the Nation—to listen to what they want and need, not what is perceived to be needed. That is to say, decolonization is a way to do



systems change, which also means remaining flexible to suit the needs of the Nation (in this case Tla'amin).

One person in this project who worked in community shared the following personal experience, which she then related to this project:

*"I remember going to this amazing conference and listening to folks from Haida Gwaii, and talking about basket weaving. It was a multi-generational panel. The young person was like: "teach me to weave a basket" and the grandma was like: "I can't just teach you to weave a basket, first you have to learn why the cedar grows." We can't just go straight to basket weaving! And we went straight to basket weaving [in this project]. So culturally inappropriate. We don't know why mandates have been in place, we don't know the nuances of those Tla'amin programs. There's ways to be supportive without all that knowledge, and ways to build relationship. But not build a program alongside it without that strong, connected relationship, and a stance of supporting what THEY are doing (rather than presuming we know what is needed)—that was the mistake, and it caused harm."*

One interpretation to the invitation to "learn why the cedar grows" is to think beyond the result and the outcome, to think about the soil from which anything can blossom and grow. What is the soil (foundation) in which something positive and life-giving can emerge? Within the criminal justice system and beyond?

### **Possible Lesson for Action**

Over time, any community wishing to truly make progress with removing barriers to justice may look at the system in which justice is offered, and what other options there may be. On the edges of this project, ideas were raised regarding the role of Circle process, restorative Justice practices and First Nations court to set a new foundation for addressing matters of criminal harm—a foundation which, hopefully, would remove access barriers for marginalized persons in the first place. Someone within the Nation observed: "The colonial system, it's a shaming system and it's isolating... My vision would be these circles. Circles can help us address alcohol, addiction, family violence. To get the provincial courts on board with that." Another justice partner commented: "If it's working for [The Nation]—I want them to have the autonomy to work in the way that works for them. They should decide for themselves what meets their needs. And then we should be there to support them."

## **CONCLUSION**

The insights of this project indicate that decolonial ways of working together and building relationship are key factors in removing barriers to justice for Indigenous and other marginalized people. The relational and practical strengths of Tla'amin Nation are a huge resource for the entire region—they bring a wealth of cultural knowledge and insight that can inform further steps towards creating a more equitable response towards those in conflict with the law. In addition, settler organizations in qathet are well poised to continue to develop their connections amongst each other for the benefit of those they serve, and to freely share the learnings of their organizations across silos. With the further exploration of the observations in this report, the qathet region is uniquely positioned to build on its strengths and effectively bridge the boundaries toward meaningful justice.