

Indigenous Justice Strategy: Key Elements Consultation Draft

Have Your Say: Validation and Feedback

The Consultation Draft is currently open for public validation and comments, which will take approximately **15 minutes** to complete. The validation process helps to ensure the Consultation Draft accurately captures the priorities and perspectives identified by Indigenous people as necessary to address systemic discrimination and the overrepresentation of Indigenous Peoples in the justice system.

Your participation is voluntary, and any results will be reported in aggregate form only, with identifying information about individuals and/or organizations removed. Any personal information that is provided will be managed in accordance with the [Privacy Act](#). The information you choose to provide will be managed in accordance with [Outreach Activities PSU 938](#). The [Privacy Act](#) gives you the right of access to your personal information, if you choose to do so, please contact the Department's Access to Information and Privacy (ATIP) office at ATIP-AIP@justice.gc.ca.

Any questions, comments, concerns or complaints you may have regarding Justice Canada's handling of your personal information may be directed to our ATIP by emailing ATIP-AIP@justice.gc.ca. If you are not satisfied with Justice Canada's response to your privacy concern, you have the right to file a complaint with the Privacy Commissioner of Canada regarding the institution's handling of your personal information.

Your participation will help inform the development of the Indigenous Justice Strategy.

Indigenous Justice Strategy Key Element Themes

These themes are a summary of what we heard during the Indigenous Justice Strategy engagements in Waves 1 and 2, Indigenous-led engagements, the online engagement and the People With Lived Experiences engagements.

- 1) **Collaborative relationship and accountability:** the Indigenous Justice Strategy seeks to recognize and reflect that regular, meaningful, good-faith, and ongoing collaboration between Indigenous, provincial, territorial, and federal governments and justice practitioners is necessary to effect long-term and sustainable positive change. The Indigenous Justice Strategy recognizes that Indigenous peoples have the right to accountability on the part of the Government of Canada in meeting the goals of the Indigenous Justice Strategy.
- 2) **Long-term and predictable funding:** the Indigenous Justice Strategy acknowledges that Indigenous communities require access to ongoing, long-term, and stable financial resources in

order to fulfil their roles and responsibilities as governments and ensure their citizens' wellbeing and ability to thrive.

- 3) **Justice and wellness:** the Indigenous Justice Strategy seeks to recognize and reflect Indigenous understandings of *justice*, such as the need to restore individual and collective *wellness*.
- 4) **Administration of justice and access to justice:** the Indigenous Justice Strategy seeks to advance the priorities of Indigenous communities to reclaim jurisdiction over the administration of justice in collaboration with the provinces and territories, and support and fund the revitalization of Indigenous laws, legal systems and traditions. The Indigenous Justice Strategy also seeks to reduce barriers to justice and provide more Indigenous-led, culturally safe, trauma-informed, justice supports for Indigenous persons navigating the Canadian justice system.

Overall, to what extent do you agree or disagree that these themes reflect the necessary actions to address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

(Select one response only)

- Strongly agree
- Agree
- Moderately agree
- Disagree
- Strongly disagree
- Don't know

Please explain:

Indigenous Justice Strategy Proposed Shared Priority Actions

Justice Canada acknowledges the distinct realities and needs of First Nations, Inuit, and Métis across the country. Applying and implementing agreed-upon actions will be done in close partnership with Indigenous communities, provinces and territories. This will ensure that these measures respect cultural and geographic differences, as well as the unique circumstances of Elders, women, youth, 2SLGBTQIA+ people, and urban/rural-dwelling Indigenous people. As the development of a final Strategy progresses, action items will continue to be identified and prioritized through ongoing collaboration with First Nation, Inuit and Métis partners.

Within each theme there are a number of proposed Shared Priority Actions along with the name of the federal department responsible for the action and a proposed timeline for advancing the action. The 24 proposed Shared Priority Actions reflect recommendations received from participants in the Indigenous Justice Strategy engagement process and are for initial discussion purposes only.

Select each theme on which you would like to provide feedback.

(Select all options that apply)

- Collaborative relationship and accountability
- Long term, and predictable funding
- Justice and wellness
- Administration of justice and access to justice
- Other

1) Collaborative Relationship and Accountability [This section will appear if selected above]

The Indigenous Justice Strategy seeks to recognize and reflect that regular, meaningful, good-faith, and ongoing collaboration between Indigenous, provincial, territorial, and federal governments and justice practitioners is necessary to effect long-term and sustainable positive change. The Indigenous Justice Strategy recognizes that Indigenous peoples have the right to accountability on the part of the Government of Canada in meeting the goals of the Indigenous Justice Strategy.

The following proposed Shared Priority Actions are included under this theme.

To what extent do you agree or disagree that the inclusion of the proposed Shared Priority Actions below will help meaningfully address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

Shared Priority Action 1: Collaborate with Indigenous partners to prioritize distinctions-based areas for action and paths for implementation including the development of First Nation, Inuit, and Métis Justice Strategies. (Justice Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Priority Action 2: Support Federal-Provincial-Territorial-Indigenous tripartite and Federal-Indigenous bilateral justice-related tables to oversee and coordinate implementation of the Indigenous Justice Strategy. (The following departments would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Indigenous Services Canada, Crown Indigenous Relations and Northern Affairs Canada):

This work could include:

- undertaking administration of justice negotiations and discussions on revitalization of Indigenous laws, legal systems and traditions;
- prioritizing region- and community-specific action items for justice service reform;
- supporting program/service integration; and
- identifying additional legislative amendments.

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Priority Action 3: Explore the establishment of governance, accountability, and reporting mechanisms for Indigenous Justice Strategy implementation including indicators to measure progress (Justice Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Share Priority Action 4: Explore options for ongoing resources and administrative support for inclusive regional tripartite or bilateral tables for justice and social service integration. (The following departments would focus on implementing this action in years 3 to 5 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Crown Indigenous Relations and Northern Affairs Canada, Indigenous Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 5: Improve distinctions-based data on outputs and outcomes of Indigenous justice initiatives and experiences with the Canadian justice system. (Justice Canada would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 6: Work with Indigenous organizations to identify meaningful models for cultural learning for justice system practitioners to improve awareness of the history, culture and circumstances of Indigenous people, including the ongoing effects of colonialism. Explore process for funding Indigenous-led organizations to develop and deliver these trainings. (The following departments would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Royal Canadian Mounted Police, Correctional Services Canada, Justice Canada, Public Prosecution Service of Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

If you disagreed or strongly disagreed with the proposed Shared Priority Actions above, please explain why.

2) Long-term, and predictable funding [This section will appear if selected above]

The Indigenous Justice Strategy acknowledges that Indigenous communities require access to ongoing, long-term, and stable financial resources in order to fulfil their roles and responsibilities as governments and ensure their citizens' wellbeing and ability to thrive.

The following proposed Shared Priority Actions are included under this theme.

To what extent do you agree or disagree that the inclusion of the proposed Shared Priority Actions below will help meaningfully address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

Shared Action Priority 7: Explore changes to Justice Canada funding models to reduce administrative burden and support more flexible, predictable, sufficient, community-controlled justice research and programming. (Justice Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 8: Undertake a regionally-focused justice service needs/costing analysis to identify gaps and needs for future federal service and program funding. (Justice Canada would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 9: Explore options to expand existing justice programs and initiatives that are designed and delivered by Indigenous communities and organizations for Indigenous people, including support for necessary physical infrastructure. (The following departments would focus on implementing this action in years 3 to 5 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Correctional Services Canada, Indigenous Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

If you disagreed or strongly disagreed with the proposed Shared Priority Actions above, please explain why.

3) Justice and wellness [This section will appear if selected above]

The Indigenous Justice Strategy seeks to recognize and reflect Indigenous understandings of *justice*, such as the need to restore individual and collective *wellness*.

The following proposed Shared Priority Actions are included under this theme.

To what extent do you agree or disagree that the inclusion of the proposed Shared Priority Actions below will help meaningfully address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

Shared Action Priority 10: Work with Indigenous, provincial, and territorial partners to research, develop, and/or expand the use of culturally-tailored programming to support Indigenous justice processes that promote rehabilitation and healing. (The following departments would

focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Correctional Services Canada, Indigenous Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 11: Expand access to culturally-responsive, Indigenous and community-led, trauma-informed victim services and supports including support for the families of missing and murdered Indigenous women and girls, and 2SLGBTQIA+ people, in a way that is consistent with Federal Pathway commitments. (The following departments would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 12: Expand hiring of Elders, including appropriate resourcing and supports, to work within Justice institutions to provide culturally-appropriate support to Indigenous people interacting with the justice system. (The following departments would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Justice Canada, Correctional Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 13: Explore expanding federal support, in partnership with provinces and territories, for holistic Indigenous Community Justice Centres for culturally-sensitive wrap-around supports and referrals to address social determinants of justice with particular attention to addiction, Child and Family Services involvement, sexual exploitation, and gang-involvement. (Justice Canada would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 14: Explore expanding control and access to community-run alternatives to sentencing for Indigenous people in federal custody to support culturally appropriate justice responses, healing and wellness. (The following departments would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy: Public Safety Canada, Correctional Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

If you disagreed or strongly disagreed with the proposed Shared Priority Actions above, please explain why.

4) Administration of Justice and Access to Justice [This section will appear if selected above]

The Indigenous Justice Strategy seeks to advance the priorities of Indigenous communities to reclaim jurisdiction over the administration of justice in collaboration with the provinces and territories, and support and fund the revitalization of Indigenous laws, legal systems and traditions. The Indigenous Justice Strategy also seeks to reduce barriers to justice and provide more Indigenous-led, culturally safe, trauma-informed, justice supports for Indigenous persons navigating the Canadian justice system.

The following proposed Shared Priority Actions are included under this theme.

To what extent do you agree or disagree that the inclusion of the proposed Shared Priority Actions below will help meaningfully address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

Shared Action Priority 15: Continue to support Indigenous communities in accessing professional, dedicated and responsive policing services. (Public Safety Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 16: Explore integrated, holistic, and culturally-responsive case management and wrap-around supports for Indigenous persons in custody to support reintegration and healing. (The following departments would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Royal Canadian Mounted Police, Correctional Services Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 17: Explore options to support equivalent funding models for all s. 81 healing lodges to increase access to community-led lodges. (Correctional Services Canada would focus on implementing this action in years 3 to 5 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 18: Review current tools used for security classification in institutions, and Gladue reports for sentencing, to reduce barriers and address issues of systemic discrimination. (Correctional Services Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 19: Establish a national gang-exit strategy in federal correctional institutions implemented and led by independent Indigenous organizations to provide intervention and support for high-risk Indigenous individuals who wish to exit gang life. (Correctional Services Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 20: Explore federal policy and fiscal frameworks for the negotiation and implementation of tripartite or bilateral agreements to facilitate adequate and effective enforcement, prosecution, and adjudication of local Indigenous laws. (e.g., through modern treaties, self-government agreements, and other constructive arrangements) (The following departments would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Indigenous Services Canada, Crown Indigenous Relations and Northern Affairs Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 21: Ongoing negotiation and implementation across Canada of tripartite or bilateral agreements to facilitate adequate enforcement, prosecution and adjudication of local Indigenous laws. (e.g., through modern treaties, self-government agreements and other constructive arrangements) (The following departments would focus on implementing this action in years 3 to 5 of the Indigenous Justice Strategy: Justice Canada, Public Safety Canada, Crown Indigenous Relations and Northern Affairs Canada, Indigenous Services Canada, Public Prosecution Service of Canada).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 22: Explore federal support for the establishment of independent, Indigenous-led bodies to support research, knowledge exchange, capacity-building and to provide advice to First Nations, Inuit and Métis governments seeking to revitalize and operationalize their legal systems and interconnect them with the broader Canadian justice system, as appropriate. (Justice Canada would focus on implementing this action in years 2 to 3 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 23: Engage with Indigenous partners on possible options for legislative changes that address overrepresentation of Indigenous people in the justice system. (Justice Canada would focus on implementing this action in years 1 to 2 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

Shared Action Priority 24: Consultation and cooperation on potential legislative options aimed at recognizing and enabling First Nations, Inuit and Métis justice systems including enforcement of laws and reclamation of jurisdiction over administration of justice. (Justice Canada would focus on implementing this action in years 3 to 5 of the Indigenous Justice Strategy).

[Dropdown questions will appear with a scale of: Strongly agree, Agree, Moderately agree, Disagree, Strongly disagree, Don't know]

If you disagreed or strongly disagreed with the proposed Shared Priority Actions above, please explain why.

Other theme(s) [This question will appear if Other was selected as a theme]

What additional theme do you think should be included in the Indigenous Justice Strategy? Please explain:

What shared action priorities do you think should be included under this theme? Please explain:

Do you want to add another theme?

- Yes
- No

What additional theme do you think should be included in the Indigenous Justice Strategy? Please explain:

What shared action priorities do you think should be included under this theme? Please explain:

Do you want to add another theme?

- Yes
- No

What additional theme do you think should be included in the Indigenous Justice Strategy? Please explain:

[Empty text box]

What shared action priorities do you think should be included under this theme? Please explain:

[Empty text box]

Overall Indigenous Justice Strategy comments

Do you have any other comments that you would like to share on the actions required to address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system?

Text box

[Empty text box]

Demographic questions

I am responding (Mandatory):

(Select all options that apply)

- As an Indigenous individual
- On behalf of an Indigenous organization
- As a justice practitioner (e.g., judiciary, police, counsel, justice worker)
- As an academic, legal or policy expert
- None of the above (please specify below)

Please specify:

[Empty text box]

I live in (Mandatory):

(Select all options that apply)

- Alberta
- British Columbia
- Manitoba
- New Brunswick
- Newfoundland and Labrador
- Northwest Territories
- Nova Scotia
- Nunavut
- Ontario

- Prince Edward Island
- Quebec
- Saskatchewan
- Yukon
- None of the above (please specify below)

Please specify:

I participated in the following Indigenous Justice Strategy engagement activities in between November/2022 and December/2023 (Mandatory):

(Select all options that apply)

- Indigenous-led engagements: Indigenous partners were funded to facilitate their own engagements to inform the development of the Indigenous Justice Strategy.
- Justice Canada Wave 1: Justice Canada held 26 virtual engagement sessions from November 2022 to March 2023 with key Indigenous groups to discuss the two themes of the Indigenous Justice Strategy: Supporting Indigenous Justice Systems; and Reforms to the Canadian justice system.
- Justice Canada Wave 2: Justice Canada held in-person and virtual sessions regionally across the country with PT and Indigenous partners from June 2023 to December 2023.
- I did not participate in an Indigenous Justice Strategy engagement activity.

Thank you for taking the time to provide feedback. It is greatly appreciated.

This input allows the Government of Canada to better understand your priorities and to help shape the Indigenous Justice Strategy.

This important dialogue will continue. Further engagement and input opportunities will be available as we work together to develop the Indigenous Justice Strategy. Be sure to follow watch for updates [online](#) and follow our social media channels.

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