

Executive Summary

The Commission on First Nations and Métis Peoples and Justice Reform is six months into its mandate of examining the justice system in the province of Saskatchewan. Justice Minister Chris Axworthy announced the formation of the Justice Reform Commission on November 15, 2001.

Although it is still early, the Commissioners have been able to make several observations as they begin the challenge of identifying concerns and, most important, developing recommendations for positive change within the system. It has been recognized that many First Nations and Métis people in this province have lost confidence in the justice system. That rather grim assessment is already known; now the Commission must identify *specific* areas of concern and seek remedies to correct these problems.

The Justice Reform Commission has stated that it will be different in its approach and its commitment to compel change, whether it comes about through legislation or education. Formal hearings are being replaced by vehicles such as community dialogues in towns and villages and on reserves throughout Saskatchewan. In this report, a strategy for these dialogues is outlined. The intent is for this Commission to be open to dialogue with as many individuals, organizations and communities as possible. The dialogues will be conducted in an environment that is open, but at the same time secure for everyone involved in the process. Every effort is being made to accommodate as many people as possible in this dialogue with Saskatchewan.

This interim report takes note of some of the work that has been performed by previous commissions, boards of inquiry and others who have studied the justice system in this country. Their studies provide guidance for the Justice Reform Commission, but they also serve as a stark reminder that the task is both massive and fraught with obstacles which must be addressed by this body. Research, it would seem, can be accomplished if sufficient time and resources are available. Bringing about reform is another matter and will require a high degree of innovative thought and determination on the part of this Commission.

In the wake of the previous studies that have been commissioned in the last two or three decades, the *Commission on First Nations and Métis Peoples and Justice Reform* acknowledges that it arrives on the scene with a degree of cynicism surrounding it and its chances of succeeding. This report identifies some of the successes that have occurred as a result of past commissions. This Commission and the Saskatchewan public are in agreement that the reforms that have come about have not been as effective as most people would have wished.

Executive Summary (continued)

The critical statistics, the numbers that indicate high incarceration rates among Aboriginal people, for example, show little sign of improvement, despite some significant changes in how justice is delivered in this province. The *Linn Reports*, in particular, have been heralded as a catalyst for change in Saskatchewan over the last decade. Later in this report, a brief analysis of the *Linn Reports* reveals that 32 recommendations from those 1992 documents have been implemented and another 57 are ongoing or are in the process of being phased into the justice system. And while this appears to be a step in the right direction, this Commission is concerned that these reforms have not had the desired effect of restoring confidence in the justice system among First Nations and Métis people in Saskatchewan. This speaks to the enormity of the task facing the Justice Reform Commission and serves as a reminder of how vital an innovative approach to the issues will be over the next two years.

Elsewhere in this report, it is pointed out that justice issues, particularly as they relate to Aboriginal people, cannot be examined in isolation. One must take into consideration the high rate of growth compared to the non-Aboriginal population. Clearly, factors such as health, economics and education play a role in leading people into contact with the justice system. This Commission, consequently, will be required to view justice issues from a holistic perspective.

Although this process does evoke cynicism at times, it has been noted by the Commission that there is a high degree of enthusiasm and a sense of comfort among many people in Saskatchewan as this body begins its work. Meetings with the stakeholders group in March and the first dialogues in Regina and Saskatoon demonstrated the importance of this undertaking. Already, numerous communities have invited the Justice Reform Commission to visit their community. They are anxious to provide their input into the process and to assist with what they believe is an essential restructuring of the justice system, attitudes and practices. The *Commission on First Nations and Métis Peoples and Justice Reform* is committed to hearing what the people of Saskatchewan have to say as this process continues.

