Dear [Name]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [JPS/124/2019]

On October 29, 2019, the Department of Justice and Public Safety (JPS) received your request for access to the following records:

“Any and all messaging prepared for the fall sitting of the house of assembly. This includes key messages for the Minister and binders.”

Please be advised that a decision has been made by the Deputy Minister of JPS to provide access to most of the requested information. However, access to a limited amount of information has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

34(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to
   (a) harm the conduct by the government of the province of relations between that
e government and the following or their agencies:
      (i) the government of Canada or a province,

40(1) The head of a public body shall refuse to disclose personal information to an
appllicant where the disclosure would be an unreasonable invasion of a third party’s
personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request as set out in section 42 of the Act (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing not later than 15 business days of the date of this letter or a longer period that may be allowed by the Commissioner.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500  

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any questions please contact me by telephone at 709-729-7128, or by email at sonjaelgohary@gov.nl.ca.

Sincerely,

Sonja El-Gohary
ATIPP Coordinator
Access or correction complaint

42.  (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

   (2) An appeal shall be commenced under subsection (1) not later than 15 business days

   (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

   (b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

   (3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

   (4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
Department of Justice and Public Safety

QP Information

Fall Session - 2019
Courts and Corporate Services/Policy
Fines Options Program
Family Violence Intervention Court Expansion
Support for Jurors
Drug Treatment Court
Interpersonal Violence Disclosure Protocol (Clare’s Law)
Court Infrastructure – HVGB
VAWG
Women’s Advocate Complaint
ATIPP

Public Safety and Enforcement
Jesso Report
Segregation in Correctional Facilities
Programs at Male Correctional Facilities
Programs at NLCCW
NL Youth Centre
Labrador Correctional Centre
New Correctional Facility
RNC Complement
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Massage Parlours

Legal Services
Judges Salary Tribunal
OIPC Complaint
Conversion Therapy
Opioid Class Action

Public Prosecutions
Jordan
Adult Diversion

Inquiries
Search and Rescue Inquiry
Muskrat Falls Inquiry
Innu Children in Care Inquiry
MMIWG
KEY MESSAGES

Justice and Public Safety
Fines Options
October 15, 2019

Summary
Issues raised about difficulties collecting on outstanding fines go back several years. A commitment was made in the 2019 Throne Speech to “explore the creation of a fines option pilot program, which would enable those in marginalized groups with outstanding fines to settle their debt by performing community service work providing social benefits to the community and to participants.”

Anticipated Questions:
• What is being done to recover outstanding fines?
• How will the new program differ from that previously explored?

Key Messages:
• This is an issue across the country and we continue to look for innovative, cost-effective ways to collect outstanding fines.

• A project started in 2015 with the primary purpose of recouping fines through the court process was not proving to be effective because it was costly and time consuming.

• The Department of Justice and Public Safety has been exploring alternative ways to operate a Fines Option Program. A new Fines Option Program would allow individuals to settle their debt, in part or whole, to the province by performing community service work.

• It is anticipated that the community service work would be comprised of volunteer-type work for non-profit community organizations or municipalities. Once the participant is enrolled in the program, they would be able to have their driver license reinstated, removing a significant barrier to employment.

Secondary Messages:
• The objective of the program is not to create revenue, but to provide an alternative for settling fines for those unable to pay. The program would also restore and build community relationships through volunteer work and provide opportunities to vulnerable persons.

• Nova Scotia, New Brunswick, Prince Edward Island, Quebec, Manitoba, Saskatchewan and Alberta all run Fines Options Programs.

• Most jurisdictions have programs with similar characteristics, including:
  o Having Probation Officers oversee the program;
  o Consultations with community organizations for participant placement; and
  o Allow some or all Criminal Code of Canada fines.
Fact Sheet

- Approximately 80 per cent of people pay their fines voluntarily.
- As of September 30, 2019, there was $42 million in fines, penalties and surcharges outstanding.
- Up to the end of September 2019, over $4.7 million in fines, surcharges and penalties had been collected this fiscal year.
- The total of these fines include not just traffic violations. They include fines imposed by provincial court (victim fine surcharges, fines for criminal violations, contraband tobacco etc), fines resulting from a summary offence ticket (for offences under the Highway Traffic Act and other legislation), and fines resulting from parking violations.
- Most fines are collected either voluntarily or through automatic payment upon driver license or vehicle registration renewals.
- If a renewal is necessary and a client is unable to pay their fines in full, they can contact Fines Administration to apply for a payment agreement. If approved, this agreement will permit the client to renew their license or vehicle registration and pay their fines on a monthly basis.
- This can be a barrier to gaining employment as some people may not have the means to pay their fines without working, but are unable to work without having access to a driver license.
- There is an arrangement with the Canada Revenue Agency to collect outstanding fines. As of September 30, 2019, for the 2019-20 fiscal year, $683,000 has been collected via CRA.
- A contributing factor to outstanding fines could be increases to fines and fees for offences.
  - Effective June 2016, there was an increase in the fine for use of a handheld cellular device, which tripled from $100 to $300 for a first offence.
  - Also, effective September 1, 2016, Provincial Victim Fines Surcharge increased from 15 per cent of provincial fines to 30 per cent.
  - In February 2018, 17 Highway Traffic Act fines were increased – most from $20.00 to $100.00.
  - In June 2018, new speeding offences became effective – speeding between 31-50 km/hr over the limit ($300 for first offence) and a new offence - speeding 51km/hr and over the limit ($400 for first offence) Speeding fines double in construction and school zones.
- We continue to assess late payment penalties of 12 per cent of fines up to a maximum of $120.00.
- Each month, debtors who owe $300 or more in overdue fines are registered at Supreme Court and the resulting judgments are filed with the Sheriff's Office so that civil action such as wage attachments, bank garnishments and property seizure can be initiated. This filing also affects a person's credit rating and can negatively impact a debtor's borrowing ability often resulting in rejections for mortgage and loan applications.
- As December 14, 2018, the Supreme Court of Canada has struck down Federal Victim Fine Surcharges, determining the mandatory nature of the surcharge violates the Charter of Rights and Freedoms. As this is a recent change, we are unaware of how this will affect those who owe federal surcharges in the province.
Background

- In early 2015, the department examined the list of individuals owning fines and sought to enter into payment plans with four individuals as part of a pilot project.

- The project was designed primarily to recoup fines owing to the province.

- The idea was to compel people to appear in court and allow them to make payment arrangements. If they could afford to pay and chose not to, they could be incarcerated.

- It was anticipated that the threat of imprisonment would encourage debtors with significant unpaid fines to voluntarily establish payment schedules, but ultimately it proved ineffective.

- We proceeded with a number of applications and our experience showed:
  - That the applications could take a significant amount of time to proceed through the court process without much substantive progress; and,
  - It could take a significant amount of time to get to a point where a person might agree to enter into a payment plan, and that there was no guarantee that the person could or would follow through with the terms of that payment plan.

- The Criminal Code of Canada creates two scenarios under which a person can be imprisoned for failing to pay a fine:
  - (1) the mechanisms in 734.5 (e.g. refusing to issue or suspending licenses or permits) and 734.6 (civil enforcement remedies) are not appropriate, or
  - (2) the offender has, without reasonable excuse, refused to pay the fine or discharge it.

- The Supreme Court of Canada has confirmed: (1) Poverty is a “reasonable excuse” for refusing to pay (734.7(1)(b)(ii) and (2) where the excuse for failure to pay is poverty, it is not then open to imprison an offender under 734.(1)(b)(i).

- So if a person is able to establish that his/her reason for failing to pay the fines is poverty, they cannot be imprisoned for failing to pay the fines.

- Criminal Code Section 734.7 (1) Where time has been allowed for payment of a fine, the court shall not issue a warrant of committal in default of payment of the fine
  - (a) until the expiration of the time allowed for payment of the fine in full; and
  - (b) unless the court is satisfied
    - (i) that the mechanisms provided by sections 734.5 and 734.6 are not appropriate in the circumstances, or
    - (ii) that the offender has, without reasonable excuse, refused to pay the fine or discharge it under section 736.

- The Department has accepted that it may never recoup in full historic fines owing so instead it is in the process of creating a program that would allow debtors to settle with the province through other means, like community service.

- Since being announced in the Throne Speech, we have already heard from a couple of debtors looking to participate.

- We hope to have the program operational very soon.
KEY MESSAGES

Justice and Public Safety
Family Violence Intervention Court
October 29, 2019

Summary:
Minister Parsons’ mandate letter included a commitment to expand the Family Violence Intervention Court beyond St. John’s by exploring site options, models and technologies to allow for enhanced services in other regions, including Labrador.

Anticipated Questions:
• When will the court be expanded?
• How will this court be different than the traditional court process?

Key Messages:

• Currently there is a Family Violence Intervention Court in St. John’s and Stephenville.

• The department is working to expand the court beyond these two locations to allow for enhanced services in other regions of the province.

• Family Violence Intervention Court is a specialized court that attempts to better serve victims and hold offenders more accountable. This specialized court requires the offender to participate in intervention or programming regarding family violence.

• The goal of the Court is to prevent and reduce incidents of family violence by addressing the root causes of violence through teamwork with key community partners. Working together allows faster access to services for the victim and offender. The Court focuses on improving victim safety and offender responsibility.
Background:

- Budget 2015-16 approved funding for two courts (St. John’s and Stephenville) in the amount of $1,566,000 ($1,062,000 in salary and $455,600 in operating).

- The funding costs for two courts is $669,500.

- The amount of $392,500 is available to be used for expansion.

- The funding is allocated for current sites for these resources:
  - Probation Officer
  - Victim Services
  - Crown Attorney
  - Social Worker
  - Specialty Court Liaison
  - Risk Assessment Officer (Legal Aid)
  - Community resources (eg. Counselling provided by John Howard)

Family Violence Intervention Court - St. John’s
April 1, 2018 – Jan 31, 2019

<table>
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<th>Total Appearing</th>
<th>Not Interested/Not Eligible/Charges Withdrawn</th>
<th>Pending Plea</th>
<th>Completed Programming</th>
<th>Currently in Programming</th>
<th>Opted Out/Did not Complete</th>
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Family Violence Intervention Court - Stephenville
April 1, 2018 – January 31, 2019

<table>
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<tr>
<th>Total Appearing</th>
<th>Not Interested/Not Eligible/Charges Withdrawn</th>
<th>Pending Plea</th>
<th>Completed Programming</th>
<th>Currently in Programming</th>
<th>Opted Out/Did not Complete</th>
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<td>8</td>
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</tbody>
</table>
KEY MESSAGES

Justice and Public Safety
Jury Trials
Oct. 23, 2019

Summary:
A number of high profile jury trials occurred this year raising questions about what supports are in place for jurors given the sometimes graphic and disturbing information considered as evidence.

Anticipated Questions:
• Does the province have any services that jurors can avail of following a trial?
• What does the service consist of?

Key Messages:
• The Government of Newfoundland and Labrador appreciates and values a person’s attendance and readiness to serve as a juror. We thank all who serve for performing an important civic duty and assisting to maintain the justice system.

• A Critical Incident Debriefing is offered to jurors if it is deemed appropriate and necessary through discussions with the courts. To date, three former jurors have availed of the service.

• The Department of Justice and Public Safety provides funding for up to four hours on initial assessment. Coverage for additional sessions are assessed on a case-by-case basis in consultation with the juror and counsellor.

• Past jurors’ experiences helped inform our decision to implement this new post-jury service. We have already heard from some past jurors who are pleased that this service is now available.

Secondary Messages:
• The debriefing addresses concerns and issues typically expressed by those who serve on a jury and aligns with the recommendations of the report Improving Support for Jurors in Canada.

• Contact information for a counsellor with expertise in critical-incident stress management is given to jurors so they can arrange an appointment for a private session.

• Summons are typically sent to 350-500 people for every jury trial, but there can sometimes be as many as 1,200 for a high profile case.
**Fact Sheet**

**Critical Incident Debriefing for Jurors**

This information is intended to give you a brief explanation of Critical Incident Debriefing and how it may be helpful to you.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>What to expect after serving as a juror.</td>
<td>A normal reaction for a juror following a trial would be to return home to their family and re-establish their normal routine. However, the juror experience is one that some people remember long after the event and sometimes presents an emotional disruption.</td>
</tr>
<tr>
<td>What is a critical incident?</td>
<td>A critical incident may involve a specific situation or an event that causes a distressing change or disruption in a person's emotional, physical, behavioral or social well-being.</td>
</tr>
<tr>
<td>How is a critical incident managed?</td>
<td>Debriefing a critical incident involves counselling intervention that allows a person to process the impact of an event, educates them on what is often experienced by jurors, what triggers are possible, how they might manage their reactions and how they might access supports within their own system of care and community.</td>
</tr>
<tr>
<td>Why am I being offered this program?</td>
<td>Critical Incident Debriefing is offered to provide the opportunity to discuss your feelings following the trial and any reactions you may be experiencing.</td>
</tr>
<tr>
<td>How will I know that it might be time for a debriefing?</td>
<td>Stress reactions may occur in the short term following the trial, or in the following weeks and months. If you are troubled by how you are feeling, thinking or reacting after the juror experience, you should be aware that these reactions are normal. If you or your family members are concerned about your reactions and/or your stress continues, you may want to seek assistance to help manage these responses.</td>
</tr>
<tr>
<td>How will I make an appointment?</td>
<td>Contact [REDACTED] She will arrange an appointment for your private session. You will be informed of what to expect and the range of service. Your information will be kept confidential between you and the counsellor. Jurors will incur no cost for this service.</td>
</tr>
</tbody>
</table>
KEY MESSAGES

Justice and Public Safety
Drug Treatment Court
October 7, 2019

Summary:
On May 17, 2017, the Provincial Government established a working group to initiate a pilot project in St. John’s. The Drug Treatment Court became operational November 30, 2018 and the first DTC sitting to review applications was on January 18, 2019.

Anticipated Questions:
• How many offenders have qualified for Drug Treatment Court?
• How does it work?

Key Messages:
• Drug Treatment Court is an alternative approach for offenders with serious drug addictions, who commit non-violent, drug-motivated offenses.

• To date (September 30, 2019), there have been 32 applications filed for DTC. (20 male, 12 female).

• As of September 30, 2019, there have been 13 accepted participants and five potential participants.

• The Drug Treatment Court brings together treatment services for substance abuse and the criminal justice system to deal more effectively with drug-addicted offenders.

Secondary Messages:
• Of the 18 participants:
  o Nine (3 male and 6 female) are currently actively participating in varying stages of the DTC process;
  o four participants have been dismissed from DTC, and;
  o there are five potential participants in the application/assessment process.

• Illicit drug abuse has health, social and economic costs. This problem-solving, therapeutic approach offers an alternative to traditional criminal justice responses by addressing the underlying issues that contribute to crime.

• It establishes long-term supports outside the criminal justice system by offering court monitored treatment, random and frequent drug testing, incentives and sanctions, clinical case management and social services support.

• Drug testing processes have been established with Eastern Health, testing commences on individual basis with each participant.

• Long-term supports are established for each individual participant through case management and treatment plans.
Fact Sheet

- Operation of the Drug Treatment Court has involved continued collaboration of partners within the Justice System, including Provincial Court, the provincial Crown Attorney’s Office, Public Prosecutions of Canada, the Newfoundland and Labrador Legal Aid Commission, Eastern Health, Health and Community Services and community supports.

- The first DTC sitting to review applications was January 18, 2019.

- As of September 30, 2019, there have been 32 applications filed for DTC. (20 male, 12 female).

- Applications for DTC will vary month to month as the intake process is continuous.

- Current applications are in various stages of the DTC process and review.

**Active Clients:**

- 13 entered guilty pleas and began DTC and treatment process
  - 9 active clients currently participating in DTC and Services
    - (6 female, 3 male).
    - 3 others expelled due to new charges and suitability concerns
    - 1 other left voluntarily and returned to regular criminal court process for sentencing

- 5 new applications are in the review / assessment process
  - One completed assessment, pleas pending.
  - One is in assessment phase
  - Three are pending final review of DTC application

- 14 applicants were deemed not eligible for DTC
  - 10 Exclusionary offenses: recent or significant history of violence, impaired driving (by drug), current violent offenses, residential break and enter.
  - 2 Applications withdrawn by applicants/not interested
  - 1 Currently serving custodial sentence
  - 1 Too low risk: no criminal history, one offense, drug use not indicative of addiction
KEY MESSAGES

Justice and Public Safety
Interpersonal Violence Disclosure Protocol
October 15, 2019

Summary:
The department is exploring Interpersonal Violence Disclosure Protocol legislation, more commonly known as Clare’s Law. The legislation would enable police agencies to disclose a person’s criminal history to that person’s partner, in limited circumstances.

Anticipated Questions:
• What does the Interpersonal Violence Disclosure Protocol do?
• Where are we in Newfoundland and Labrador with this current legislation?

Key Messages:

• Through the work of the Minister’s Committee on Violence Against Women and Girls (VAWG), we recognize a need for further tools to protect those at risk of intimate partner violence.

• This enabling legislation is designed to enhance protections for individuals in intimate relationships who are at risk of violence from their partners by disclosing an individual’s risk based on the relevant prior criminal history of their partner. The protocol would also provide the person at risk with information for next steps and support.

• This legislation would complement this government’s efforts to help make Newfoundland and Labrador a safer place for women and girls.

Secondary Messages:

• The Department of Justice and Public Safety gave notice to introduce the Bill in the House of Assembly in 2019 prior to the election and in the summer session of the House of Assembly (July 23, 2019).

• The legislation would allow a protocol to be developed determining who can request a disclosure of information, what can be disclosed as information, and how that information will be protected once disclosed.

• There is still a great deal of work to be done to develop the protocol before this legislation can come into force here in the province. There is a need to help protect individuals at risk of intimate partner violence while protecting the privacy of other individuals.
Fact Sheet:

- IVDP, also known as Clare’s Law in the United Kingdom, was introduced to honour Clare Wood, a woman who was murdered by her partner and was unaware of his violent past. Clare’s father fought for an initiative that would release relevant information about prior criminal history to intimate partners who are at risk.

- The UK developed a scheme that allows an individual to seek information about the relevant prior criminal history of an intimate partner to protect individuals who are at risk of violence.

- When a request is made, the police are given the authority to assess the risk of potential harm to the individual, and disclose information about any prior criminal history which they deem necessary to protect that individual.

- The Scheme allows for police to share information with an individual at risk in two circumstances; when an individual seeks out the information (a right to ask) or if the police have knowledge that an individual may be at risk of intimate partner violence (a right to know).

- The scheme also provides additional supports for those potentially at risk of intimate partner violence once the information is disclosed.

- When police do not provide an individual with a disclosure, it does not indicate that there is no criminal history or risk present. Rather, this may simply indicate that the police agency is not in possession of any information indicating risk of intimate partner violence at this particular time.

- In Canada, Saskatchewan was the first jurisdiction to develop and implement this type of legislation. Saskatchewan’s Bill 141 the Interpersonal Violence Disclosure Protocol (Clare’s Law) Act received Royal Assent on May 15, 2019.

- Saskatchewan’s intention is to model its protocol after the UK Scheme. This legislation enables the creation of a protocol for victims to seek information regarding their intimate partners’ criminal history and provides police agencies clear authority to provide information to persons at risk of intimate partner violence. Saskatchewan anticipates the protocol will be finalized by fall 2019.

- British Columbia introduced a Private Member’s Bill: Interpersonal Violence Disclosure (Clare’s Law) Act, 2019, for First Reading on May 14, 2019. British Columbia’s Bill resembles Saskatchewan’s in that it is enabling legislation and is also based on the UK disclosure scheme.

- Alberta is also planning to introduce its domestic violence disclosure legislation enabling a similar interpersonal violence disclosure scheme in fall 2019.
KEY MESSAGES

Justice and Public Safety
Labrador Provincial Court Infrastructure
October 23, 2019

Summary:
Issues have been raised in past about the Provincial Court infrastructure in Happy Valley-Goose Bay. There was an Occupational Health and Safety stop work order about the interview room following a complaint by Legal Aid.

Anticipated Questions:
• Is the court infrastructure in Happy Valley-Goose Bay limiting the court process?
• Are you building a new courthouse in HVGB?

Key Messages:
• We recognize current infrastructure at Provincial Court in Happy Valley-Goose Bay can present challenges.

• The department is working with Provincial Court stakeholders to ensure the courts continue to operate as effectively and efficiently as possible.

• JPS has identified space requirements for the HVGB Courthouse. An RFP was issued in June 2019 for leased space. Government is in the process of seeking approval to award the contract.

Secondary Messages:
• Construction is expected to begin in spring 2020 and anticipated to last eight months.

• The Provincial Court in Happy Valley-Goose Bay is the second busiest Provincial Court next to St. John’s.

• The current lease is expired and we are currently paying month to month.
Justice and Public Safety
Minister’s Committee on Violence Against Women and Girls
October 15, 2019

Summary:
In October 2017, Minister Parsons announced a Justice Minister’s Committee to examine the issue of violence against women and girls. The committee is made up of government members and community groups. The committee continues to meet and work on priorities identified by the Committee towards ending gender-based violence.

Anticipated Questions:
• What has the committee accomplished?
• What are some of the things the committee is working on?

Key Messages:
• The Justice Minister’s Committee on Violence Against Women and Girls held its second meeting in February 2019 with nearly 70 participants attending. An overview of the meeting is available online.
• The group discussion focused on education and awareness, culturally appropriate responses, integrated and holistic services and innovative approaches to ending violence against women and girls.
• The Steering Committee continues to meet regularly reviewing the recommendations set out by the larger committee to create actionable items and discuss next steps.
• Ending gender based violence requires commitment and urgency but I feel quite confident that we have the right people engaged to enact real change.

Secondary Messages:
• Violence against women and girls is not solely a justice issue; we all have a role to play in addressing this issue. While we have made great strides there is much work left to do and it will not come easy.
• The meeting was attended by representatives from women’s organizations, women with lived experience, Indigenous governments and organizations, RNC, RCMP, members of the legal community, community organizations and officials from relevant government departments.
• Important topics discussed include:
  o Emergency Protection Orders (EPOs);
  o additional means to encourage higher rates of reporting sexual and intimate partner violence; and
  o ways to monitor and deter perpetrators of intimate partner violence.
Background:

- In October 2017, Minister Parsons announced the creation of the Minister’s Committee on Violence Against Women and Girls as an initiative to help make Newfoundland and Labrador a safer place.

- The Committee’s inaugural meeting which was held on December 8, 2017 brought together community groups, representatives from Indigenous governments and organizations, those with lived experience and government members.

- The meeting was an opportunity to share information, exchange ideas, and develop action plans to end gender-based violence in Newfoundland and Labrador.

- A Steering Committee was then established from a sub-group of participants to ensure efficiencies and help guide the work of the whole committee. The Steering Committee is currently co-chaired by the Honourable Andrew Parsons, Minister of Justice and Public Safety and Minister for the Office for the Status of Women, Carol Anne Haley.

- Members of the Steering Committee represent a selection of key stakeholders who have experience and knowledge of issues related to violence against women and girls. Current membership includes persons with lived experience, the Women’s Policy Office, RNC, RCMP, Public Prosecutions, Violence Prevention Avalon East, Stella’s Circle, NL Sexual Assault Crisis and Prevention Centre, Public Legal Information Association of NL and First Light.

- The Government of Newfoundland and Labrador is committed to help find ways to make the province safer for women and girls.

- The rate at which women and girls experience violence in our province and across the country is much too high. This is a huge, pervasive issue affecting many in this province.

- The goal of the committee is to share information, exchange ideas, and come up with action plans to end gender-based violence in Newfoundland and Labrador.

- It is important to acknowledge that this isn’t just a female issue. We need to engage and educate men and boys in violence prevention.

- Our government continues to work to address the ways violence is perpetrated in our communities through initiatives that directly target violent behavior and fight social normalization of violence.

- We also recognize that Indigenous women and girls are particularly susceptible to experiencing violence. We will work with stakeholders including Indigenous governments and organizations, as well as the federal government, to identify collaborative, culturally-appropriate ways to address this in our province and throughout Canada.
KEY MESSAGES

Justice and Public Safety
Women’s Advocate Complaint
October 17, 2019

Summary
In an article in The Independent, the former Executive Director of the St. John’s Status of Women’s Council, Jenny Wright, accused then Chair of the Provincial Advisory Council on the Status of Women, Linda Ross, and RNC Chief Joe Boland of conspiring to have her removed from her position.

Anticipated Questions:
Was government involved in the departure of Jenny Wright?

Key Messages:
• The Provincial Government had no involvement with the departure of the head of the St. John’s Status of Women’s Council.

• We always have and continue to appreciate the important work of the St. John’s Status of Women’s Council.

• St. John’s Status of Women’s Council’s Board of Directors holds the decision making authority over human resource matters.

• As a government, it is our understanding that several community organizations and a violence prevention advocate with lived experience, requested a meeting with the SJSWC Board of Directors.

• We understand that there was a desire to discuss the relationships between the parties.

Secondary Messages:
• Our government works very closely with community groups as they play an incredibly important role in our communities.

• There are times where we may have conflicting views but having that respectful relationship helps lead to better outcomes. At the end of the day we share the same goal of supporting residents.

• The SJSWC does excellent work and they are an important partner in the collective work to reduce violence against women and advancing women in our communities.

• There is a process to file complaints through the RNC Public Complaints Commission which functions independently of both the department and RNC.
Status of Women Councils
October 21, 2019

Issue: Status of Women Councils have expressed concern over the RNC and Provincial Advisory Council on Status of Women inserting themselves in a human resource discussion. Additionally, the St. John’s Status of Women Council has indicated that it is seeking multi-year funding for its Safe Harbour Outreach Project.

Anticipated Questions:
Why did government insert itself into a human resources issue involving the St. John’s Status of Women’s Council? Will multi-year funding be provided to the council? How does government support women councils and violence prevention?

Key Messages
• The Provincial Government had absolutely no involvement with the departure of the Executive Director of the St. John’s Status of Women’s Council. The St. John’s Status of Women’s Council’s Board of Directors holds the decision making authority over their human resource matters.

• Our only awareness of this issue was that we were copied on the original letter from the community stakeholders requesting a meeting with the St. John’s Status of Women’s Council.

• Our government respects the independence of the Royal Newfoundland Constabulary and the Provincial Advisory Council on the Status of the Women’s Council in their work with citizens and stakeholder groups.

• We are presently evaluating the initial phase of multi-year funding that we provided to 22 community organizations, which includes the St. John’s Status of Women Council. That review will inform next steps and whether we expand multi-year funding.

• We are a partner of community organizations. We welcome different perspectives on issues and work collaboratively to understand respective views as it helps achieve better outcomes – our position is build bridges, not walls.

Violence Prevention
• We all play a role in ending violence against women and girls. Working collaboratively is the best means of ensuring women and girls feel safe.

• Our government has taken steps to create safer communities through such things as legislative changes, direct investments, accessible housing, and the creation of a ministerial committee. Central to all of this has been our commitment to working with our community partners.

• Status of women councils play an incredibly important role in reducing violence against women and in advancing women in our communities. We invest approximately $3 million annually to assist with them with their important work.
Community Groups Selected for Phase One of Multi-Year Funding

- Aboriginal Sport and Recreation Circle
- AIDS Committee of NL
- Association of New Canadians
- Bay St. George Status of Women
- Canadian Mental Health Association
- CNIB
- Coalition of Persons with Disabilities
- Community Sector Council
- Corner Brook Status of Women Council
- Choices for Youth
- CHANNAL
- Gateway Status of Women Council
- Gander Status of Women Council
- Kids Eat Smart
- Labrador West Status of Women
- Mokami Status of Women Council
- NL Aboriginal Women’s Association
- SeniorsNL
- Status of Women – Central Inc.
- Stella’s Circle Community Services
- St. John’s Status of Women Council
- Vera Perlin Society Inc.

Key Actions to Reduce Violence Against Women (In the last year)

- Established the Minister Responsible for the Status of Women as a standalone role.
- Launched the Minister’s Committee on Violence Against Women and Girls. The committee met five times to share information, exchange ideas, and develop action plans.
- More than $2.6 million for status of women councils, including money for a new women’s centre in Port Saunders.
- Increased funding help prevent violence against Indigenous women and children.
- Allocated $1 million to expand the Labrador Correctional Centre in Happy Valley-Goose Bay, which will increase capacity and the potential to allow for women to be housed at the facility, closer to children and family members.
- Bail supervision and electronic monitoring programs to help lower levels of recidivism and improve safety for women.
- Made improvements to the Occupational Health and Safety Regulations, including provisions to address workplace harassment and worker-on-worker violence.
- Made changes to the Residential Tenancies Act, including early termination of rental agreements as a result of domestic violence.
- Changes to the Labour Standards Act, which allow victims of family violence to take a total of 10 days of leave a year.

Examples of other important actions include:

- In Budget 2017, approximately $7.8 million was allocated for transition houses, including over $780,000 in new funding enabling transition houses to provide the necessary services to women and children fleeing violence.
- New transition houses are open in Corner Brook and Nain.
- Newfoundland and Labrador Housing continues to support women and children experiencing violence by ensuring access to safe, affordable housing and are not compelled to return to dangerous situations.
- Amendments to the Schools Act give authority to refuse school admission to a student where the district is of the opinion that the presence is detrimental to their well-being.
KEY MESSAGES

Justice and Public Safety
ATIPP
October 16, 2019

Summary:
Questions are regularly raised regarding the number of ATIPP requests and responses.

Anticipated Questions:
• What is government doing to deal with the increasing number of access to information requests?
• What should someone do if they feel information was wrongly withheld?

Key Messages:
• The Government of Newfoundland and Labrador is committed to openness and transparency. Our access to information laws have been identified as some of the best in the country.

• Since 2015, the number of requests received has increased significantly. In 2014-15 public bodies received just over 750 requests. This number has increased in each subsequent year, and was over 2,400 in 2018-19.

• The scope of requests are often very broad in nature. In these cases, public bodies are required to search for all relevant documents regardless of whether the applicant wants them.

• The Act requires a comprehensive review every five years and that review will commence as required, prior to June 1, 2020 as per the legislation.

Secondary Messages:
• Each department has an ATIPP coordinator to facilitate access responses. Additionally the ATIPP Office has two floater coordinator positions that assist departments when they need additional resources.

• Departments are always looking at ways they can better work with applicants to make the process more efficient.

• All complaints regarding ATIPP are taken seriously and there are processes in place to have them addressed.

• People can file complaints with the Office of the Information and Privacy Commissioner (OIPC) if they are dissatisfied with a response they received in relation to a request.
FACT SHEET

- In 2018-19 there were 2,412 requests made to all public bodies across our province, an increase of four per cent over the previous year.

- In 2018-19, 91 per cent of requests were completed within the 20 day business period.

- In 2018-19 there were 115 training sessions provided to ATIPP Coordinators and other public body employees with over 1,500 participants.
KEY MESSAGES

Justice and Public Safety
Jesso Report
October 9, 2019

Summary:
Marlene Jesso conducted an independent investigation which was presented to JPS in December 2018 following the deaths of four inmates. She made 17 recommendations that have been accepted in principle by the Department.

Anticipated Questions:
• What is being done to improve conditions at the province’s correctional institutions?
• What is the department doing to implement the recommendations of Ms. Jesso?

Key Messages:
• Ensuring we have a safe and healthy living and work environment in our correctional facilities is a top priority.
• We acknowledge that there is much work to do and there is a lot of important work ongoing to address many of the issues identified in the report.
• Some of the challenges we face are even bigger than changing policies.

Secondary Messages:
• A new Penitentiary will more than double the capacity of the existing HMP allowing for more programming, recreation, and better mental health services.
• The department strongly believes in restorative justice and recognizes the need to find alternatives to incarceration by looking for innovative ways to reduce the number of people imprisoned.
• Budget 2019 allocated $100,000 for a bail supervision program, and $254,000 for an electronic monitoring program which will be implemented later this fall.
• After taking a critical look at the Correctional Services Act, we proceeded with amendments to allow for the Act to proclaimed this year. Proclaiming the Act was the number one recommendation of the Deaths in Custody Review.
Fact Sheet:

- Changes are currently underway consistent with Ms. Jesso’s report and Towards Recovery: The Mental Health and Addictions Action Plan for Newfoundland and Labrador -- to transition inmate health to the Department of Health and Community Services

- The following changes have been made or are in the process:
  - A second addictions and mental health resource was added to Her Majesty’s Penitentiary (HMP). This will double the capacity and cut down on the waitlist for services.
  - To accommodate meal breaks, inmates return to their cells between 12 p.m. and 2 p.m. The Department of Justice and Public Safety is currently working toward implementing a system where regular checks occur during this time.
  - We have hired someone with expertise and background in corrections to review practices, policies, and procedures within Adult Corrections to ensure they are consistent with best practices moving forward.
  - Steps are being taken with the regional health authorities to ensure that single sessions for mental health and addictions are available within all correctional institutions. The Doorways program is offered in all correctional facilities to assist with this initiative. Other measures being examined include enhancing the role of community agencies in supporting inmates.

- At the NLCCW:
  - Psychologist hours have been increased from 10 to 12 hours weekly.
  - Aboriginal Liaison group and individual services provided by First Light- St. John’s Friendship Centre for indigenous females have increased from 20 to 30 hours per week. Service focus is on support, advocacy, release planning, and cultural programming (both group and individual) including translation services.
  - Stella Burry services have been increased from 11 to 15 hours weekly. Services include group programming such as addictions, trauma as well as dialectical behavior therapy and other alternative based therapies to female offenders with complex mental health needs.
  - To assist with additional program services, space has been updated to provide privacy to offenders receiving individual counselling services.
  - An increase in the visual counts of inmates.
  - Doorways, a single session mental health and addictions service is now offered at all correctional facilities. The same program has eliminated waitlists for mental health services on the Burin Peninsula.
**Status of Recommendations**

**Recommendation 1**
It is recommended that the provincial government take immediate steps to proclaim the new Correctional Services Act and ensure all associated regulations and policies are updated.

**Work Ongoing**
After taking a critical look at the Correctional Services Act, we proceeded with amendments in April 2019 which will facilitate proclamation of the Act and associated regulations this year. A review of policies is ongoing to determine where further updates or new policies may be required.

**Recommendation 2**
It is recommended that alternative options to incarceration be developed for male and female offenders which could include: electronic monitoring, supervised bail verification, community based supervised housing and increased community supervised programs.

**Work Ongoing**
Budget 2019 allocated $100,000 for a bail supervision program, and $254,000 for an electronic monitoring program both of which are expected to be operational this fall.

**Recommendation 3**
It is recommended that a new provincial correctional institution replace HMP and incorporate modern correctional design, dedicated space to address mental health housing and programming needs.

**Work Ongoing**
Budget 2019 includes $600,000 to proceed with the design, build, finance and maintain approach for a new correctional facility in the province. Construction of the facility is scheduled to begin in 2022.

**Recommendation 4**
It is recommended that Adult Custody ensure training is organized, completed, monitored and reported accurately.

**Work Ongoing**
Given the nature of the work, (24/7/365) the logistics of training presents a challenge, that said, adult custody is committed to providing the training necessary to meet the needs of an ever changing inmate population and to encompass current trends in corrections (an example of this could be the use of segregation and appropriate interactions between staff and inmates which could help foster rehabilitation).
Recommendation 5
It is recommended that a dynamic security model be implemented within all provincial correctional facilities.

Work Ongoing
Currently, several institutions are working towards increasing the use of dynamic security. Adult corrections is aware that dynamic security is described as best practice for the delivery of correctional services and is currently examining ways to achieve delivery within existing infrastructure across institutions.

Recommendation 6
Institutional counts should occur at least hourly and at random intervals and this should be implemented immediately.

Work Ongoing
Adult Corrections has implemented this recommendation.

Recommendation 7
It is recommended that a focused strategy to reduce drug abuse and trafficking within the institution be developed.

Work Ongoing
Adult corrections is aware that drugs in a prison can be an issue, and the department is actively taking steps to reduce the concern and is continually exploring new and innovative ways to reduce the problem.

Recommendation 8
It is recommended that information management practices are monitored for compliance with policy and for quality control.

Work Ongoing
We are aware of this issue and being equipped with the correct information is integral to a properly functioning correctional system. JPS is exploring how to effectively address information management practices, including addressing issues pertaining to health and medical records as part of the transition to health services.

Recommendation 9
It is recommended that in incidents of serious bodily harm or death, all CCTV videos will be archived in accordance with best practice standards to be determined by the Department of Justice and Public Safety.

Work Ongoing
Policy is being reviewed and discussions are ongoing with the vendor and OCIO to ensure CCTV is being archived in accordance with best practices and consistent with the needs of investigative processes.
**Recommendation 10**
It is recommended that recreation be provided to inmates for at least one hour per day as per standing orders.

**Work Ongoing**
Inmates are granted recreation time on a rotational basis. Because of incompatibility issues and for the safety of the offenders, it is necessary to separate some groups of the inmate population during recreational time. Realizing the importance of recreation, management recently made scheduling changes in an attempt to give inmates access to more recreation time in smaller groups. Work is ongoing to further enhance recreation for inmates.

**Recommendation 11**
It is recommended a program plan be developed that includes a needs based assessment for each offender designed to reduce criminal risk and which is regularly reviewed and updated. Programs should be delivered to every inmate in a timely manner and outcomes recorded for evaluation purposes.

**Work Ongoing**
As a first step, all correctional programs are being reviewed to ensure that they are evidence based and meet the needs of the inmate population. All criminogenic programs should address the individual risk and needs areas of the inmate population. Validated assessment tools allow Classification Officers to identify these criminogenic risk areas; program referrals are therefore based on assessment results. Non-criminogenic programs help to compliment criminogenic programs by offering pro-social skills, life skills, and recreational services.

**Recommendation 12**
A female offender strategy be developed that is evidence-based and includes gender and trauma-informed interventions, programs, and services.

**Work Ongoing**
Adult corrections is committed to providing services to the unique needs of inmates, including women. The Assistant Superintendent at the NLCCW is involved in the FPT committee responsible for creating a gender responsive strategy for female offenders, as well as sharing information on best practices across jurisdictions. Further, Stella Burry currently offers a trauma program at NLCCW which offers coping skills to inmates. We will continue to engage with stakeholders regarding implementation of this recommendation.
Recommendation 13
Space at HMP and the NLCCW, be repurposed, renovated or constructed as a mental health unit that is therapeutic, staffed with mental health professionals and correctional staff with enhanced mental health training.

Work Ongoing
We are examining options to consider what can be done within existing facilities recognizing that infrastructure is a challenge. A new correctional facility will have a dedicated mental health unit.

Recommendations 14-17 (HCS)

Work Ongoing
A review of the delivery of health services within adult corrections is ongoing as part of the transition process. A second addictions counsellor is working at HMP which will cut down on the waitlist for services. Doorways, a single session mental health and addictions service is now offered at all correctional facilities. The same program has eliminated waitlists for mental health services on the Burin Peninsula.
KEY MESSAGES

Justice and Public Safety
Disciplinary Segregation
October 10, 2019

Summary:
In October 2017, the Department of Justice and Public Safety introduced changes to the guidelines to disciplinary segregation practices for inmates in Newfoundland and Labrador. Some of these changes have been implemented by the Superintendent of Prisons. Work on full implementation is ongoing.

Anticipated Questions:
- What is the status of the recommendations regarding disciplinary segregation?

Key Messages:
- We are aware of the damaging effects segregation can have on inmates, especially pertaining to their mental health. We want to limit its use in our correctional centres and instead, use measures that promote rehabilitation. We are formalizing new policies and are working through the recommended changes.
- Following the recommendations from the Segregation Review Committee, changes have been implemented by the Superintendent of Prisons. 16 out of the 18 Disciplinary Segregation Recommendations have been implemented or are in the process of being implemented.
- Inmates may be sentenced to disciplinary segregation for a maximum of 10 days. While in disciplinary segregation, inmates can earn up to three days remission, reducing their sentence, and have access to programming and visitation.
- Inmates held in segregation continue to retain all rights and privileges, except those that pose a risk to the security of the institution or persons.

Secondary Messages:
- All policies pertaining to disciplinary segregation have been updated and reflect current practices.
- I have full faith in the Superintendent and our correctional staff all across our province. These are people who are with inmates and they are doing the best they can, often in trying circumstances.
- Amendments have been made to the Correctional Services Act, and the Department is currently in the process of creating regulations. The Act is anticipated to be proclaimed this year. (Recommendation 15)
- Upon further discussion with management in Adult Corrections, it was determined that the placement of cameras in cells on all living units to facilitate direct supervision was not operationally feasible (recommendation 9). Adult Corrections are making best efforts to avoid use of disciplinary segregation wherever possible, and are exploring ways to meet the spirit and intent of this recommendation.
- Efforts continue to ensure that individuals with pervasive mental illness are not placed in segregation where possible (recommendation 1). Currently, a review is underway to explore best practices and alternative placements to segregation for inmates with pervasive mental illness.
FACT SHEET

- NL Adult Custody uses two types of segregation – Disciplinary Segregation and Administrative Segregation.

- **Disciplinary Segregation** is used as a form of punishment, usually for violations of prison regulations. Inmates maintain all rights and privileges and have access to programming, except those that pose a risk to the safety and security of the institution.

- **Administrative Segregation** is used to separate a prisoner from general population when his/her continued presence in the general population would pose a serious threat to life, property, self, staff, other inmates or to the security and good order of the institution. Inmates have access to some programs while in administrative segregation.

- A Disciplinary Segregation Review Committee was convened to review our current practices and make recommendations for improvement. The committee, comprised of members of community groups as well as employees within the Adult Corrections division, offered 18 recommendations on disciplinary segregation. The department accepted them all in principle.

- As per the new practice, the maximum time in isolation will change from 15 to 10 days, with the ability for the inmate to earn a shortened stay in disciplinary segregation and the reinstatement of programs and privileges.

- The new practice will provide alternative disciplinary measures for corrections staff and will give inmates greater access to mental health services and rehabilitation programs.

- Following the disciplinary segregation review, an administrative segregation oversight committee was put in place to review processes. This review was completed in January 2019, and the recommendations are being reviewed and actioned.
Summary:
Concerns are being expressed by the public about programming available at men’s corrections institutions in the province.

Anticipated Questions:
• What types of programs are offered to inmates incarcerated in NL?
• What types of services are offered to inmates incarcerated in NL?

Key Messages:
• There is a wide range of programs and services that inmates may avail of including rehabilitative programs, pastoral care, school and educational services, health care and addiction services, and cultural and gender specific programs and services.
• With the help of community partners, inmates are offered a variety of support services to help provide them with the skills and resources to assist them when they are back in the community. These programs help to facilitate effective rehabilitation and reintegration.
• Health care is offered by a multi-disciplinary team including: physicians, psychologists, psychiatrists, nurse practitioners and nurses that provide a full array of primary and mental health and addictions services.

Secondary Messages:
• The number of inmates is fluid and fluctuates on a daily basis so the numbers could go up or down for any reason, such as releases from custody or new admissions.
• Managing inmate numbers has to address not only the quantity but also the complexity of the client group (incompatibilities, security level, and complex mental health and addictions concerns).
• The Department of Health and Community Services (HCS) is playing a bigger role in adult corrections. JPS has been working closely with HCS regarding implementation.
Fact Sheet:

- There are addictions programs which include both group and individual counselling sessions and which often utilize partnerships with outside community agencies, such as the John Howard Society, The Canadian Mental Health Association, and Turnings.

- Some addictions programs offered include:
  - The Seeking Safety Program a therapeutic approach for addressing co-occurring substance use disorders and post-traumatic stress disorder, AA, addictions recovery and peer support.

- A Justice Program coordinated by the Canadian Mental Health Association provides in-reach to inmates at HMP for purposes of assessment and provision of support. This program also aims to develop a community support plan with the inmate prior to release from HMP and to provide intensive case management services for up to 25 clients released from HMP and residing in the St. John’s region.

- There are Safety Training Programs offered to the inmate population for effective reintegration that include:
  - First Aid, Fall Protection, WHMIS, Confined Spaces, and Traffic Control. All inmates receive a certification upon successful completion of these courses.

- There are pre-release programs offered to those inmates with upcoming releases in order to prepare for a successful reintegration back into the community; this program partners with community and outside agencies in order to offer inmates a diverse array of services for their specific needs for release. Remanded inmates may also participate in this program given that their release date is often unknown; this helps to facilitate effective release plans which encompasses securing appropriate housing, program and service referrals to the community, and may also include applications to income support.

- Adult custody offers an array of pro-social activities which include: recreation, yoga, guitar, woodworking, carving, library services, and visitation programs.

- All correctional institutions within NL have an ABE instructor for the inmate population. The ABE instructor develops an individualized learning plan for each of the students.

- Cultural specific services are offered through a partnership with First Light – The St. John’s Friendship Centre, Sheshatshiu Innu First Nation, and Nunatsiavut Government. Gender specific programming is offered through a partnership with Stella’s Circle.

- There are also pastoral care/chaplaincy services offered to the inmate population such as: church services, ecumenical services, and offender based programs.

- Classification Officers assist the inmate population with Temporary Absence applications where applicable. This process involves the Classification Officer conducting assessments, an investigation, and liaising with community and government agencies to help assess suitability and risk. There are different types of Temporary Absences, including: rehabilitative, medical, and humanitarian. Oftentimes, inmates may serve their Temporary Absence in a halfway house, such as “Howard House”, in order to ensure a continuity of care and to enable a successful reintegration upon release.
KEY MESSAGES

Justice and Public Safety
NLCCW
October 9, 2019

Summary:
Concerns are being expressed by the public about overcrowding and conditions at the Newfoundland and Labrador Correctional Centre for Women (NLCCW).

Anticipated Questions:
- Is overcrowding an issue at NLCCW?
- What supports are available for inmates at the NLCCW?

Key Messages:
- We take the responsibility of having inmates in our care very seriously.
- The number of female inmates is fluid and fluctuates on a daily basis so the numbers could go up or down for any reason, such as releases from custody or new admissions.
- Medical care is provided to inmates through certified medical professionals, including nurses, nurse practitioners, physicians, and psychiatrists, and psychologists who are contracted by the department.
- With the help of community partners, inmates are offered a variety of programs and support services to help provide them with the skills and resources that help to facilitate effective rehabilitation and reintegration back into the community.

Secondary Messages:
- Managing inmate numbers has to address not merely the quantity but also the complexity of the client group (incompatibilities, mental health and addiction concerns, security level).
- The Department of Health and Community Services (HCS) is playing a bigger role in adult corrections. JPS has been working closely with HCS regarding implementation.
Fact Sheet:

- Additional details on medical and counseling services:
  - Psychiatrist- monthly- intake process and follow up of care while incarcerated.
  - Telemedicine is arranged when requested by offender or when staff observe behaviors that they deem require psychiatric intervention.
  - Psychologist- twice weekly- psychological counselling.
  - Doctor- weekly visits providing individualized health care services.
  - Nurse Practitioner- weekly visits addressing women wellness issues.
  - Stella Burry Just Us- weekly in-reach program as well as community based support program ie: housing, education, support workers
  - Mental Health and Addictions Services- referrals received from Classification Officer for specific counselling needs, addressing criminogenic risk areas, part of pre-release program, provide information on community supports.
  - Classification Officers assist the inmate population with Temporary Absence applications where applicable. This process involves the Classification Officer conducting assessments, an investigation, and liaising with community and government agencies to help assess suitability and risk.
  - Aboriginal Liaison- Aboriginal Liaison group and individual services provided by the First Light – St. John’s Friendship Center for indigenous females. This contract has increased from 20 to 30 hours per week. Service focus is on support, advocacy, release planning, cultural programming (both group and individual), including translation services.

- Programming available at NLCCW:
  - Addictions Programming
    - Facilitated by Stella’s Circle on a weekly basis at NLCCW
  - Trauma program, Dialectical Behavior Therapy Group, and Anger Management
    - Facilitated by Stella’s Circle at NLCCW. Program designed specifically for incarcerated females
  - Pre -Employment Workshops
    - Facilitated by employment counsellors from Stella’s Circle
    - DBT- Dialectical Behavioral Therapy- facilitated by Stella’s Circle
  - Life skills Programming
    - facilitated by community partners (e.g. CSSD, AESL, Pastoral Care, Family Resource Centre, Eastern Region Coalition against Violence, Women in Resource Development, Public Health, Ability Employment, Housing Support)
  - Healthy Baby Club
    - Program designed for pregnant women, offered by the Family Resource Centre and focusing on healthy decision making during pregnancy.
  - Safety Training Programs
    - First Aid, Fall Protection, WHMIS, and Traffic Control, Flagsperson. All inmates receive a certification upon successful completion of these courses.
  - All institutions within NL have an ABE instructor for the inmate population. The ABE instructor develops an individualized learning plan for each of the students.
  - There are also pastoral care/chaplaincy services offered to the inmate population such as: church services, ecumenical services, and offender based programs.
KEY MESSAGES

Justice and Public Safety
Newfoundland and Labrador Youth Centre
October 9, 2019

Summary:
Questions have been raised about the Newfoundland and Labrador Youth Centre in Whitbourne, particularly around the number of youth at the centre.

Anticipated Questions:
• How many youth are at the centre?
• What are the future plans for the facility?

Key Messages:
• The Department of Justice and Public Safety is responsible for ensuring all correctional institutions throughout the province are operating at maximum effectiveness and that the needs of both staff and inmates are recognized.

• We are committed to the protection of youth in custody and I am confident the existing staff complement is meeting the needs of our youth.

• The number of youth offenders is fluid and fluctuates on a daily basis so the numbers could go up or down for any reason, such as releases from custody or new admissions.

• The Newfoundland and Labrador Youth Centre (NLYC) is a great facility with excellent staff. Decisions regarding the future of our youth in custody are not made lightly.

Secondary Messages:
• In 2012, the department carefully examined the operations at the NLYC and determined that while the staff complement had essentially remained the same over the previous decade or so, the number of youth there had dropped significantly.

• As a result, it was determined that the same level of staff was not required to offer effective security and programs for the youth there. Approximately 40 positions were eliminated from the Centre.

• The 2012 review explored all options for the facility including its use for adult custody or combined youth/adult custody and the associated costs of modifying the facility to accommodate any change of use. Ultimately it was determined the costs of doing so were too high.
FACT SHEET

• The NLYC is the provincial secure custody and remand facility for young offenders located in Whitbourne, NL. Whitbourne is a community on the Avalon Peninsula with a population of approximately 900 residents.

• With the closure of the Whitbourne Youth Centre and the Torbay Youth Centre, the NLYC opened in September 1992. The Centre is a 60 bed facility which houses young offenders both male and female on a 24/7 basis.

• The facility encompasses 40 acres of land and features an administration building and three separate living cottages. The three cottages consist of two, 10 bed units.

• Programs that are offered at the NLYC take a multidisciplinary treatment approach which consists of a full academic program, social development, counseling and programs, recreational programs, vocational programs, health care and community-based programs.

• The occupancy rate at the NLYC in the mid-1990s reached a peak of 100 residents.

• The Youth Criminal Justice Act (YCJA), which focuses on alternatives to custody, has been in effect since April 2003. Since this time, there has been a steady decline in the number of youth sentenced and remanded to secure custody.

• There are always fluctuations. Since summer 2019, the numbers have been declining and there has been a decrease in offenders. When you are dealing with such low numbers - less than 20 - a couple of repeat offenders will cause an increase pretty quickly.

• The YCJA requires that a young person who is committed to custody shall be held separate and apart from any adult who is detained or held in custody.

• The Federal Government made amendments to federal legislation concerning youth which came into effect on October 23, 2012.

• The amendments simplified pre-trial detention rules to help ensure that, when necessary, violent and repeat young offenders are kept off the streets while awaiting trial; strengthened youth sentencing provisions by requiring the Crown to consider seeking adult sentences for youth who commit the serious violent offences of murder, attempted murder, manslaughter and aggravated sexual assault; required the courts to consider lifting the publication ban on the names of young offenders found guilty of violent offences; required police to keep records when informal measures are used in order to make it easier to identify patterns of re-offending; and ensured that all youth under 18 years of age who are given a custodial sentence will serve it in a youth facility.
Newfoundland and Labrador Youth Centre
Admissions by Type: Secure / Remand / Overnight Arrest
Fiscal Year: 2019-2020 (April 2019 to September 2019)

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Legend:
- Secure Custody
- Remand Custody
- Overnight Arrest
KEY MESSAGES

Justice and Public Safety
Labrador Correctional Centre
October 11, 2019

Summary:
Budget 2019 allocates $1 million to expand the Labrador Correctional Centre.

Anticipated Questions:
• Why is the expansion necessary?
• What will the expansion include?

Key messages:

• Working with the Department of Transportation and Works, funds have been secured for the expansion of the Labrador Correctional Centre, which will allow for an increase in capacity for inmate services and the potential to allow for women to be housed at the facility.

• We know the scales of justice are not balanced for Indigenous people in this country but we are working to improve the interactions and experiences of Indigenous people within the justice system by fostering and supporting Indigenous cultures and traditions.

• Detailed engineering and design, and a construction tender will occur over this budget cycle with construction expected to begin in 2020 allowing for its completion in 2021-22.

Secondary messages:

• The Department has met with Indigenous leaders to discuss ways to improve the justice system in their communities.

• At a Justice Summit in Happy Valley-Goose Bay, we heard from those most involved in the justice system. Participants identified the lack of alternatives to the current criminal justice system, delays within the courts, and recruitment and retention of staff as issues in that region.

• There are currently no female cells in Happy Valley-Goose Bay within adult custody. Female offenders have to be transferred to the Newfoundland and Labrador Correctional Centre for Women in Clarenville or, if that is at capacity, the female unit at HMP.
KEY MESSAGES

Justice and Public Safety
New Correctional Facility
October 29, 2019

Summary:
Budget 2019 includes $600,000 to proceed with the design, build, finance and maintain approach for a new correctional facility in the province. HMP’s original centre block dates back to 1859, numerous reports have concluded that the facility has outlived its useful life. Concerns are regularly raised about the impact the dated facility has on inmates and staff.

Anticipated Questions:
What will the new prison look like?
How will it be any different than current facilities?

Key messages:
• A new Penitentiary will more than double the capacity of the existing HMP allowing for more programming, recreation, and better mental health and addictions services.

• A new modern Penitentiary will support the development and implementation of additional policies and programs that will allow inmates an opportunity to become productive members of society and break the cycle of reoffending.

• A new facility will make better use of technology to increase safety and reflect best corrections practices in a functional medium/maximum-security environment, with a dedicated health services area and a specialized mental health unit to address the current and future capacity needs of inmates.

Secondary messages:
• As this project will take several years to complete and with an ever-evolving inmate population, it would be premature to say if any other facilities will close as a result of the new correctional facility.

• Requests for Proposals for procurement, technical and fairness advisors were issued in October.

• As we said in April, a Request for Proposals to establish an industry short list of businesses interested in designing, building, financing and maintaining the facility will be issued in spring 2020 and we remain on schedule.

• The Federal Government has not been forthcoming with any financial commitment to assist with the building of a new prison. We will continue to have an open dialogue as we move forward as we believe there are other ways they can come to the table.
ISSUE: HMP status
The Provincial Government announced on April 10 that a new correctional facility would be built to replace HMP. Six months have passed since that announcement. Questions may be asked on the status of the project

ANTICIPATED QUESTIONS:
Q. Why has there been no movement on procurement or construction of the new correctional facility since April?

KEY MESSAGES:
Requests for Proposals for procurement, technical and fairness advisors were issued in October.

As we said in April, a Request for Proposals to establish an industry short list of businesses interested in designing, building, financing and maintaining the facility will be issued in spring 2020 and we remain on schedule.

This is the same process we followed with the procurement of our other large-scale infrastructure projects and we are confident this new facility will also be built by tradespeople from Newfoundland and Labrador.

SECONDARY MESSAGES:
• A value for money assessment completed by EY concluded it is more cost effective to use the design, build, finance and maintain approach compared to the traditional design-build approach.
KEY MESSAGES

Justice and Public Safety
RNC Complement
October 18, 2019

Summary:
The number of employees in the RNC is an issue that is regularly raised. This includes the number of officers who are eligible for retirement and the succession planning to accommodate those leaving.

Anticipated Questions:
• How many officers are employed by the RNC?
• Are you prepared for retirements?

Key Messages:
• The number of RNC officers and number of those eligible for retirement is fluid and can change daily. As of September 30, 2019, there were 420 police officers.

• Currently, there are 56 officers with 25 years of service or more and are eligible to retire. There is no indication at this time of how many of those eligible will actually retire.

• This is not a unique situation to the RNC. Throughout the public service, the number of people that are eligible to retire fluctuates. We need to continue succession planning to address the potential retirements and ensure smooth transitions.

Secondary Messages:
• All of our RNC and RCMP officers have a crucial role to play in ensuring the safety and security of residents. I am confident our police agencies conduct their important work to the high standard the people of the province have come to expect.

• Since I have been in this department, I have recognized that this planning is something that needs to happen. Training initiatives, such as specialized training in investigative techniques for major crime and drug cases, and forensic identification, are moving forward to address the issue of succession planning.
**Fact Sheet**

**RNC Complement – As of September 30, 2019**

Total Position Control Numbers (PCN) for officers: 403  
Police Officers in Permanent positions: 393  
Recruit Constables: 27  
Recruits: 0  

Number eligible for retirement as of December 31, 2019 is 56.

The RNC had 6 retirements between April 1, 2019 and September 30, 2019.

<table>
<thead>
<tr>
<th>RNC Service Demographic by Service and Gender</th>
<th></th>
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<tbody>
<tr>
<td><strong>Total Officers:</strong> 420</td>
<td><strong>Officers by Gender</strong></td>
</tr>
<tr>
<td>15 years or Under (2003-2018): 78.1% - 328</td>
<td>Females: 126 – 30%</td>
</tr>
<tr>
<td>16 to 24 years (1994-2002): 8.5% - 36</td>
<td>Males: 294 – 70%</td>
</tr>
<tr>
<td>25 years and Over (1980-1993): 13.4% - 56</td>
<td><strong>Gender by Service Demographic</strong></td>
</tr>
<tr>
<td></td>
<td>328: 15 years or under (115 females and 213 males)</td>
</tr>
<tr>
<td></td>
<td>36: 16 to 24 years (5 females and 31 males)</td>
</tr>
<tr>
<td></td>
<td>62: 25 years and over (6 females and 50 males)</td>
</tr>
</tbody>
</table>
KEY MESSAGES

Justice and Public Safety
Police Body Cameras
October 10, 2019

Summary:
Frequently members of the public involved in police incidents will suggest officers should have body cameras. Following the death of Don Dunphy, Justice Leo Barry recommended careful analysis before any decision on the use of body cameras.

Anticipated Questions:
• Is the province considering equipping police officers with body cameras?

Key Messages:
• We have full confidence in the RNC and RCMP and their ability to protect and serve the people of this province.

• While it is important for the public to have confidence in the police, there is no definitive direction on the use of body cameras in Canada. Further examination of their effectiveness and cost would have to be undertaken before any decision is made.

• Before introducing body cameras in this province, we also need to consider privacy, legal and information management issues.

Secondary Messages:
• As noted by Justice Leo Barry careful analysis has to be done before any decision is made on introducing body cameras to policing in this province.

• We are committed to accountability in dealing with serious incidents that involve our police agencies. The province recently appointed its first director of the Serious Incident Response Team, effective September 30, 2019, ensuring an increased level of transparency.
**Backgrounder:**

**Budget Estimate**

RNC would most likely be equipping approximately 250 officers (conservative numbers).

A five-year subscription cost would be approximately $1.5 - $2.5 million for storage for five years.

Approximately $1,000.00 per device = $250,000.00

Up-fitting/accessories would be $100,000.00 to $150,000.00.

Staffing resources to upload and review would several FTE's -

*Montreal police spent $3.4 million for a 7 month pilot project for 78 officers.*
KEY MESSAGES

Justice and Public Safety
RCMP Resources
October 9, 2019

Summary:
The RCMP in Newfoundland and Labrador is changing how resources are deployed in order to achieve policing priorities and fulfill its public safety mandate. Some rural Mayors have expressed concern over what they see as a decrease in service.

Anticipated Questions:
• What changes are happening with the RCMP in the province?
• Why are these changes happening?

Key messages:
• The Department of Justice and Public Safety remains committed to working with communities and our police agencies to ensure all Newfoundlanders and Labradorians feel safe and secure. We have full confidence in the RCMP and its ability to protect and serve the people of this province.

• The RCMP in Newfoundland and Labrador is implementing change to ensure it has the right resources in the right places to enhance public safety, and to protect our communities and residents. These decisions are based on analyses of factors such as patterns of crime, demographic information, data on highway collisions, call volumes and health and safety of employees.

• The RCMP have advised that there has been a realignment of RCMP resources to enhance service delivery and increase public safety which is a top priority.

Secondary Messages:
• The safety and wellbeing of Newfoundlanders and Labradorians in all regions is extremely important and the Department of Justice and Public Safety will continue to support the RCMP.

• The Government of Newfoundland and Labrador, including the Minister of Justice and Public Safety and Attorney General, does not give direction to police. Police have independent authority to determine operations.

• The RCMP determines staffing and organizational requirements based on police operational needs. To remain effective and efficient in providing a quality police service there must be openness to change, ability to adapt to local circumstances and a willingness to explore different strategies and service delivery models.
KEY MESSAGES

Justice and Public Safety
Use of RCMP Holding Cells
Oct. 8, 2019

Summary:
Concerns have been raised about the use of RCMP holding cells to house provincial inmates.

Anticipated Questions:
• Why are inmates being housed in RCMP holding cells?
• What is the department doing to lessen the time inmates are held by the RCMP?

Key messages:
• We are working with the RCMP to limit the time inmates are held in holding cells.

• The number of inmates is fluid and fluctuates on a daily basis. Their needs have become increasingly complex due to mental health concerns, addictions issues, and a variety of other factors like incompatibilities, and security level.

• To help alleviate the pressures at other correctional facilities in the province, the planned replacement of Her Majesty’s Penitentiary and the expansion of the Labrador Correctional Centre will allow for an increase in capacity and reduce transfers between the island and Labrador.

• In the meantime the department is always looking at ways to reduce the number of people imprisoned through implementing programs such as bail supervision and electronic monitoring.
KEY MESSAGES

Justice and Public Safety
SIRT
October 22, 2019

Summary:
On September 11, 2019, government announced the appointment of Mike King as the Director of the province’s Serious Incident Response Team (SIRT). The establishment of a provincial SIRT was a recommendation from the Inquiry into the Death of Don Dunphy.

Anticipated Question:
• When will the team be established?
• What will the team be responsible for?

Key messages:

• Mike King has been appointed as Director of the Newfoundland and Labrador Serious Incident Response Team (SIRT), effective September 30, 2019.

• It is the Director’s responsibility to set up the office and establish the team. JPS is working closely with the Director to provide the assistance and support necessary to establish the team.

• SIRT will investigate all matters that involve death, serious injury, sexual offences and domestic violence, as well as other matters of significant public interest that involve the actions of a police officer.

• It is crucial that people in Newfoundland and Labrador have faith in the administration of justice. Establishing SIRT will provide an increased level of transparency and accountability and help ensure people have trust in the system.

Secondary Messages:

• SIRT will investigate serious incidents involving the police; it is not intended to replace other mechanisms currently in place. (ie. RNC Public Complaints Commission or the Civilian Review and Complaints Commission of the RCMP)

• There are matters which are currently under investigation and before the courts. It would be inappropriate for me to comment on these cases as I do not want to interfere with either of these processes.

• Budget 2019 allocated approximately $500,000 to establish a Serious Incident Response Team.

• The Government of Newfoundland and Labrador introduced legislation in fall 2017 to establish a SIRT to investigate all matters that involve death or serious injury that involve the actions of a police officer.

• The establishment of a provincial SIRT was a recommendation of the Inquiry into the Death of Don Dunphy.
KEY MESSAGES

Justice and Public Safety
Status of OCME Review
October 17, 2019

Summary:
Dr. Bowes delivered his review of the OCME and it was released in July 2017. Dr. Bowes conducted the review after forensic evidence was misplaced in the case of a deceased child, resulting in murder charges being dropped.

Anticipated Questions:
• What is the status on the implementation of Dr. Bowes recommendations?
• What is the government doing to support the work of the OCME?

Key Messages:
• Work has been ongoing to implement the recommendations of Dr. Bowes.

• Dr. Nebojsa (Nash) Denic took over as Chief Medical Examiner March 1, 2019. Currently there are two pathologists working in the OCME as well as a Manager of Corporate Services and two administrative supports.

• Recruitment for a forensic pathologist is ongoing. Also, two new Medical Examiner Investigator positions are in the process of being filled.

• Three quarters (49) of the 65 recommendations are either complete or in progress.

• The OCME is reviewing options for a new digital record-management system to better facilitate daily operations, generate statistical reports, and manage records and tasks. This was one of the key recommendations of the review.

Secondary Messages:
• The OCME plays a critical role in the successful prosecution of criminal offenses which result in death, as well as other prosecutions that require the expertise found only in the OCME.

• The review clearly identified the deficiencies in the operations of the OCME. Left unchecked, these deficiencies may impact the administration of justice in the province and potentially the viability of prosecutions.

• It is important that the public has faith in the province’s justice system. There can be no perception that the administration of justice is in disrepute. Ensuring the OCME is able to operate efficiently and effectively is crucial.
KEY MESSAGES

Justice and Public Safety
Public Safety Radio System
October 9, 2019

Summary:
The 2019 Liberal platform announced a public safety radio system for the province. In a letter to all candidates, the RNCA called for a new public safety radio system during the election. There have also been calls for the same from the two police agencies in the province as well as other first responders. Police communications has been an issue in New Brunswick and Alberta following tragic incidents involving the RCMP.

Anticipated Questions:
- What is the next step to establishing this radio system?
- What will the new radio system do?

Key Messages:
- The Provincial Government is seeking qualifications from businesses interested in designing, building, operating, and maintaining a single, province-wide public safety radio system to be used by government and first responders.
- Submissions were due October 29. Based on the responses, a shortlist of respondents will be invited to participate in the next stage of the competitive selection process, the request for proposals.
- Radio systems are an essential tool for police, paramedics and fire departments to perform their jobs effectively to protect the people of the province.
- This new system will help first responders communicate with each other more efficiently, connect responders more easily between jurisdictions, and lead to better response times.

Secondary Messages:
- Many first responders in the province are currently using separate radio communications systems that are nearing the end of their service life.
- A new province-wide radio system will improve the way emergency responders and government—such as the RNC, RCMP, fire fighters, paramedics and other public service providers—communicate with each other during emergencies.
- Once the project is in operation, government plans to use the infrastructure to improve services for mobility and broadband customers in rural areas, where feasible.
KEY MESSAGES
Justice and Public Safety
Cannabis Enforcement
October 10, 2019

Summary:
It has been almost one year since cannabis was legalized. Frequently media ask about drug-impaired driving and the impact legalization may have had on impaired driving rates.

Anticipated Questions:
• How are officers trained to detect those impaired by cannabis?
• What are the penalties for driving impaired?

Key Messages:
• Newfoundland and Labrador has strong provincial legislation in place with regard to both alcohol and drug-impaired driving. Those who drive while impaired will be punished in accordance with the law.

• Impaired driving by drug has been an offence for decades and that hasn’t changed with the legalization of cannabis.

• Members of our policing agencies have been trained in Standard Field Sobriety Testing (SFST) as well as certified as Drug Recognition Experts (DRE) -- training in both of these areas of expertise is always ongoing.

• Two oral fluid drug testing devices have been approved by the Federal Government and the province is planning to deploy these devices on a limited basis.

Secondary Messages:
• We are looking forward to more devices receiving approval from the Attorney General of Canada to provide additional options for testing. These oral fluid drug testing devices are just some of several testing tools.

• The Criminal Code penalties for impaired driving are generally the same regardless of which substance (alcohol or any drug) causes the impairment.

• Penalties for impaired driving range from a mandatory minimum sentence of a $1,000 fine for a first time offence, to a maximum of 14 years imprisonment for offences causing bodily harm, or life in prison for impaired driving causing death.
KEY MESSAGES

Justice and Public Safety
Transient Population HVGB
Oct. 22, 2019

Summary:
Happy Valley-Goose Bay Mayor Wally Andersen expressed concerns publicly about the “transient” population referencing complaints of indecent exposure, panhandling, and substance use.

Anticipated Questions:
- What is government doing to help address some of his concerns?

Key messages:
- This is a complex and serious issue, and one that does not fall to any single department of government.
- This is not solely a justice issue, which is why we have engaged the Intergovernmental and Indigenous Affairs Secretariat, Labrador Affairs Secretariat, and the Department of Children, Seniors and Social Development.
- We are committed to working with our stakeholders, Indigenous governments and the town of Happy Valley-Goose Bay to come together and identify some possible areas where action can be taken to lessen the impact to residents of the community.

Secondary messages:
- Cities and towns across the country grapple with homeless and transient populations to varying degrees -- there are no easy fixes.
- A meeting was held with Mayor Andersen and town officials this summer. An inter-departmental committee of senior government officials is monitoring the situation.
Fact Sheet:

- Newfoundland and Labrador Housing Corporation’s Supportive Living Program provides $4.42 million for supportive services managed by the Nunatsiavut Government. The funding supports 16 housing units in Happy Valley-Goose Bay (35 beds), one in Hopedale (three beds) and one in Nain (four beds).

- The Housing Hub in Happy Valley-Goose Bay has nine beds for clients with complex needs. The shelter is operated by the Nunatsiavut Government with $500,000 from NLHC for 2019-20.

- The Labrador Friendship Centre operates a 12 room/24-bed hostel for alcohol- and drug-free clients.

- Enforcement of the law is the responsibility of the RCMP. The town of Happy Valley-Goose Bay has jurisdiction for enforcing municipal by-laws and regulations.
ISSUE: Transient Individuals in Happy Valley-Goose Bay

The Town of Happy Valley-Goose Bay appealed to the Provincial Government earlier this year for assistance in dealing with problems caused by transient individuals in the community. Senior officials of the Provincial Government met with the Town’s management and elected officials in July and agreed to jointly proceed with the establishment of a working group to explore ways to address issues which were being experienced in the community.

ANTICIPATED QUESTION:
What was the Provincial Government’s response to the Town of Happy Valley-Goose Bay’s call for help to deal with the transient population issue?

KEY MESSAGES:

The Provincial Government and the Town of Happy Valley-Goose Bay are leading a Senior Officials Working Group to explore ways of addressing issues arising from actions associated with transient individuals.

The group’s objective is to identify available supports in the community and highlight the issues that support the safety and well-being of the transient population.

An action plan will provide options to the Town of Happy Valley-Goose Bay, the Provincial Government, and other stakeholders for consideration and implementation.

SECONDARY MESSAGES:

• The issue of transient individuals represents a complex problem that ultimately requires the collective involvement of numerous stakeholders, including organizations, citizens and other entities.

• The Senior Officials Working Group is co-chaired by the Town Manager, Town of Happy Valley-Goose Bay, and the Deputy Minister, Labrador Affairs Secretariat.

• The working group is comprised of representatives from Indigenous Governments and Organizations, the Salvation Army, several Government departments and agencies, Labrador-Grenfell Health, and the RCMP.

• The group held its first meeting on September 26. Participants expressed support for the positive approach and exchanged information and feedback. A date has yet to be set for the next meeting.

• The mandate calls for a communications plan to identify how the recommended activities will be shared with the appropriate stakeholders and the public.
**BACKGROUND INFORMATION:**

- The Town of Happy Valley-Goose Bay has experienced an increase in both homeless and transient populations in recent years.
- Homelessness is defined as lacking a permanent place of residence, while transient individuals spend short periods of time in a community and typically have permanent addresses elsewhere.
- The Town of Happy Valley-Goose Bay wrote to Justice and Public Safety Minister Andrew Parsons in June to request a meeting to discuss problems associated with transient individuals. The Town issued a follow-up news release which called on the Provincial Government to “provide adequate resources to address the concerns related to the transient population in the community.”
- In a subsequent interview with CBC’s Labrador Morning show, Mayor Andersen called on Premier Dwight Ball, as Minister of Labrador Affairs, to meet and discuss the transient issue in Happy Valley-Goose Bay.
KEY MESSAGES

Justice and Public Safety
Electronic Monitoring
October 17, 2019

Summary:
The Department of Justice and Public Safety is reintroducing electronic monitoring for some offenders.

Anticipated Questions:
• What will the electronic monitoring program look like?
• How much will it cost?

Key messages:
• The Department is in the process of selecting a vendor from the RFP and finalizing an eight-week implementation plan.
• Our government continues to work to develop initiatives that directly target violent behavior and fight the social normalization of violence in our communities.
• Through the work of the Justice Minister’s Committee on Violence Against Women and Girls, electronic monitoring was discussed as a way to protect those exiting violent relationships.
• The technology has advanced such that exclusion zones can be programmed using GPS for conditions like no contact and curfew orders.
• Electronic monitoring will allow offenders to continue to work and support their families, and be contributing members of society.

Secondary messages:
• Electronic monitoring will enhance public and more importantly victim safety and increase the accountability of offenders in the community.
• Electronic monitoring enhances supervision of offenders meaning it will be easier to prove conditions were breached.
• Electronic monitoring was cut in 2013 because of the cost to replace outdated technology.
• Budget 2019-20 allocated $254,000 for an electronic monitoring program.

How it works:
During the pilot, JPS will be using electronic monitoring as a post-conviction tool to enhance monitoring of offenders serving community and custody based sentences.

Electronic monitoring will be used for:
- inmates eligible for Temporary Absence (TA) release from a correctional institution,
- offenders serving Conditional Sentence Order including those with intimate-partner violence convictions in the greater St. John’s area, and
- offenders serving probation sentences.

During the pilot, JPS will assess the feasibility of expanding to offenders serving intermittent sentences and remand.

JPS will procure approximately 50 devices and of the targeted EM groups, emphasis will be given to offenders convicted of domestic related crimes for enhanced supervision.

A third-party monitoring centre specializing in dispatch will perform monitoring for NL offenders.

Adult Probation Officers (APO) will be responsible for the supervision of offenders in the EM program. This includes bracelet installation, removal, maintenance and receiving alert notifications.

APOs can use EM software to customize offender schedules, geo-fencing, and notification alert protocols.

JPS staff, in consultation with law enforcement, is developing standard operation procedures (SOPs) and relay information to the monitoring centre. SOPs will classify alert types by priority and include the necessary steps to take once an alert is issued.
- Example of a scheduling alert: An offender is released on a TA to avail of a drug treatment program. Their schedule, including when they are expected to be at programming, is entered into the software. An alert is issued when the client doesn’t attend treatment as scheduled.
- Example of an exclusion zone alert: An offender convicted of assault against their partner is on probation with a no-contact condition. An alert is issued when the offender arrives at their partners’ home violating an exclusion zone.

JPS also hopes to obtain devices/services enabling victims of domestic violence to connect to an EM monitoring centre in the case of an emergency.

EM will allow real-time GPS tracking of offenders in locations with strong cellular signal. In areas where cellular data is variable, EM improves curfew and house arrest conditions.

In areas where GPS tracking is not reliable, APOs may use EM for offenders with curfew conditions. The EM device has hybrid technology that allows monitoring by a Radio-Frequency (RF) signal once a beacon is installed in the home. This mirrors the old EM program. Alerts go to the monitoring centre if the signal from the ankle bracelet cannot be transmitted to the beacon.

Over the next few months, JPS will work with the vendor to conduct final testing of the ankle bracelets, finalize SOPs, finalize the evaluation plan, and provide staff training.
KEY MESSAGES

Justice and Public Safety
Bail Supervision Program
October 22, 2019

Summary:
The Department of Justice and Public Safety is introducing a bail supervision program in the province.

Anticipated Questions:
• What is bail supervision?
• How will the program impact the justice system?

Key messages:
• Following a feasibility study in 2017, we are now moving forward with a bail supervision program.

• Bail supervision provides an alternative to pre-trial detention that reduces custodial costs by supervising accused in the community and providing referrals, monitoring and support.

• The program gives judges the option of supervising offenders instead of simply remanding them with the goal being to rehabilitate offenders while reducing the burden on provincial institutions and maintaining community safety.

Secondary messages:
• The department strongly believes in restorative justice and recognizes the need to find alternatives to incarceration by looking for innovative ways to reduce the number of people imprisoned, to reduce the risk of reoffending and to ensure that justice is restored for everyone involved.

• The intent of the program is to increase the number of individuals eligible for bail and support accused in securing housing and a surety.

• More than half of those in custody at Her Majesty’s Penitentiary are being held on remand.

• Provinces including Ontario, Manitoba, and British Columbia have used bail supervision programs to help alleviate the challenges of a high remand population.

• Budget 2019 allocated $100,000 for a bail supervision program. The program will be overseen by the Adult Probation Division.

• Adult Probation Officers supervising those on bail will have the authority to issue a warrant for arrest should the participant breach their conditions.
• Bail supervision is only available to those persons who would have been released by the court under their own recognizance or under a surety recognizance but for a lack of adequate surety, lack of financial resources or lack of fixed address. Persons released on bail have not been found or pleaded guilty.

• Section 515 of the Criminal Code states that in cases where there is no reverse onus, an accused should be released on the least restrictive bail unless the Crown has shown cause otherwise. In cases of reverse onus, it falls on the accused to show why they should be released and, if released, on what form of release and with what, if any, conditions of that release.

• Though general crime rates are decreasing, the number of persons held on remand is increasing, suggesting a procedural cause not directly related to the commission of criminal offences.
How it works:

1. The accused first meets with his/her lawyer.
   During this meeting, an individual may disclose that he/she is not able to pay the cost of bail, does not know of an adequate surety, or does not have stable housing.

2. The lawyer puts a referral for his/her client in to the bail supervision offices.
   A simple form confirms the accused meets a number of basic requirements. This differs between provinces. For example, accused persons participating in bail supervision programs in both Ottawa and Manitoba need to be “non-violent”. Individuals with violence on their criminal records, or are currently charged with a violent offence, may be reviewed on a case-by-case basis. For newer bail supervision programming it is recommended that applicants be low-risk and non-violent while processes are still being ironed out.

3. Bail Supervision / Bail Verification Officers review the submission and interview accused.
   If there is no reason to question eligibility, the accused is then interviewed. If the accused states they would like to participate in the bail supervision program and are amenable to possible conditions put forth by the courts, the supervisor may state their conditional acceptance to the program.

4. Bail supervision recommendation documents are completed and given to the Crown and Defense prior to bail hearing.

5. Bail hearing takes place as usual.
   A recommendation for the release of an accused under the supervision of a bail program is presented as an option to the judge. Persons accused of non-violent offences such as fraud, property crimes, drug or alcohol offences etc. are often the best candidates for a newer program.

6. The court makes the final decision regarding release and conditions of a release.

7. The accused is accepted into the bail supervision program and is released from custody.
   When the accused is released from custody under the bail supervision program, they will be given a list of instructions and directions to the bail supervision office. In most programs, a client is responsible for getting to the bail supervision office the following business day post-release, first thing in the morning.

8. Supervision begins.
   The supervision plan is followed and the accused will meet with the bail supervisor regularly. The bail supervisor is afforded the appropriate discretion, however, the supervisor has reason to breach an accused, and a bench warrant is developed and provided to police.

9. Trial
   If convicted, the bail supervision office may submit a written letter of support before sentencing if appropriate.
The Case of Joe:

Joe is a middle-aged male who resides in the city-centre of St. John’s. Joe is currently employed part-time as a dishwasher at a restaurant close to the boarding home he shares with a group of other residents. He has a lengthy criminal record for offences of theft. Joe has just been arrested for stealing from Walmart (theft under $5,000) and is now awaiting his bail hearing.

1. Joe is seen by his legal aid lawyer as he is unable to afford a lawyer. Joe confirms that he would not be unable to pay bail and does not have a surety who would meet the standard requirements. A decision is made to conditionally refer Joe to the Bail Supervision Program.
2. Joe’s lawyer confirms that no surety is available.
3. A referral is completed and sent to the bail supervision office and includes a current CPIC report (criminal history).
4. The bail supervision office receives the file and reviews Joe’s case. Joe is found to be a good candidate for supervision.
5. Joe is interviewed by the bail supervision worker.
   a. Joe is interested in getting out on bail to ensure he keeps his job and room.
   b. Joe has no dependents.
6. After the interview is completed, it is determined that Joe is amenable to possible conditions, including behavioral conditions, and is therefore conditionally accepted.
7. Documentation is completed and a formal recommendation for release under the bail supervision program is submitted to both the Crown and Defense.
8. Joe participates in his bail hearing and confirms his amenability to the conditions set out.
   a. Joe will be released under the supervision of the bail program.
   b. Joe will remain at his address and if changes to the address are made both the court and bail program will be advised within 48 hrs.
   c. Joe will abstain from entering the Walmart on Main Street in St. John’s.
   d. Joe will keep the peace and be of good behavior.
   e. Joe will attend Anger Management.
9. Joe is released under the supervision of bail program at 3:30 p.m. on Wednesday. He is given a paper with instructions and a bus ticket.
10. Joe attends the bail supervision office on Thursday with a letter addressed to him at his residence for proof of address. He goes through a lengthy intake process with his supervisor and they develop a plan.
11. Joe meets with his supervisor once a week, in person for the first eight months of his pre-trial period. He regularly attends programming and brings proof (usually signed attendance sheets). The supervisor uses his/her discretion to not breach Joe given he has remained employed, is housed and has not committed any new offences.
12. After eight months Joe now sees his supervisor once every two weeks in order to accommodate his new work schedule as he is now a full-time employee.
13. Joe goes to trial!
KEY MESSAGES

Justice and Public Safety
Massage Parlours
October 11, 2019

Summary:
The city of St. John’s has voted to lift a moratorium on massage parlours. The RNC has been vocal in the media about wanting regulations that would give police authority to enter these establishments when it’s believed workers are at-risk.

Anticipated Questions:
• What is the province’s role in the safe operation of massage parlours?

Key Messages:
• The Department of Justice and Public Safety is aware that the RNC has concerns regarding massage parlors operating in the province.

• The safety of sex workers is a very important and complex issue.

• The department supports the work being done by our police agencies to ensure the safety and security of the people in the province, particularly those who are deemed vulnerable.

• This has been identified as an issue where contribution may be needed from a number of departments and the Department of Justice and Public Safety is participating in those discussions with our colleagues across government.

Secondary Messages:
• The Criminal Code does not prohibit the operation of massage parlours.

• Potential concerns such as sexual exploitation, sexual assault and other offences related to providing or obtaining sexual services, apply more broadly and are not limited to the operation of massage parlours.

• The city of St. John’s still has some work to do. When the city provides its updated regulations to the Minister of Municipal Affairs they will be reviewed.

• We will be reaching out to the Mayor and City Council to determine any potential involvement. This isn’t an issue isolated to Newfoundland and Labrador, other jurisdictions have had similar discussions. What we are saying is that we are open to working with our stakeholders as this moves forward.
QP Issue Note
WorkplaceNL

ISSUE: Workplace Safety for Massage Parlour Workers
The City of St. John’s is changing its regulations relating to massage parlours, and this has received media coverage and questions from the public and safety advocates relating to the safety of massage parlour workers.

ANTICIPATED QUESTIONS:
What is being done to protect the safety of massage parlour workers?
Is WorkplaceNL working with the industry?

KEY MESSAGES:
Workplace violence is a priority in Service NL and WorkplaceNL’s joint five-year workplace injury prevention strategy.

This is an opportunity to work with safety advocates to create safe and supportive workplaces.

WorkplaceNL offers advice, training and materials on safe and supportive workplaces.

SECONDARY MESSAGES:
• With time comes change and WorkplaceNL is committed to updating its approaches to safety and respond appropriately to evolving issues.

• Workplace violence can happen in any workplace – those working alone or with the public are at higher risk.

• Workplace violence has been increasing, so WorkplaceNL is proactive in assisting employers develop programs and policies in this area.
KEY MESSAGES

Justice and Public Safety
Judges Salary Tribunal
October 15, 2019

Summary:
On June 26, 2018, the province directed the Wicks Tribunal to commence the process of preparing a report on salary and benefits for Provincial Court Judges for the period 2017-2021. The report was tabled in the House of Assembly on June 25, 2019.

Anticipated Questions:
• Do you agree with the recommendations of the Tribunal?
• Will Provincial Court Judges receive further raises?

Key Messages:

• The most recent report submitted June 6, 2019 recommended salary increases of zero per cent for the first two years and 1.6 per cent effective 2019 and approximately six per cent in the year following, based on a balance of the Consumer Price Index.

• At this point, we have not made a decision on whether we will accept, alter or reject the recommendations. The next step is to prepare a resolution to be tabled in the House of Assembly for debate in the fall.

• Once the resolution is tabled government’s position on the recommendations will be made clear. I look forward to the debate with my fellow MHAs to come to a final decision on the recommendations.

• I thank the Tribunal for the work they did in preparing this report and reiterate my respect for the difficult work that Provincial Court Judges undertake on a daily basis on behalf of residents.

Secondary Messages:

• The Tribunal also recommended severance payouts for judges, an increase in long-term disability benefits to reflect the change in age of mandatory retirement; and travel per diems for part-time/semi-tired judges.

• Additionally, the Tribunal recommended that if the increases are not implemented within six months that interest be paid to judges, and recommended the province pay two-thirds of Judges’ legal fees and 100 per cent of Judges’ disbursements.

• The Wicks Tribunal conducted public hearings on Jan. 31 and Feb. 1, 2019. The Judge’s Association sought a three per cent raise for each of the four years 2017-2021. The province recommended zero per cent increases over the same time period.

• Provincial Court Judges currently have an annual salary of $247,545.
FACT SHEET

2019 Wicks Tribunal
- Written submissions were due on January 9, 2019 and Reply submissions were due on January 23, 2019.
- The Tribunal convened hearings in St. John’s, NL from January 31 – February 1, 2019.
- The following submissions were made by GNL:

(1) Salary:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>% increase offered to PCJs by GNL</th>
<th>% increase requested by PCJs</th>
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</thead>
<tbody>
<tr>
<td>2017-18</td>
<td>0%</td>
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<td>2018-19</td>
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<tr>
<td>2021-22</td>
<td>0%</td>
<td>3%</td>
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</tbody>
</table>

(2) Long Term Disability (LTD):
- The judges asked that they be eligible for LTD coverage up to the age of 70 (mandatory age of retirement).
- GNL response - The Province argued that judges’ eligibility for LTD should not change (ie. cease at age 65)

(3) Travel Time for Per Diem Judges:
- The Judges requested that per diem judges be compensated for their travel time.
- GNL Response - The Province agreed with the caveat that a judge should not be paid for more than one day’s work in a single day.

(4) Payout of Accrued Severance:
- The judges asked that any judge who accrued severance prior to April 1, 2002 have the option of having that severance paid out upon their request at any time up to the date of their retirement.
- GNL Response - The Province agreed, but requested that the severance be paid out immediately.
Wicks Tribunal 2014
- Written submissions were due on April 13, 2015.
- The Tribunal convened hearings in St. John’s, NL on May 25, 2015.
- The Province made the following proposal on salary which was $215,732:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>% increase offered to PCJs</th>
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<tbody>
<tr>
<td>2013-14</td>
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</tr>
<tr>
<td>2014-15</td>
<td>0%</td>
</tr>
<tr>
<td>2015-16</td>
<td>2%</td>
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<tr>
<td>2016-17</td>
<td>3%</td>
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</table>

By way of context, please note the % increase awarded by the Wicks Tribunal and the comparison to what the Civil Service received in those years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>% increase offered to PCJs</th>
<th>% increase awarded by Wicks Tribunal and upheld by Faour, J.</th>
<th>% increase received by Civil Service</th>
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<tbody>
<tr>
<td>2013-14</td>
<td>0%</td>
<td>3% ($222,203)</td>
<td>0%</td>
</tr>
<tr>
<td>2014-15</td>
<td>0%</td>
<td>3% ($228,870)</td>
<td>2%</td>
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<tr>
<td>2015-16</td>
<td>2%</td>
<td>4% ($238,024)</td>
<td>3%</td>
</tr>
<tr>
<td>2016-17</td>
<td>3%</td>
<td>4% ($247,545)</td>
<td>0%</td>
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</tbody>
</table>

Andrews Tribunal in 2009
- Made recommendations for a four year period from April 2009 to March 2013
- The report was delivered in September 2010.
- Government accepted all recommendations of the tribunal without any variance.
- Salary increases were 11.5%, 3%, 3% and 3% (total of 20.5%).

Steel Tribunal in 2005
- Made recommendations for a five year period from April 2004 to March 2009.
- The Report was delivered in May 2006.
- Government accepted all recommendations of the tribunal without any variance.
- Salary increases were 0%, 0%, 2%, 3%, 2% (total of 7%).
KEY MESSAGES

Justice and Public Safety
OIPC Report
October 15, 2019

Summary:
On April 1, 2019, an applicant filed an ATIPP request with JPS for information relating to environmental complaints made to the Department of Municipal Affairs and the Environment. On April 30, JPS provided the final response to the applicant. On May 17, JPS was notified that the applicant had filed a complaint with the Office of the Information and Privacy Commissioner (OIPC).

Anticipated Question:
• Why did the department refuse to provide the records to the OIPC?

Key messages:
• The Department of Justice and Public Safety takes all recommendations of the OIPC seriously. However, the Department does not believe it is required to disclose solicitor-client privileged documents to the OIPC for review or to members of the public. This viewed is based in large part on direction from the Supreme Court of Canada.

• Lawyers have the unique role of providing advice to clients within a complex legal system. Without the assurance of confidentiality, people cannot be expected to speak honestly and candidly with their lawyers, which would compromise the quality of the legal advice they receive. It is therefore in the public interest to protect solicitor-client privilege.

• The Supreme Court of Canada calls solicitor-client privilege a principle of fundamental justice and has stated on numerous occasions that solicitor-client privilege must be as near to absolute as possible in recognition of the public interest in maintaining the confidentiality of the solicitor-client relationship. The Supreme Court of Canada has also confirmed that solicitor-client privilege applies to in-house or government legal counsel in the same manner as it applies to private legal counsel.

• The Supreme Court of Canada has determined that language that is substantially similar to s. 97(1)(d) of ATIPPA, 2015 does not give the OIPC the power to compel solicitor-client privilege records.

• Given the decisions of the Supreme Court of Canada and other courts arising since the ATIPPA, 2015 and the importance of solicitor-client privilege to our legal system, we are looking forward to guidance from our Supreme Court to help clarify this issue in Newfoundland and Labrador.
KEY MESSAGES
Justice and Public Safety
Ban of Conversion Therapy
October 9, 2019

Summary:
The Federal Government is calling on all provincial governments to stop conversion therapy while it considers changes to the Criminal Code to block the practice. Questions have been raised about the province’s position.

Anticipated Questions:
• Will government commit to a ban of conversion therapy?
• What is government doing to protect Newfoundlanders and Labradorians from the harmful effects of conversion therapy?

Key messages:
• The Government of Newfoundland and Labrador is committed to embracing and celebrating the diversity of all people, as the principles of fairness, respect and equality remain at the forefront of how we govern.

• Conversion therapy is ineffective and extremely harmful to the mental well-being of people within the LGBTQ2+ community. Our Government is opposed to this approach and is open to discussing and reviewing necessary change in collaboration with the community.

• Sexual orientation or gender identity is not an illness, therefore there is no “cure”.

• Conversion therapy is neither condoned nor supported by the provincial government. This fact is reflected by the fact that there is no MCP coverage – or any financial support provided by our government - for conversion therapy.

Secondary messages:
• Addressing the availability of conversion therapy is a complex issue which requires a multi-faceted response across our society.

• We support the Federal Government and the steps they are taking to ban conversion therapy through amendments to the Criminal Code.

• We will continue leading by example to break down barriers and foster greater equality for all people

• Progress has been made in the past two years with such significant steps as removing the requirement for an individual to undergo sex reassignment surgery prior to changing the gender marker on the individual’s birth registration or marriage registration. The province was among the first in Canada to allow a person to change their sex designation on a birth certificate from female or male to non-binary. Last fall we enabled individuals who qualify for a gender-neutral birth certificate in the province to avail of a gender-neutral driver’s license.
KEY MESSAGES

Justice and Public Safety

Opioid Class Action Lawsuit

October 15, 2019

Summary:
A National Class Action lawsuit was commenced last year by British Columbia against Purdue Pharma and more than 40 other companies in connection with opioid drugs they manufacture, market or distribute. There are also similar actions in the United States of America.

Anticipated Questions:
• Is the province taking any action in response to the opioid lawsuit settlements in the U.S.?
• Will the province be joining the class-action lawsuit commenced by B.C.?

Key Messages:
• Newfoundland and Labrador joins other Canadian provinces and territories seeking a fair resolution with Purdue and other opioid manufacturers.

• The ongoing opioid crisis continues to impact Newfoundlanders and Labradorians - and all Canadians - in an unprecedented fashion, the burden of which has fallen to affected individuals and the governments who provide health care and other social supports to them and their families.

• The B.C. class action rests on the alleged false and deceptive marketing and understatement by Purdue and other opioid manufacturers of the addictive quality of their opioid products.

• We are carefully monitoring the U.S. opioid litigation and related Canadian Companies’ Creditors Arrangement Act proceedings to determine what implications it may have for Canadian provinces and territories.

Secondary Messages:
• We are in regular contact with our Canadian counterparts and participate on the Opioid Litigation National Working Group.

• This litigation is moving rapidly, and Newfoundland and Labrador supports the British Columbia Class Action against Purdue and other opioid manufacturers, in its effort to achieve a fair resolution that can address the ongoing opioid crisis.

• The National Class Action commenced in British Columbia is a proposed class action. No province "signs on" or "joins" a class action; rather, they are automatically included as a result of the provisions of the Class Proceedings Act.

• Each jurisdiction does have the option, after the action is certified, to "opt out" but until then the proposed class includes all provinces and territories.
BACKGROUND

- Purdue Pharma recently filed for bankruptcy in the U.S. to shelter itself and its owners, members of the Sackler family, from the more than 2,000 lawsuits over their ongoing role in the opioid crisis.

- Purdue has proposed a settlement worth up to $12 billion U.S., but has to date ignored the claim made by Canadian provinces and territories.

- Purdue Pharma L.P., in its capacity as foreign representative of the Chapter 11 Debtors, has filed an application with the Ontario Superior Court of Justice (Commercial List) under Part IV of the Companies’ Creditors Arrangement Act requesting recognition of the Chapter 11 Cases commenced in the United States. The Court granted an Initial Recognition Order and Supplemental Order.

FACT SHEET

- In 2017, there were 33 opioid-related deaths in NL. In 2018, there were 10 opioid-related deaths. Between January and April of 2019, there were nine opioid-related deaths in this province.
Q&A

Q: Why did the province ask to join the class-action suit?
The ongoing opioid crisis continues to impact Newfoundlanders and Labradorians - and all Canadians - in an unprecedented fashion, the burden of which has fallen to affected individuals and the governments who provide health care and other social supports to them and their families.

The National Class Action commenced in British Columbia is a proposed class action. No province "signs on" or "joins" a class action; rather, they are automatically included as a result of the provisions of the Class Proceedings Act. Each jurisdiction does have the option, after the action is certified, to "opt out" but until then the proposed class includes all provinces and territories.

Q: What does the Statement of Claim allege?
A: The B.C. class action rests on the alleged false and deceptive marketing and understatement by Purdue and other opioid manufacturers of the addictive quality of their opioid products. The BC class action also alleges that the opioid distributor defendants supplied the opioids manufactured and marketed by the manufacturer defendants to pharmacies and hospitals in Canada in quantities that they knew or should have known exceeded any legitimate market, deepening the crisis of Opioid abuse, addiction and death in Canada.

Newfoundland and Labrador joins other Canadian provinces and territories seeking a fair resolution with Purdue and other opioid manufacturers.

Q: How has it been allowed to get to this point? The problem...
A: Dr. Haggie would really be the best person to speak to about the impact to the health care system, but what I can say is that there’s never been a case quite like this one. In its simplest form patients see doctors when they need help, doctors want to treat their patients in the best way possible, and in this case you had opioid manufacturers who convinced physicians that these drugs were safe when they knew and didn’t disclose the addictive qualities.

The current crisis is unprecedented. Stats from the Office of the Chief Medical Examiner show that in 2017, there were 33 opioid-related deaths in NL. In 2018, there were 10 opioid-related deaths and already between January and April of 2019, there have been nine opioid-related deaths in this province.

Q: What is the cost of this action for taxpayers and can you put a cost on this in terms of what it is costing the province in terms of healthcare and justice?
A: The cost to our government related to the opioid crisis is tremendous. In addition to direct health care costs, governments also bear costs for addiction services, social assistance (including to families of addicted individuals) and many other addiction-related costs. Many of these costs will not be fully known for many years because the scope of the opioid crisis is unprecedented. We are working on calculations of costs to the provinces and territories, and that information will inform our negotiations with opioid manufacturers.

Q: So what happens now with the action? Are there lawyers here working on the file in conjunction with those in B.C.?
A: We are carefully monitoring the U.S. opioid litigation and related Canadian Companies’ Creditors Arrangement Act proceedings to determine what implications it may have for Canadian provinces and territories. Justice and Public Safety officials are in regular contact with our Canadian counterparts and participate on the Opioid Litigation National Working Group.

Q: How long do you anticipate this action to go on?
A: It is too early to say exactly how long this litigation may continue. It is complex and impacted by the U.S. proceedings, with high stakes for all parties. We will continue working with our Canadian and U.S. counterparts to monitor and adjust our litigation strategy as required to ensure that our governments achieve our public policy objectives to prevent further harm to our people.
Health and Community Services
Opioid Class Action Lawsuit
October 2, 2019

Summary:
A National Class Action lawsuit was commenced last year by British Columbia against Purdue Pharma and more than 40 other companies in connection with opioid drugs they manufacture and market. There are also similar actions in the United States of America.

Anticipated Questions:
• How big of an issue is opioid use in NL?

Key Messages:

• According to the NL Centre for Health Information and the Office of Chief Medical Officer, the number of opioid-related deaths in Newfoundland and Labrador increased from 18 in 2016 to 33 in 2017. In 2018, the opioid-related deaths totaled 10 people; in the first quarter of 2019, there were nine opioid-related deaths.

• Opioid-related hospitalizations also increased from 2016 to 2017 from 57 to 84. In 2018, there were 67 opioid-related hospitalizations, and nine in the first quarter of 2019.

• In 2019, almost 3,000 people were prescribed opioid agonist maintenance treatment (Methadone or Suboxone).

• As of August 2019, approximately 3,100 take-home Naloxone kits have been distributed through 110 distribution sites. Over 80 per cent have been distributed in the eastern region.

• The Safe Works Access Program (SWAP) distributed 747,074 needles throughout the province in 2018, and 773,080 so far this year.

• NL overall costs and harms attributable to opioids - $50 million for 2014. This includes costs for health care, lost productivity, criminal justice and other direct costs.

• The Provincial Hub and Spoke Model for Opioid Dependence Treatment (ODT) is being implemented in all four RHAs. As of September 2019, Hubs are operational in St. John’s, Gander, and Corner Brook/Stephenville. In these hubs, people will be initiated on Methadone or Suboxone, as prescribed by physicians and nurse practitioners, and will receive addiction counselling, primary care services, and case management. Additional Hubs are planned for Grand Falls-Windsor and Happy Valley-Goose Bay in 2019-20.

• In September 2018, the average wait time for ODT services in each RHA was 4-5 weeks. As of September 2019, St. John’s, Gander and Corner Brook Hubs reported that people can now receive services within 1-2 days.
Prescription Monitoring Key Messages

- The Prescription Drug Monitoring Program for NL has been implemented focusing on prescription drugs with high potential for abuse, including opioids. The purpose of the program is to help prescribers and dispensers make the most informed decisions when choosing to prescribe or dispense an opioid, and to allow them access to up-to-date and accurate patient medication profiles to help inform and support the needs of their clients.

- The Prescription Monitoring Act came into effect on January 1, 2018. Under the Act, by June 30, 2018, all prescribers and dispensers in Newfoundland and Labrador were required to check their patient's medication profile using the provincial electronic health record, HEALTHe NL, before prescribing and dispensing a monitored drug.

- Since July 1, 2018, there has been an average of 4,602 fewer opioid prescriptions dispensed per month, compared to the previous year. (June 2017-June 2018).

- From a recent survey that NLCHI conducted, there are strong indicators that the program is working. It was noted that:
  - 86% of pharmacists reported an increased confidence dispensing monitored drugs.
  - 11% increase in patients accessing and receiving opioid dependency treatment.
  - 30% decrease in patients receiving opioids from 2+ prescribers in a 30-day period.
  - 80% of pharmacists say a PMPNL benefit is ability to identify potentially inappropriate prescriptions.
KEY MESSAGES

Justice and Public Safety
Jordan Impacts
October 8, 2019

Summary:
In July 2016, the Supreme Court of Canada established fixed time periods for trials – 18 months for trial in provincial court and 30 months for trials in superior court that have had a preliminary inquiry. The intent is to ensure the right to a trial without unreasonable delay. Impacts on cases are anticipated.

Anticipated Questions:
• How many cases have been impacted to date?
• What steps have you taken to avoid delays in prosecutions and proceedings?

Key messages:
• Public prosecutions is treating the Supreme Court of Canada’s direction as a priority and being proactive to avoid unreasonable delays.

• We have been working with the courts, police, legal aid and victim services in an effort to streamline current practices and change the way a trial is managed.

• We added three new prosecutorial positions which helped to deploy resources where necessary to reduce delays.

• Public Prosecution Service is streamlining prosecutorial practices through direct indictments, objections to postponements, ensuring record adequately reflects why adjournments occur, pursuing disclosure and prioritizing cases.

Secondary Messages:
• The frequency of Jordan applications has greatly diminished. The decline may be attributed to a number of factors including;
  o Cases which included lengthy pre-Jordan proceedings have nearly all been concluded;
  o Crown Attorneys have been vigilant in their efforts to avoid and mitigate delays;
  o Direct Indictments have limited delays for serious cases;
  o The Courts have generally been responsive and proactive in addressing those cases that have approached the Jordan ceiling.

• All jurisdictions are encountering applications related to Jordan and the impact of Jordan is not specific to this province.
## Jordan Applications / Statistics and Status / October 2019

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<th>Jordan Applications – 2016 (post July 7th)</th>
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<tr>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
</tr>
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* an additional stay of proceedings entered in 2018 was overturned by the Newfoundland Court of Appeal so is counted in the dismissed category.
KEY MESSAGES

Justice and Public Safety
Adult Diversion
October 8, 2019

Summary:
Using the principles of restorative justice a new program gives offenders alternative means to serving time.

Anticipated Questions:
• How does the program work?
• Who can qualify?

Key messages:

• The one-year pilot program covers areas serviced by the Provincial Court in Stephenville and Corner Brook.

• In order to qualify for alternative measures, the offender must accept responsibility for the act and waive Jordan to allow time to complete the program.

• Alternative measures will not be available in cases of bodily harm, intimate partner violence, sexual offences, impaired driving, where children are victims, or those with mandatory minimum sentences.

• Alternative measures could include counselling, a letter of apology, community service or even a charitable donation.

Secondary messages:

• Diversion programs reduce pressures on the court and help instill a sense of responsibility in offenders so they will hopefully avoid repeat offenses and the negative consequences of a criminal record.

• Offenders, who are likely to be diverted, are not those who would typically be incarcerated. This is about getting people who make mistakes out of the justice system early.

• This program expands on existing mechanisms to the traditional court process like the Drug Treatment Court and the Family Violence Intervention Court.

• If an offender completes the program charges are withdrawn, otherwise the offender would proceed through the traditional court process.

• Adult Probation, Victim Services, Public Prosecutions and Family Justice Services are facilitating the program within existing resources.
FACT SHEET

- The first case in Newfoundland and Labrador to get referred to the adult diversion program was a woman charged with two counts of theft and one charge of mischief. s.40(1)

- Referrals generally happen on plea days; Tuesdays in Corner Brook and Mondays in Stephenville.

- To date there have been 66 referrals – 17 people have completed the program; there are 35 active files and 14 people have been terminated for various reasons (decided against participating, did not show up for appointments) and have been returned to Court.
How it works:

1. Police will lay a charge as per the usual practice. Crown will assess for reasonable prospect of conviction and public interest.

2. The Crown Attorney shall consider referring a matter to adult diversion where the Crown Attorney is satisfied that alternative measures would be appropriate, having regard to the needs of the person alleged to have committed the offence and the interests of society and of the victim.

3. Some offences are generally not eligible (may be eligible with DPP consent): those which resulted in bodily harm to the victim, intimate partner violence offences, sexual violence offences, impaired driving offences, offences having a mandatory minimum sentence and offences with child victims;

4. Before referring a matter to alternative measures, the Crown Attorney shall notify the victim (though victim services, if engaged) of the decision to refer;

5. Before consenting to participate in the alternative measures, the offender must be advised of the right to be represented by counsel (usually a consult with duty counsel at first appearance);

6. Upon agreeing to participate, the offender and the Crown Attorney appear in Court to adjourn the matter for four to six months to allow sufficient time for the program to be completed. The offender provides a s. 11(b) Jordan waiver;

7. The Crown Attorney forwards a referral including the Prosecutor’s Information Sheet (PIS) and any prior Criminal Record to Adult Probation, along with recommendations for the content for the program;

8. Adult Probation contacts the offender to arrange a meeting for intake and to sign an alternative measures contract. The contract includes a time for completion.

9. Possible terms include: Counselling, programming, including online programming, designed to provide the offender with insight or information with respect to the effect of criminal behaviour, a letter of apology, reviewing a statement outlining the impact of the offence on the victim, reparation for damage done to the victim, community service, facilitated victim-offender discussion, a charitable donation to a community organization, and any other condition deemed appropriate by the Probation Officer in consultation with the Crown, victim and offender.

10. Where both the victim and offender agree to participate in facilitated victim-offender discussions, Adult Probation shall complete a referral to Family Justice Services who will arrange and provide facilitation services for the facilitated victim-offender discussions;

11. If the offender refuses to sign the alternative measures contract, or having signed the contract, refuses or fails to complete the alternative measures program, Adult Probation will return the file to the Crown Attorney’s office to consider whether it is in the public interest to continue the prosecution;

12. Where the offender has completed the alternative measures program, Adult Probation will advise the Crown Attorney’s office and the Crown Attorney shall have the matter called in Court and the charges withdrawn.
KEY MESSAGES

Justice and Public Safety
SAR Inquiry
October 7, 2019

Summary:
The Premier announced in December 2018 that a Search and Rescue (SAR) inquiry would be initiated in 2019.

Anticipated Questions:
• When will the SAR Inquiry take place?
• How much will the SAR Inquiry cost?

Key messages:
• We are developing the Terms of Reference for the Search and Rescue inquiry.
• There are a number of logistical considerations before an inquiry can commence; location, resources and a determination of the budget.
• We anticipate the Search and Rescue inquiry to be smaller, more focused and less expensive than the Muskrat Falls Inquiry.

Secondary Messages:
• SAR continues to be an issue of provincial and national importance and one we take quite seriously.
• While considerable strides have been made in the province with respect to search and rescue, there is always room for improvement.
• The Senate review and recommendations could help form the basis of the provincial inquiry. We don’t want to duplicate the work already complete.
Fact Sheet:

Significant improvements have taken place since the Burton Winters tragedy:

- In 2012 protocol was developed where the JRCC would open a file in response to any request for service. JRCC will call the incident commander to get a sense of what was happening on the ground and closely monitor the situation.
- The province purchased thermal imaging equipment to assist with searches.
- Access to federal resources has vastly improved.
- The province entered into an MOU with CASARA (Civil Air Search and Rescue).
- The Maritime Rescue Sub-Centre in St. John’s has re-opened.

The federal government has made improvements to CCG’s SAR capacity as part of the Oceans Protection Plan:

- The construction of two new SAR lifeboat stations in Twillingate and Bay de Verde and;
- The refurbishment of the lifeboat station in St. Anthony as well as the reopening of the MRSC in St. John’s.
KEY MESSAGES

Justice and Public Safety
Muskrat Falls Inquiry
October 7, 2019

Summary
Public hearings for the Muskrat Falls Inquiry began on Monday, September 17, 2018 in Labrador and ended in Labrador in July 2019. The Commission’s final report is due on December 31, 2019.

Anticipated Questions:
• Is the Muskrat Falls Inquiry on time?
• What will the Inquiry cost?

Key Messages:

• The Muskrat Falls Inquiry is being conducted independent of government.

• Budget 2019-20 allocates approximately $9.5 million to cover the operational, administrative and legal costs, as well as any costs incurred by the Commission to engage the services of persons have special expertise or knowledge to assist in the work of the Commission.

• As of September 30, 2019, the total expenditures as reported by the Commission is $15,610,863.

• To date, the inquiry is on schedule and the cost of the inquiry is less than anticipated which will lead to savings.

Secondary Messages:

• Commissioner Justice Leblanc has stated that he is committed to focusing on process and on how individuals and groups could have provided input in advance of sanction.

• The Commissioner has committed to investigate deficiencies and lack of transparency leading up to sanction. Justice Richard LeBlanc will look at this retrospectively and prospectively. Justice Richard LeBlanc says he will investigate reports of “democratic deficits”.
KEY MESSAGES

Intergovernmental and Indigenous Affairs Secretariat
Innu Children in Care Inquiry
October 23, 2019

Summary:
The Government and the Innu entered into a Memorandum of Understanding on July 5, 2017, outlining their mutual intent to pursue an inquiry into the treatment, experiences and outcomes of Innu in the child protection system.

Anticipated Questions:
What’s holding up the start of the Inquiry?

Key messages:

• The Government of Newfoundland and Labrador shares the Innu desire to commence the Inquiry into the Treatment of Innu Children in Care.

• The Innu has been discussing the Federal Government’s role and participation in the Inquiry and has reached an agreement with Ottawa on the terms.

• The Provincial Government and the Innu have an agreement on the Terms of Reference and the Province is moving forward with all parties on arranging the details required to commence the Inquiry.

Secondary messages:

• The province is in the process of identifying appropriate Commissioners in consultation with the Innu.

• Our province is experiencing an over-representation of Indigenous children in the child protection system and we are committed to working with our Indigenous and federal partners to reduce the number of Indigenous children in care.

• Our goal is to complete a process that helps all partners develop a better understanding of the experiences of Innu children in care so that we can achieve better outcomes in the future.
Fact Sheet:

- The Provincial Government and Innu leadership jointly completed a draft Terms of Reference and transmitted them to the Federal Government in September 2017, asking the federal government to “fully” participate in the Inquiry.

- The Innu were not pleased with the level of federal participation in the Inquiry, and in early 2018 advised former federal Minister Jane Philpott that the Inquiry is on hold until the Federal Government’s participation is satisfactory to the Innu.

- The Innu and Government have agreed upon Terms of Reference.

- Meanwhile, an independent review of the child protection system’s response to Inuit children was released by Jackie Lake Kavanagh, Child Youth Advocate, on September 4 in Nain. The Minister of Children, Seniors and Social Development, Lisa Dempster, attended in a guest capacity as a representative of the Provincial Government.
KEY MESSAGES

Justice and Public Safety
MMIWG Inquiry
October 7, 2019

Summary:
The final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls entitled ‘Reclaiming Power and Place’ was released June 3, 2019 and sets out 231 Calls for Justice, many of which are directed at all levels of government in Canada.

Anticipated Questions:
What action is the province taking in response to the final report?
What is the province doing to help end violence against women and girls?

Key Messages:

- The Government of Newfoundland and Labrador is ready to begin the work with our federal, provincial, territorial, municipal, and Indigenous governments to develop and implement a National Action Plan to address violence against Indigenous women, girls, and persons who identify as 2SLGBTQQIA.

- The Department of Justice and Public Safety, the Office for the Status of Women, Intergovernmental and Indigenous Affairs Secretariat, and the Labrador Affairs Secretariat are now working to identify which recommendations are relevant to the province.

- Action taken by the province will be guided by the National Action Plan. We remain committed to working to end violence against Indigenous women and girls.

- We know the scales of justice are not balanced for Indigenous people in this country. The rates of incarceration are much too high and the representation in the legal profession is far too low.

Secondary Messages:

- The Department continues to meet with Indigenous leaders to discuss ways to improve the justice system in their communities. For example, the Innu Roundtable meets one to two times per year and consists of representatives of the Innu Nation, Mushuau Innu First Nation, Sheshatshiu Innu First Nation, and the Federal and Provincial Governments.

- In January 2019 through a partnership with the Qalipu, eagle feathers were presented to the Provincial Court as another option for taking an affirmation or oath, to help create a more inclusive and accessible justice system that is sensitive to Indigenous cultures.

- Cultural competency and trauma-informed training is offered to justice-sector employees to educate and inform staff of Indigenous cultures and traditions to improve the interactions and experiences of Indigenous people within the justice system.

- An agreement with the University of Saskatchewan, sees two seats saved annually in its College of Law program for Indigenous students from Newfoundland and Labrador to help foster a more representative justice system.
Fact Sheet:

- Chapter 8 of the Final Report looks specifically at the experiences of Indigenous women and girls with police, courts, and corrections.

- For the period from April 1, 2017 to March 31, 2020 the Government of Canada has made available over $900,000 to the Government of Newfoundland and Labrador to establish and implement a Family Information Liaison Unit (FILU) to provide culturally sensitive and trauma informed supports for families of missing or murdered Indigenous women and girls. To date (April 2019) the FILU has assisted 24 family members.

- The interim report received in Fall 2017 included information about the National Inquiry process and how it is doing its work, what led to its creation, and examines some of the systemic, underlying causes of violence against Indigenous women and girls.

- The Inquiry held hearings across the country to hear the testimony of family members and loved ones of missing and murdered Indigenous women and girls, experts, and institutions like governments. Hearings in this province took place in Happy Valley – Goose Bay in March 2018 for family members and in St. John’s in October 2018 related to sexual violence, sexual exploitation and human trafficking. RNC Chief Joe Boland provided testimony at the October hearing.

- Government committed to an Annual Leaders Roundtable with Indigenous Governments and Organizations to meet and establish priority areas, and we were pleased to host the first meeting in St. John’s in May of 2017, the second was held in Corner Brook in June 2018. This is part of Government’s ongoing commitment to work collaboratively with Indigenous communities in the Province to ensure programs and services reflect their needs.
A summary of the Calls for Justice that relate to JPS are outlined and consolidated below, and indicate that all governments should:

1. Develop and implement, in partnership with Indigenous communities, a National Action Plan to address violence. This includes implementing an action plan that is flexible, region specific, measurable, sustainable and publically available, with devoted funding and timelines.

2. Ensure compliance with all relevant human rights instruments and meeting human rights obligations, including those from international human rights bodies.

3. Immediately take all necessary measures to prevent, investigate, punish and compensate for violence against Indigenous women, including:

   a). the creation of long-term funding for programs to eliminate violence against Indigenous women, and
   b). develop laws, policies, and public education to challenge the acceptance and normalization of violence.

4. Review of all policies, practices, and procedures in relation to the justice system to ensure it is culturally appropriate and reflects no bias or racism towards Indigenous Peoples.


**Policing**

6. Transform Indigenous Policing from its current state by:

   a). Replacing the First Nations Policing Programs with new legislative and funding frameworks;
   b). Creating civilian oversight to audit Indigenous police service;
   c). Funding access to high-speed internet to help criminal investigations in necessary areas,
   d). Funding major crime units, major case management, and crime-prevention programming;
   e). Developing investigative tools and techniques for physical evidence (i.e., sexual assault kits) and trauma informed questioning techniques.

7. Acknowledge the historical and current relationship between Indigenous women and the justice system. Further, acknowledging that going forward this relationship must be based on respect, understanding and in partnership with Indigenous people.

8. Develop a partnership between Indigenous Peoples and police services, which include training and education for officers.

9. Create Indigenous representation on police boards and oversight committees.

10. Increase recruitment of Indigenous Peoples to all police services.
11. Create police services that have the capacity to serve and protect Indigenous women and girls, including specialized units dedicated to serving these groups.

12. Ensure all cases of missing and murdered Indigenous women are thoroughly investigated.

**Criminal Justice System**

13. Provide culturally appropriate training for all those involved in the criminal justice system.

14. Ensure access to justice, which includes greater support for Indigenous victims (i.e., financial support, trauma care, culturally relevant victim services, legislated paid leave, and access to legal services); missing person’s legislation; and greater access and efficiency for protection orders.

15. Provide access to Indigenous courtroom liaison workers in all courts.

16. Increase Indigenous representation in all Canadian courts, including the recruitment and retention of Indigenous justices of the peace (matching Nunavut).

17. Increase accessibility to meaningful and culturally appropriate justice practices by expanding restorative justice programs and Indigenous Peoples courts.

18. Create adequate resources for indigenous women and girls involved in the justice system, including greater access and funding for legal aid; review of mandatory minimum sentences; evaluation of Gladue principles and Indigenous-specific sentencing options.