



Notice is hereby given for the following meeting:

RESTORATIVE JUSTICE COMMITTEE (RJC)

**September 24, 2019 – 5:00 p.m.
Boardroom A, City Hall**

AGENDA

1.0 ADDITIONS / DELETIONS TO AGENDA

2.0 ADOPTION OF MINUTES

2.1 Adoption of the Minutes of May 28, 2019

3.0 PRESENTATIONS

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

5.1 Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls - Recommendations to Council and/or the Provincial Court System to Inform a Local Approach

– Councillor Puchmayr

5.2 Committee Update: Victim Assistance Association Board Representation

– Councillor Puchmayr

6.0 REPORTS AND INFORMATION

Standing Items:

6.1 Constable Callaghan – Report

6.2 Communities Embracing Restorative Action (CERA) – Report

7.0 CORRESPONDENCE

7.1 Union of BC Municipalities – Response to March 12, 2019 Resolution from the RJC re The State of Legal Aid and Lack of Funding

- 7.2 David Eby, Attorney General – Response to March 12, 2019 Resolution from the RJC re The State of the Indigenous Court Facility in New Westminster**
- 7.3 New Westminster Municipal Police Board – Response to March 12, 2019 Resolution from the RJC re Communities Embracing Restorative Action (CERA) and the Police Board**

8.0 NEXT MEETING DATE

Tuesday, November 26, 2019

9.0 ADJOURNMENT



Corporation of the City of
NEW WESTMINSTER

**RESTORATIVE JUSTICE COMMITTEE
(RJC)**

May 28, 2019 – 5:00 p.m.

Boardroom A, City Hall

MINUTES

VOTING MEMBERS PRESENT:

Councillor Chuck Puchmayr	- Chair, City Council Member
Constable Tim Callaghan	- NWPD Representative
Wes Everaars	- Community Member
Terry Hewitt	- Victim Assistance Association Board Representative
Laura Roberts	- SD #40 Representative
Amanda Semenoff	- Community Member

REGRETS:

Stacey Ferguson	- Alternate Chair/Community Member
Gurinder Mann	- CERA Representative

STAFF PRESENT:

Carilyn Cook	- Committee Clerk
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The meeting was called to order at 5:10 p.m.

1.0 ADDITIONS / DELETIONS TO AGENDA

1.1 Additions/Deletions to Agenda

MOVED AND SECONDED

THAT the May 28, 2019 Restorative Justice Committee meeting agenda be adopted as circulated.

CARRIED.

All members of the Committee present voted in favour of the motion.

2.0 ADOPTION OF MINUTES

2.1 Adoption of the Minutes of March 12, 2019

MOVED AND SECONDED

THAT the March 12, 2019 Restorative Justice Committee minutes be adopted as circulated.

CARRIED.

All members of the Committee present voted in favour of the motion.

3.0 PRESENTATIONS

There were no items.

4.0 UNFINISHED BUSINESS

There were no items.

5.0 NEW BUSINESS

There were no items.

6.0 REPORTS AND INFORMATION

6.1 Update: Report to Council re The State of the Indigenous Court Facility in New Westminster – Councillor Puchmayr

Councillor Puchmayr advised that Council adopted the resolution by consent, reminding Committee members that the resolution spoke of the need to expand the Indigenous Court System and to create a better environment in the New Westminster Indigenous Court with respect to the overcrowding experienced to the extent that some family members are unable to attend the court proceedings of loved ones. The resolution will go to Union of BC Municipalities December.

Councillor Puchmayr noted that during recent Indigenous Court proceedings, it became apparent that housing is a big challenge and that the attendance of a representative from the Lookout Society may facilitate an immediate response to housing issues encountered during the sessions.

With respect to the removal of the Judge Begbie statue, Councillor Puchmayr stated that those attending Indigenous Court sessions that day would be invited to attend the removal of the statue if they so desired. He shared that Council agreed to relocate the statue as having it on the same site as an Indigenous Court is inappropriate and insensitive, and documents in the City archives indicate a real intrusion into a society and nation with both the provincial and federal governments agreeing and exonerating the six chiefs. Where the statue will be placed in the future is still under discussion.

Discussion ensued, and the Committee provided the following comments:

- Moving the Judge Begbie statue is not about erasing mistakes but addressing the pain it causes to the Tsilhqot'in Nation and others when they attend court;

- In response to a Committee member's comment that removing the statue would not resolve the issues of today, another Committee member maintained that the removal is about welcoming Indigenous peoples to the space, not having them walk past the judge who was instrumental in the demise of their grandparents, great-grandparents, and chiefs, providing them a space in the system and showing them that the system can be fair. She also stated that when people sit in a space of unresolved trauma, the pain is not in the past;
- Removing the statue will not cost a lot but will have a great impact; and,
- Indigenous women, even today, would not have the same experience that Caucasian women would entering various spaces at the courthouse.

6.2 Update: Report to Council re The State of Legal Aid and Lack of Funding – Councillor Puchmayr

Councillor Puchmayr advised that Council adoption the resolution on consent.

6.3 Update: Report to Council re Communities Embracing Restorative Action (CERA) and the Police Board

Councillor Puchmayr advised that Council adoption the resolution on consent.

Standing Items:

6.4 Constable Callaghan – Report

Constable Callaghan announced that three or four youth files have been referred to the New Westminster Police Department for restorative justice, noting that violent youth crime, on the whole, is down, and extreme cases may not fit in the restorative justice space. He advised that, with respect to adults and restorative justice, challenges include the fact that that statements are not taken from inebriated individuals and by the time the person is sober, they want to drop the whole issue.

6.5 Communities Embracing Restorative Action (CERA) – Gurinder Mann, CERA Representative

Constable Callaghan provided the following update on behalf of Mr. Mann:

- Mr. Mann, along with Lorne Zapotichny, Director of CERA, will meet with Acting New Westminster Police Chief, Dave Jansen, on June 12th to discuss referrals and CERA's partnership with the City;
- The relationship with SD#40 is going well, in particular with New Westminster Secondary School where CERA is presenting restorative justice at the school;
- Some referrals have been received from the New Westminster Police Department and it is hoped that trend will continue; and,

- CERA is close to finalizing a new Memorandum of Understanding with the Crown's office that will, hopefully, increase the number of youth and adult files that CERA receives from the Crown.

Discussion ensued, and the Committee provided the following comments:

- Challenges faced with today's youth are much different than in previous years;
- While youth are more likely to talk about mental health, internalizing behaviour such as anxiety sees them hiding out at home, unable to be reached and given help;
- Some police agencies have civilian members reviewing files to determine which are appropriate for restorative justice, while other municipalities may utilize systems other than restorative justice;
- Since middle schools have been using more in-house programs, much less youths are being sent to alternative programs;
- When restorative justice is embedded in schools, such as what has been done in Abbotsford and Coquitlam, it has been successful;
- The New Westminster Secondary School mediation program has been utilized less over the years since staff are able to mediate the students themselves;
- A derivative of the Restorative Justice Program may be useful in dealing with neighbour disputes; however, the police and bylaw officers would need to be able to explain what restorative justice is and that it may be an option.

7.0 CORRESPONDENCE

There were no items.

8.0 NEXT MEETING DATE

Tuesday, September 24, 2019

9.0 ADJOURNMENT

ON MOTION, the meeting was adjourned at 6:07 p.m.

Certified Correct,

Councillor Chuck Puchmayr
Chair

Carilyn Cook
Committee Clerk

July 8, 2019 Motion by Council in response to:

“Reclaiming Power and Place, the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls”

WHEREAS Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls was released on June 3, 2019; and

WHEREAS the report is comprised of the truths of 2,380 family members and includes 231 calls to justice; and

WHEREAS the report states that “the violence the National Inquiry heard about amounts to a race-based genocide of Indigenous Peoples, including First Nations, Inuit and Métis, which especially targets women, girls, and 2SLGBTQQIA people”

THEREFORE BE IT RESOLVED

THAT the City of New Westminster affirm the report’s findings that the actions of governments have constituted genocide; and

THAT the City of New Westminster formally call upon the New Westminster Police Board to respond to the Calls to Justice, specifically 9.1 through 9.11, and request that they champion and lead the establishment of a regional police task force to address the Calls to Justice; and

THAT the City of New Westminster formally call upon the Prime Minister and the Member of Parliament for New Westminster to respond to the Calls to Justice that require action on the part of the federal government of Canada; and

THAT the City of New Westminster formally call upon Premier of British Columbia and the New Westminster Members of the Legislative Assembly to respond to the Calls to Justice that require action on the part of the provincial government; and

THAT the City of New Westminster formally call upon New Westminster School Board to respond to the Calls to Justice that refer to public education, specifically 11.1 through 11.2; and

THAT the New Westminster Restorative Justice Committee be called upon to provide recommendations to Council and/or the provincial court system to inform a local approach to the Calls to Justice that refer to the court system; and

THAT the Calls to Justice be incorporated into the City’s reconciliation work.



June 12, 2019

Mayor Jonathan X. Cote
City of New Westminster
511 Royal Avenue
New Westminster, BC
V3L 1H9

Dear Mayor Cote:

Thank you for your letter of June 4, 2019 regarding the motion passed by your council regarding the inequality in the delivery of legal services in BC communities.

I wish to advise that this matter has been the topic of previous UBCM endorsed resolutions (2002-B73; 2010-B57; 2013- B60) and exists as UBCM standing policy. The matter will once again be considered at the 2019 UBCM Convention as a similar resolution has come forward requesting that funding be restored to legal aid services to ensure that the most vulnerable in our communities have access to legal services.

As well I wanted to advise that UBCM has had an appointment to the British Columbia Access to Justice Committee since its establishment in June 2015. The purpose of this Committee is defined as follows: "...to help make justice more accessible for the people of British Columbia and to help provide leadership and coordination on justice initiatives that affect all British Columbians."

Mayor Maja Tait, Sooke and UBCM First Vice-President currently serves as UBCM's appointment to this Committee. Please feel free to have Councillor Puchmayr reach out to Mayor Tait if he wishes further information about the work of this Committee.

Very best wishes,

A handwritten signature in black ink, appearing to read 'Arjun Singh', is written over a white background.

Arjun Singh
UBCM President

Cc Councillor Chuck Puchmayr, City of New Westminster
Mayor Maja Tait, UBCM First VP, Sooke

His Worship Jonathan X. Cote
Mayor of the City of New Westminster
Email: gday@newwestcity.ca

Dear Mayor Cote:

Thank you for June 4, 2019 email, regarding the state of the Indigenous court facility in the New Westminster courthouse.

In your correspondence, you have asked me to consider the requirements of the Indigenous Court Elders and a gathering place for them outside of the courtroom.

Under the *Supreme Court Act* and the *Provincial Court Act*, as Attorney General, I am responsible for the provision, operation and maintenance of court facilities and services. As you are aware, the New Westminster Law Courts houses both the Supreme and Provincial Courts. Currently, the courthouse has limited space for further expansion by either court.

Ministry staff must successfully maintain a fair and reasonable balance between the needs and requirements of both levels of court and other court users while taking into consideration various logistical, security and accommodation parameters to successfully maintain court operations within the confined space.

Ministry staff have been regularly attending the New Westminster Indigenous Court planning meetings and have heard about the needs and requirements of court participants. Alternative flexible space was discussed at these meetings and is being considered.

The ministry is open to moving Indigenous Court offsite, but participants have indicated preference to stay at or close to the courthouse. Utilizing space at the nearby Aboriginal Centre at Douglas College was considered, but the College was unable to accommodate these types of hearings. I thank you and Council for offering space in Council Chambers. The Senior Manager of the courthouse will convey this information to court participants for their consideration at a future planning meeting.

The ministry is exploring various options to create suitable space that would support both the Criminal and Family Indigenous Courts while also still supporting the requirements of all traditional Provincial Court sittings and even enhancing the Jury Selection process at the courthouse.

I appreciate your writing. Rest assured that the ministry is aware of the needs and requirements of the New Westminster Indigenous court. Through ongoing engagement and consultation, I am confident that ministry staff will be able to explore and address feasible solutions for all those involved.

Yours truly,

David Eby, QC
Attorney General

pc: Mr. Ryan Mahar, Senior Manager, New Westminster Law Courts



NEW WESTMINSTER MUNICIPAL POLICE BOARD

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Jacque Killawee
City Clerk
City of New Westminster
511 Royal Avenue
New Westminster, BC
V3L 1H9



18 June 2019

Dear Ms. Killawee,

Re: Communities Embracing Restorative Action (CERA) and the Police Board

Thank you for your letter of June 3, 2019, in which City Council directed staff to forward the May 27, 2019, staff report and minutes to the Police Board for consideration of Communities Embracing Restorative Action (CERA) services being delivered through the Police Board for the purpose of sustainability.

The Police Board discussed this matter at their in-camera meeting on June 11, 2019. At this time, the Board suggest that the City fund this service for the upcoming year and that the Board will look into the grant process for the future. Furthermore, the Board requested to receive more information on CERA services, to be presented at an upcoming Police Board meeting.

Sincerely,

Daisy Dyer
Board Secretary