



RESTORATIVE JUSTICE COMMITTEE (RJC)

September 29, 2020

This Meeting was held electronically under Ministerial Order No. M192

MINUTES

VOTING MEMBERS PRESENT:

Councillor Chuck Puchmayr	- Chair, City Council Member
Amanda Semenoff	- Alternate Chair/Community Member
Pam Craven	- SD40 Representative
Stacey Ferguson	- Community Member
Savanna Mak	- Community Member

VOTING MEMBER REGRETS:

Gurinder Mann	- Communities Embracing Restorative Action (CERA) Representative
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STAFF PRESENT:

Constable Tim Callaghan	- NWPD Representative
Bailey Keeler	- Unit Coordinator, New Westminster Victim Assistance Association
Carilyn Cook	- Committee Clerk
Heather Corbett	- Committee Clerk

Called to order at 5:00 p.m.

1.0 ADDITIONS / DELETIONS TO AGENDA

1.1 Additions/Deletions to Agenda

MOVED AND SECONDED

THAT the September 29, 2020 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 the March 10, 2020 Restorative Justice Committee Meeting

MOVED AND SECONDED

THAT the March 10, 2020 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

4.1 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 (Report) – Councillor Puchmayr (Standing Item)

Councillor Puchmayr noted that, with respect to Item 5.1 in the Calls for Justice, the City needs to determine how this aligns with the work that is currently being done, such as leading the First Nations Court discussions regarding expansion of the Court and making them a more dignified space. He advised that it would be helpful to receive feedback from the New Westminster Police Department regarding the Calls for Justice aspect of the Report.

Discussion ensued, and Committee members provided the following comments:

- It may be helpful to know which files are diverted for restorative justice, including an ethnic breakdown, in order to gain insight into the very high Indigenous population in the correctional system;
- Currently, files referred for restorative justice are based on the nature of the offense, the capacity and mandate that CERA has to handle files, and the willingness of the client to participate in the restorative justice process;
- There may be adult files that could be diverted for restorative justice; and,
- Clarification needs to be made as to where the diversion is with respect to the referral of files to CERA.

Councillor Puchmayr shared that Gurinder Mann, CERA Representative, attended a First Nations Court Planning Committee meeting to speak about CERA and their

Terms of Reference. He noted that the Elders and Planning Committee agreed that the Court's focus was on the offender, with no space for the victim, and that CERA's mandate could fit into that setting with the First Nations Court possibly sending cases to CERA. This would ensure that there is something for the victim; however, it would not be in lieu of the First Nations Court process which facilitates clients rebuilding a connection with their culture.

Discussion ensued, and Committee members provided the following comments:

- When a crime is referred to the Crown, it can be requested that the file is referred for the restorative justice process; and,
- The perpetrator may wish to do restorative justice; however, the victim (organization, business, person) may not want to if they believe it is not worth the time or that it will be too much work.

Councillor Puchmayr requested topics for discussion with Chief Constable Dave Jansen, New Westminster Police Department (NYPD) in the context of the Calls for Police Services in the Reclaiming Power and Place Report.

Discussion ensued, and Committee members suggested the following discussion topics:

- How is the NYPD measuring its relationship with the various communities in the City and how does the NYPD know if they are being improved upon?
- Does the NYPD intend to hire someone to oversee implementation of the guidelines outlined in the Calls for Police Services as noted in the Report? Is this included in the Department's budget?
- How is the NYPD planning to address and fulfill the Calls for Police Action in the Report?

4.2 State of First Nations Court

Councillor Puchmayr thanked Committee members for the work they have done over the last two years on the state of the First Nations Court. He noted that the Court was moved to the Anvil Centre and is now in a room large enough to facilitate the proceedings in a more dignified and comfortable manner, and that the Elders are very happy with the move. Councillor Puchmayr shared that Alvin Lau, Ministry of Justice, announced today that the Provincial Government has increased the funding for the Court so that it can continue at the Anvil Centre until March 31st, adding that the facility is very expensive, even with reduced costs. He advised that other City spaces have been investigated as other viable, less expensive venues for the Court and that he will speak with the School District about the possible use of the Massey Gym which is near a bus route, etc.; however, if a site is not secured, the Court may have to move out of New Westminster.

Councillor Puchmayr announced that the Law Foundation of BC will be funding an additional court worker who will make immediate contact with clients after their hearings as it is understood that the proceedings can be very emotional and some may need a debrief to deal with the trauma from their court experience.

Committee members discussed the name of the First Nations Court and agreed that Indigenous Court would be a more inclusive and appropriate name.

Councillor Puchmayr reviewed the First Nations Court brochure which was developed by the First Nations Court Planning Committee, noting that is without a territorial acknowledgement and that the creation of the land acknowledgment is a complex undertaking that must be independent of politics and inclusive as there are many nations laying claim to New Westminster.

Discussion ensued, and Committee members advised that creating a land acknowledgement will be very challenging with so many bands to take into consideration, some of which overlap over throughout the Province; therefore, it may have to be somewhat generic while still recognizing that the acknowledgement itself is a part of the reconciliation process.

5.0 NEW BUSINESS

There were no items.

6.0 REPORTS AND INFORMATION

Standing Items:

6.1 Constable Callaghan – Report

Constable Callaghan shared the following:

- The NWPD now has two officers working with the unsheltered community with the goal of connecting people with resources;
- Since August, there have been no youth charges; however, there is a noted COVID-19-related increase in anxiety amongst youth; and,
- There is a marked increase in the use of Automated External Defibrillator (AED) equipment, Cardiopulmonary Resuscitation (CPR), and Naloxone, as overdoses are now automatically assumed to be fentanyl overdoses; and
- Due the lethality of fentanyl, charges may be increased; however, there is support for decriminalizing the use of the drug so as to not criminalize an already marginalized community.

Councillor Puchmayr commended the New Westminster Police Department's response to drugs coming into the community and noted MLA Judy Darcy's contribution to facilitate the implementation of new regulations making it less onerous for people to be subscribed heroine substitutes in the hopes of less overdoses through the use of prescribed substitutes over street purchased drugs.

6.2 Communities Embracing Restorative Action (CERA) – Report

As Gurinder Mann, CERA Representative, was not present, no report was provided.

6.3 New Westminster Victim Assistance Association (NWVAA) – Report

Bailey Keeler, Unit Coordinator, NWVAA, informed Committee members that the Association had been very busy during the pandemic and noted that they are currently doing more work with less staff as there has been an increase in files with the influx of pandemic-related domestic violence and child abuse cases, and unexpected overdose deaths. She advised that the volunteer program has been suspended indefinitely and that only paid staff are working in the office.

7.0 CORRESPONDENCE

There were no items.

8.0 NEXT MEETING DATE

Tuesday, November 24, 2020 – To be confirmed.

9.0 ADJOURNMENT

ON MOTION, the meeting was adjourned at 6:06 p.m.

Certified Correct,

ORIGINAL SIGNED

Councillor Puchmayr
Chair

ORIGINAL SIGNED

Carilyn Cook
Committee Clerk