



FIRST NATIONS SUMMIT



NCCABC

NEWS RELEASE

First Nations Disappointed in Legal Aid Report

For Immediate Release:

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Coast Salish Territory/Vancouver, BC - The First Nations Summit and Native Courtworker and Counselling Association of BC (NCCABC) today expressed disappointment in the recently released Report of the Public Commission on Legal Aid in British Columbia entitled "Foundation for Change".

"While the Report acknowledges there are distinctive needs and realities of Aboriginal people with respect to legal aid services, it clearly does not go far enough to address them", said Chief Doug White of the First Nations Summit Political Executive. "The Commission has called for 'targeted strategies to meet the needs...of Aboriginal communities...' and for aboriginal people that is just not good enough. Aboriginal people are going to jail because of cuts to legal aid. Unfortunately this report does not go far enough in recommending increases to legal aid services and meeting the immediate needs for Aboriginal people in BC", he added.

"Access to justice remains a real and significant challenge for Aboriginal people. We use legal aid in vastly disproportionate numbers, yet we have been shut out of planning for, designing, providing for or studying this essential service", added Chief White. "At the very least, there should be the implementation of concrete measures for the partnering of Aboriginal people in the provision of this service", added Chief White.

First Nations leaders have also been asking why, given the large number of Aboriginal people using legal aid, did the Commission not have a single Aboriginal co-commissioner or not hold hearings in any Aboriginal communities?

"The Commission dropped the ball in terms of Aboriginal participation and unfortunately this report reflects that", Hugh Braker, NCCABC President said. "We had hoped Aboriginal people would be represented on the Commission and that hearings would be conducted in some of our communities. However, all the Co-Commissioners were Federal, Provincial or Municipal politicians. The Commissioner, in his report, thanked the Co-Commissioners indicating they 'made a valuable contribution by adding their perspective to the Public Commission process'. But with more than 200 First Nations and several aboriginal provincial organizations in BC, we are left wondering how the Commission could lose a valuable opportunity by neglecting to have a single Aboriginal political leader among the thirty Co-Commissioners."

The NCCABC will be working with the First Nations Summit and other Aboriginal organizations to continue to press the Attorney General for the necessary changes to the legal aid system to meet the needs of Aboriginal people in BC.

-30-

The First Nations Summit speaks on behalf of First Nations involved in treaty negotiations in British Columbia. Further background information on the Summit may be found at www.fns.bc.ca.

The Native Courtworker and Counselling Association of British Columbia (NCCABC) provides culturally appropriate services to aboriginal people and communities consistent with their needs. Our service is accomplished through access to counselling and referral services to clients with substance abuse and detox support issues; advocacy services for aboriginal family and youth; facilitating and enhancing access to justice by assisting clients involved in the criminal justice system; provides services to Vancouver community court; providing community outreach; networking and partnerships; advocacy services; and providing training and workshops. Further background information on the NCCABC can be found at www.nccabc.ca.

For further information contact:

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Backgrounder attached



NCCABC BACKGROUNDER

In 1970 a group of aboriginal organizations in Vancouver, including all the major political organizations at that time, started an aboriginal courtworker programme. The programme was started to ensure aboriginal people understood the legal system and had access to representation. In the beginning, the programme was only available in the Vancouver area. By 1972, the programme was expanded to become the Native Courtworker Programme and by 1973 the programme had also expanded to include counselling services. The name was changed to the current Native Courtworker and Counselling Association of B.C.

The NCCABC provides courtworker services, alcohol and drug abuse outpatient counselling services, family and youth advocate services and detox support services. These services are provided by 51 staff throughout British Columbia. In addition to our administration staff we have five youth and family advocates, two detox support workers, five alcohol and drug abuse counsellors and 29 native courtworkers throughout B.C.

The NCCABC is the senior aboriginal justice services programme in B.C. Our 38 years of service in B.C. have given us an ability to reflect on the needs, problems and challenges for aboriginal people before the courts.

ABORIGINAL SOCIAL POSITION STATISTICS

We believe it is useful to reflect on the position of aboriginal people when determining whether cuts to legal aid affect them.

- 1) 54.2% of children in care of the Director of Child Services in B.C., by court order, are aboriginal (First Nations, Metis or Inuit).
- 2) Aboriginals are 4% of Canada's population but 18% of federal adult prison admissions are aboriginal. In addition, adult aboriginals are 19% of admissions to remand in Canada. Aboriginal adults are 21% of the male prisoner population in Canada and 30% of the adult female prisoner population. In British Columbia aboriginal women are 29% of all female admissions to prison.
- 3) Aboriginal youth are 6% of the youth population in Canada but 23% of the youth in remand custody in Canada. Aboriginal youth are 31% of the youth sentenced to custody in Canada and 22% of probation admissions.

These statistics show, when coupled with the poverty statistics for aboriginals, that aboriginals are disproportionate users of Legal Aid and disproportionately affected by cuts and underfunding to legal aid. For example, the average income in B.C. was \$34,520 in 2005 but the average income for First Nations people that year was \$20,431. Professor D. MacArthur of S.F.U. likens this disparity to a comparison between Canada and some third world countries. Other social statistics for British Columbia aboriginals are likewise surprising. Those statistics include suicide rates, education levels, employment rates, life expectancy (83 for British Columbia males and 73 for British Columbia status Indian males), and infant mortality rates, to name a few.