

Action Recommended

CBABC recommends that the B.C. government:

- Fully fund the *BC First Nations Justice Strategy*, with an immediate focus on training more Gladue Report writers.
- Sufficiently fund implementation of the Métis Justice Strategy.

Issues

The *BC First Nations Justice Strategy* (the “*Strategy*”), announced in early 2020, is a comprehensive plan to “transform the criminal justice system and the relationship between Indigenous peoples and the criminal justice system”. The goal of the *Strategy* is to “achieve a 180-degree shift from the current reality of First Nations people being overrepresented in all stages of interaction with the justice system, while at the same time being underrepresented as actors with roles and responsibilities within the system”.

The BC First Nations Justice Council is responsible for implementing the *Strategy* but can only do so if it has financial and human resources.

One initiative within the *Strategy* is to increase the capacity and number of Gladue Report writers and formalize the Gladue Report process. The name Gladue is from a Supreme Court of Canada decision that established principles for sentencing Indigenous individuals. A Gladue Report can provide information about the Indigenous person’s unique circumstances and how colonial practices impact them.

The number of requests for Gladue Reports has nearly doubled since 2021 and the number of trained report writers has not kept up with demand. This results in delays in delivery of reports, which in turn delays resolution of the legal problem for the Indigenous person. While the program’s recent transition to a staff writer model from its previous contracted writer model has increased the number of report writers, it still does not meet growing demand.

The issues facing Métis people in British Columbia are often distinct from First Nations’ issues given their different history, culture and experiences. Accordingly, a *Métis Justice Strategy* is appropriate. That strategy has been in development since 2019 and was finalized and endorsed by the B.C. government in September 2024. It is now imperative that this strategy’s implementation be fully funded by the B.C. government.



Funding the implementation of the *Métis Justice Strategy* will signify the commitment of the B.C. government to continued reconciliation efforts in line with the *UN Declaration on the Rights of Indigenous Peoples*.

Why It Matters

Indigenous peoples continue to be overrepresented both in the corrections system, and as victims of violent crimes. Indigenous peoples are also underrepresented as actors with roles and responsibilities within the justice system. Reconciliation with Indigenous peoples depends on agreements like the *First Nations Justice Strategy* and the *Métis Justice Strategy* moving into successful implementation to achieve the promise of the changes.

Delays resulting from a lack of trained report writers only increase inequities faced by Indigenous peoples and maintain barriers to access to justice. No one should have the resolution of their legal problems delayed due to funding failures.

Sustainable, multi-year funding commitments that match the implementation stage of each strategy will enable better implementation and quicker results.

Key Resources

[2024 Métis Justice Strategy](#), Métis Nation British Columbia (Sep 2024)

[BC First Nations Justice Strategy](#), BC First Nations Justice Council (Feb 2020)

[On Matters of Indigenous Justice in British Columbia](#), Canadian Bar Association, BC Branch (Nov 2021)

[Declaration on the Rights of Indigenous Peoples Act Action Plan: 2022-2027](#), Province of British Columbia (Mar 2022)