

Discussion Paper: Aboriginal Justice College

**AJI Implementation Commission
October 2000**

TABLE OF CONTENTS

	Page
1. INTRODUCTION	1
The Aboriginal Justice Inquiry (AJI) Report of 1991	1
AJI recommendations for an Aboriginal Justice College	1
The Aboriginal Justice Inquiry Implementation Commission	1
2. CHALLENGES AND OPPORTUNITIES	2
The problem of representation	2
The good news on labour market supply and demand	2
Growing delivery capacity in Aboriginal organizations and communities	3
3. GUIDING PRINCIPLES	4
Convergence of Interest	4
The Final Report of the Royal Commission on Aboriginal Peoples	4
Towards a Strategy for Aboriginal People Living in Winnipeg	4
Manitoba Education and Training Policy and Strategy	4
“Go Forward” Principles	5
4. ABORIGINAL JUSTICE COLLEGE: STRUCTURE AND GOVERNANCE	5
A College established by provincial Legislation	6
An affiliated college/technical training institute	6
An Institute within an existing educational institution	7
A virtual Aboriginal Justice College	7
Summary	8
5. DELIVERY MODEL	9
Every learner is unique	9
A distributed model based on capacity and delivery alliances	9
Delivering and brokering education and training programs	9
Access initiatives & community/competency based programming	10
6. PRIORITY CONSIDERATIONS	10
A focus on promoting prevention & community capacity building	10
Recognizing experiential learning at the community level	11
Program articulation and accreditation	11
Increasing representation in the existing justice system	11
Inter-Cultural Awareness	12
7. CONCLUSION	12
APPENDICES	
1. Occupational Detail - Manitoba	
2. Justice-Related Education/Training Programs: Post-Secondary Institutions	
3. Inventory-Manitoba Justice Community-Based Diversionary Programs	

ABORIGINAL JUSTICE COLLEGE: A DISCUSSION PAPER

EXECUTIVE SUMMARY

INTRODUCTION

This Discussion Paper has been prepared to provide context to support the Aboriginal Justice Inquiry Implementation Commission's initial review of options and issues related to the AJI Report's recommendations for the establishment of an Aboriginal Justice College. Additional research and analysis could be undertaken on any aspect of the topics discussed, or any new areas of interest which may be identified by the Commission. It is also suggested that a broader consultation process with relevant stakeholders be considered prior to the establishment of any specific priorities and actions which may arise from the Commission's review of this report.

CHALLENGES AND OPPORTUNITIES

The Aboriginal Justice Inquiry Report of 1991 called for sweeping reforms in the Manitoba justice system. The Report emphasized the need to develop new and innovative means to put into place a more just and effective system in responding to the needs and realities of Aboriginal people. Included in the Report were recommendations for the establishment of an Aboriginal Justice College - with its own Board of Directors and staffed by Aboriginal people - to provide training and continuing education for Aboriginal people to assume positions of responsibility within both the existing justice system, and Aboriginal justice systems.

Aboriginal people across Canada are under-represented in a number of important socio-economic areas and are consistently over-represented in all areas of the justice system, including total criminal charges laid and incarceration in both provincial and federal correctional institutions. At the same time, it is estimated that the Aboriginal population already represents about 25% of new labour force entrants in the provincial economy, and this number is expected to increase over the next decade. The importance of the Aboriginal population to Manitoba's future prosperity is dramatically increasing.

Both the Canadian and Manitoba economies are relatively stable and strong. Modest and sustained job and growth opportunities are projected for the next number of years. While the unemployment rate in Manitoba has been particularly low for some time, there are emerging job opportunities in almost every major sector of the provincial economy.

Manitoba's justice sector is of significant size, with over 18,000 jobs across as many as 25 different occupational categories. The workforce in the existing justice system is ageing, and significant attrition is expected over the next number of years. There is, as well, a sizeable education and training infrastructure in Manitoba - involving public, private and community institutions and organizations - which can be brought to bear to mount a considerable initiative to prepare Aboriginal Manitobans for work in the justice sector. And, over the past decade, there has been continued and sustained growth in the capacity of Aboriginal community organizations to develop and deliver a range of programs and services in support of Aboriginal Manitobans. The proliferation of community-based justice diversionary programs is particularly impressive and encouraging.

GUIDING PRINCIPLES

The underlying principles that can serve to inform and guide considerations related to the establishment of an Aboriginal Justice College would include:

- recognition of the shortcomings of past government efforts in respect to Aboriginal people
- acknowledging the self-government rights and aspirations of Aboriginal people and communities
- inclusion, rather than assimilation, of Aboriginal people and communities
- adopting a preventative and holistic approach to addressing the root causes of crime
- promoting and supporting local capacity building
- greater attention to overall inter-cultural awareness and understanding between Aboriginal and non-Aboriginal Manitobans
- renewed partnerships, partnership models and shared responsibility in the development and delivery of programs and services
- increased education, training and employment opportunities for Aboriginal Manitobans
- a commitment to training and employment opportunities for Aboriginal youth; in particular, an attention to options which youth feel are relevant to their sense of the future
- increased access to flexible, relevant and accredited education and training programming which will lead to sustainable employment

STRUCTURE AND GOVERNANCE

Several potential options for structure and governance were identified and assessed against the primary criteria of visibility and recognition, the degree of independent governance and the potential for long-term systemic impact. In consideration of the Commission's mandate, ease of early and successful implementation and overall sustainability were also considered to be important factors.

A College established by provincial legislation

An Aboriginal Justice College could be established under the provincial Council on Post-Secondary Education Act. Such a college would parallel the experience of existing institutions and could involve a freestanding physical structure; whether new or existing. The College would be Aboriginally governed with a Board of Directors and mandate for the management, development and delivery of accredited education and training programs.

An affiliated college/technical training institute

An Aboriginal Justice College could be established as a freestanding institute which would feature a formal affiliation relationship with an existing college or university. Such a college could be Aboriginally owned and governed, with a representative Board of Directors and a broadly recognized mandate for the management, development and delivery of education and training programs. Formal academic affiliation would normally address issues such as broad program accreditation and joint development and delivery partnerships.

An Institute within an existing educational institution

An Aboriginal Justice Institute could be established and operated within the context of a “college within a college”. Conceptually, such an institute could work within the existing framework of the Yellowquill College or the Aboriginal Education Department of Red River College, for example. This approach would likely involve a blended form of governance involving Aboriginal representation within the existing institutional governance model. Program delivery and accreditation would be done with the context of the broader institutional base.

A virtual Aboriginal Justice College

The concept of a “virtual” Aboriginal Justice College implies that a physical infrastructure is not required, or perhaps even preferred, in order to establish a meaningful education and training response to address the spirit of what is recommended within the AJI Inquiry Report. That is, an Aboriginal Justice College or Authority could be established, for example, under the auspices of a public body recommended by the Aboriginal Justice Inquiry. Such an Institute would be Aboriginally governed, with a mandate to establish short and long-term education and training objectives, and authority to broker and/or contract the services of institutional and community-based providers to carry out the achievement of these objectives.

Summary

The importance of a visible and tangible identity, with a well-defined mandate and authority to ensure the development and delivery of relevant education and training programming, cannot be understated. Such an entity will be very important as a catalyst for change and as a connecting point for developing and sustaining delivery partnerships over time.

While the level of independence of such a governing body is a key consideration for the Commission, so too are such factors as sustainability, accountability for education and training standards, and capacity for early and ongoing academic certification and accreditation.

Establishment of a freestanding Aboriginal Justice College with independent Aboriginal governance and direct delivery capability, while an appropriate longer-term goal, would likely take several years to successfully implement. On the other hand, a “college within a college” - or a virtual Institute within a larger authority such as recommended by the Aboriginal Justice Inquiry - would be easier and quicker to implement, but may not afford the level of independent governance required to effect long-term systemic change in the system.

It is suggested that a formal affiliation with an existing institution - preferably an Aboriginally owned and operated college or technical institute - might offer the best blend of recognition and governance with a high level of opportunity for an early and significant start in the right direction. Such an approach would involve focusing on innovative delivery partnerships in the near-term, with a strategy to evolve into a recognized Aboriginal Justice College over the longer term.

DELIVERY MODEL AND PRIORITIES

Regardless of structure and governance, an effective and coordinated strategy to prepare a wide variety of Aboriginal learners for an even wider variety of occupations within the existing and emerging justice systems in Manitoba will have to employ many different approaches. What is implied here is a

distributed delivery model which shares responsibility for program development and delivery with a broad range of education and training providers. Such an approach will take best advantage of the considerable capability within existing systems - whether at the institutional, workplace or community level - and will focus on effectively matching this capability with specific learners and learning outcomes.

A full range of education and training approaches should be considered including: public institutional training; private and community-based training; continuing education and career development; workplace-based upgrading; apprenticeships/work internships; job-specific sector training initiatives; competency-based training; and “train the trainer” initiatives. The Aboriginal Justice College or Institute could accomplish its objectives by either directly developing and delivering certain types of training, or by brokering training through external providers.

Other priority considerations would include:

- a focus on prevention and community capacity building to promote the proliferation of emerging preventative and community-based justice diversion models;
- a greater emphasis on continuing education opportunities to support job retention and the upward mobility of Aboriginal people working within the existing system;
- assessing learning at the community level in ways which recognize and legitimize knowledge and skills acquired experientially;
- program articulation and accreditation to support learners through a lifetime of personal and career development; and
- a broad approach to inter-cultural awareness training for both Aboriginal and non-Aboriginal workers within the justice system.