

Federation of Saskatchewan Indian Nations

Special Investigations Unit

Barriers to Justice

Presentation at Building Service Capacity

April 8, 2013



BARRIERS

- Poverty
- Cultural Differences
 - Racism
 - Institutional Racism



Poverty

- 70 cents – This is the amount that Aboriginal people earn for every dollar that non-Aboriginal people earned in 2006.
- Aboriginal median income: \$18,962; non-Aboriginal median income: \$27,097
- At this rate the income disparity will not disappear for 63 years.
- The income gap is not location-dependent; rural non-Aboriginal people make \$2,000 more than urban Aboriginal people.
- Source: Canadian Centre for Policy Alternatives, 2010



Consequences of Poverty

Less Access to Justice

- Cannot afford lawyers, have to use legal aid (if their matter qualifies).
- Access to transportation is limited which results in missed court dates.
- Less money for fines.
- Higher rates of remand which disrupts work, family and all other areas of life.



Consequences of Poverty

Insecure Shelter

- Living in unsafe buildings.
- Overcrowding: First Nations are 3 times as likely to live in crowded conditions.
- On reserve, 12.5% of First Nations experience overcrowding.
- Off reserve: living in poor neighbourhoods i.e. segregation of East/West side of Saskatoon



Consequences of Poverty: Poor Health

- The Tuberculosis rate among First Nations people is 8 to 10 times that of Canadian population.
- Life Expectancy: 73 for First Nations males compared to 79 for non-First Nation males. 78 for First Nation females compared to 83 for non-First Nation females. (Statcan)
- Infant Mortality: 2 times that of non-Native newborns. Inuit babes are 4 times as likely to die. (Indigenous Children's Health Report, 2009)



Consequences of Poverty: Poor Health

- 1/3 of Aboriginal children come from low income households.
- Rate of obesity for First Nations children on reserve is 36% compared to 8% Non-Native children.
- Poor water quality in on-reserve homes



Consequences Unemployment

- Unemployment for Aboriginal people living off-reserve is 8% higher than off-reserve non-Aboriginals.
- Unemployment rate for on reserve First Nations was 22% and 20% for Inuit residing on Inuit territory.
- In 2001, Aboriginal youth (15 to 24) were twice as likely to be unemployed.



Cultural Differences

What is Racism?



Examples of Racism

- Racist remarks, disparaging jokes, stereotypes, internet comments.
 - “You don’t pay taxes.”
 - “You get free stuff.”
 - “Natives drink too much.”
 - “Natives are lazy.”
 - “Indians are violent.”
- “Patient called in with a ...strong accent. Triage nurse called me and said: ‘there’s something wrong with your patient. I think she’s retarded.’ Dr. Smylie, 2009



Canadian Attitudes

- Leger Marketing: “English Canadians are regarded the most favourably at 84% - ...immigrants at 70%, Jews at 69%, French Quebecers at 65% and Aboriginal peoples at 56%.”



Institutional Racism

- Definition: "the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin." William Macpherson
- Institutions such as: police forces, courts, prisons, universities, media outlets, governments and corporations.



Institutional Racism - Justice

- Aboriginal people 4% of population but 23.2% of federal inmate pop. Incarceration for Aboriginal adults is 10 times higher than non-Aboriginal adults.
- Once incarcerated, they are classified as higher risk.
- Serve more of their sentences.
- Overrepresented in segregation and maximum security.
- Higher use of force against these inmates.
- Higher incidents of self-injury.
- Higher revocation of parole for administrative reasons, not criminal violations.

Source: Report of the Correctional Investigator, 2013



Cultural Differences between First Nations and Non-First Nations

- Distrust of Institutions and their officials based on historical mistreatment (i.e. Residential Schools, 60's Scoop).
 - RCMP, municipal police members
 - Child Welfare agencies
 - Teachers, Principals, other school officials



Cultural Differences

- “Family First” family requests pre-empt other priorities such as jobs, school, etc.
- Family Structure: extends beyond Nuclear Family model
- Elders
- Ceremonies: Smudging, feasts, pow wows, Round dances, Raindances, Sundance. Each has its own protocols.



**Special Investigations Unit
at the
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SIU Background

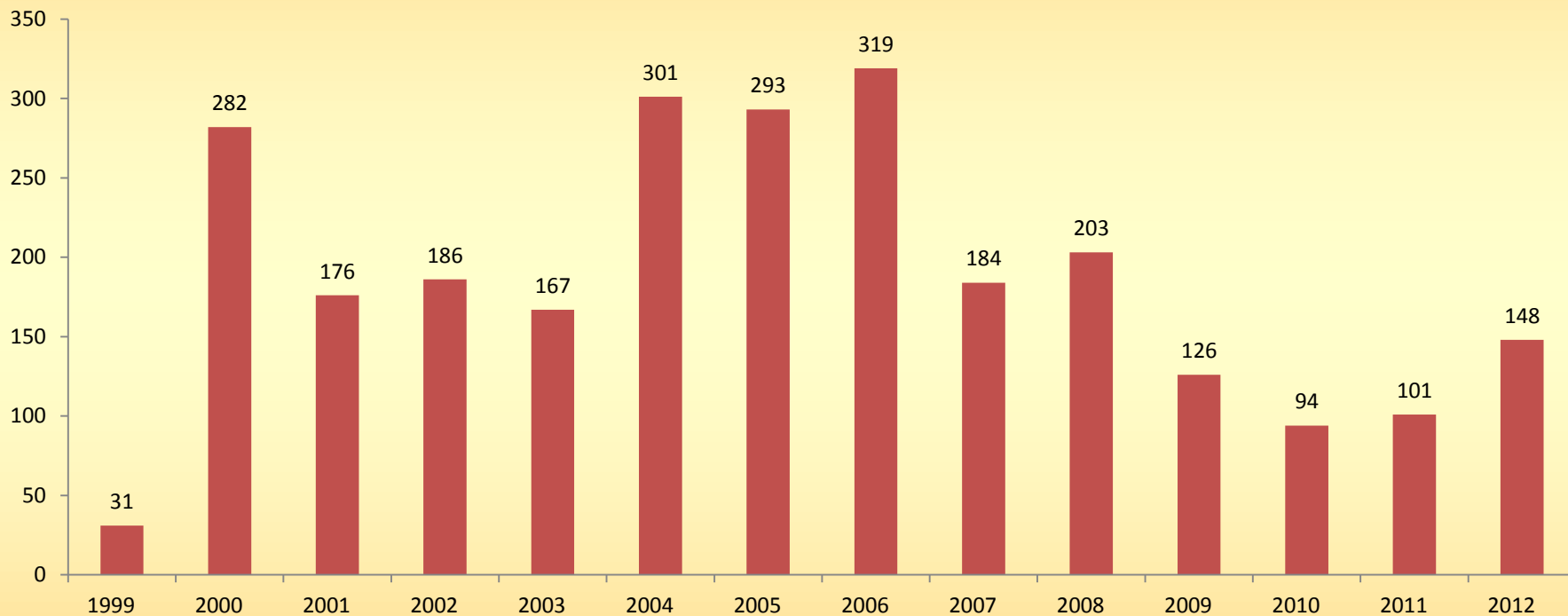
- The FSIN Justice Secretariat's Special Investigations Unit was established in response to the Federation's call for a public inquiry into the justice system in February 2000.
- The call for a public inquiry came in response to:
 - the death of Earla Brass in the Federally Sentenced Women's unit at the Saskatchewan Penitentiary; and,
 - the finding of two First Nations men who had frozen to death outside of Saskatoon, and the report by Darrell Night that two officers had driven him to the countryside and left him in the freezing cold.



SIU Statistics

Complaints per Year

(April 4, 2013)



Complaints

- Individuals who wish to lodge a complaint may contact the Special Investigations Unit at 1-877-353-3746 or (306) 665-2240 or attend in person
- Contact will be made within 48 hours
- Interview will be scheduled and all relevant information will be collected
- Submissions are prepared on behalf of the complainant and monitored if requested



Other Complaints

- Social Services, Saskatchewan Environment Resource Management (SERM) and other provincial agencies
 - Ombudsman Saskatchewan
 - Internal complaint processes
- Health Care Services
 - Regional Health Authorities, Quality of Care Co-ordinator, Professional Standards Associations (Professional Misconduct Issues)



Contact Information

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Thank You

