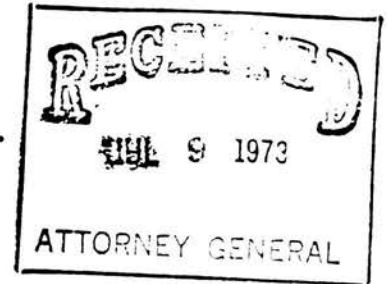




June 28, 1973.



The Honourable Leonard L. Pace, Q.C.,
Attorney General for Nova Scotia,
Provincial House,
Halifax, N.S.

Dear Mr. Pace:

My Department has recently received a proposal from the Union of Nova Scotia Indians, regarding the establishment of a courtworker programme. Experience with the courtworker programme in Alberta has shown that such a programme can perform an extremely valuable service, both for the Native people and the legal system generally.

The Department of Justice has funds to assist in the establishment and operation of Native courtworker projects in other provinces in 1973-74, and it plans to expand its involvement in this area in 1974-75. The criteria for funding under this programme are as follows:

1. the programme must serve status and non-status people alike;
2. the programme must be administered by an independent service organization which has the support of both status and non-status Native people;
3. any contribution by the Department of Justice must be limited to the provision of a courtworker programme, i.e., a programme of counselling (other than legal) to persons charged with an offence under any federal or provincial statute or municipal by-law, in order that such persons may receive information about the court procedures, be apprized of their rights, and be referred to legal aid or other resource;
4. at least fifty percent (50%) of the cost of the courtworker programme must be borne by the province involved;

5. the province involved must be willing to monitor the operation of the programme, in order to assure that the service provided maintains certain minimum standards of quality;
6. provision must be made for periodic audit and evaluation at year's end.

If the Province of Nova Scotia is interested in participating in the development of a courtworker programme, officers of our two Departments could discuss the details of administration and funding. I would suggest that the point of contact in the Department of Justice be Dr. G.V. La Forest, Assistant Deputy Attorney General, or, in his absence, Mr. E.A. Tollefson of our Research and Planning Section.

I am enclosing a copy of the proposal received from the Union of Nova Scotia Indians. The proposal would have to be modified in some details to satisfy the Department of Justice programme, but it serves as a good general description of what the courtworker service would do.

Yours sincerely,


Otto Lang.



OTTAWA CANADA.
K1A 0H8.

August 10, 1973.

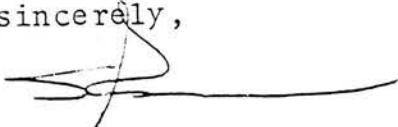
Chief Jack Ginnish,
Union of Nova Scotia Indians,
P.O. Box 961,
Sydney, N.S.

Dear Chief Ginnish:

In reply to your telegram received July 30, 1973, regarding the Union's courtworker programme, the Department of Justice has been in contact with Mr. Bernie Francis, Co-ordinator of the Union's courtworker programme. In a letter dated June 26, 1973, from Mr. E.A. Tollefson, of this Department, it was indicated that the Department of Justice is interested in funding a pilot courtworker project in Nova Scotia, but in order to do so we must have the co-operation of the provincial Attorney General's Department. I have personally written to the Honourable Leonard L. Pace, Q.C., Attorney General for Nova Scotia, indicating the Department's interest, and inquiring whether the Province shares this interest. My letter has been acknowledged by the Province, but, unfortunately, I understand that Mr. Pace has been ill, and as yet I have received no indication from him what his views are on this matter.

As soon as the Department has received a formal indication of the Province's intentions with regard to the development of Native courtworker services in Nova Scotia, we shall contact you again.

Yours sincerely,


Otto Lang.



ATTORNEY GENERAL
NOVA SCOTIA

September 25, 1973.

Chief John Knockwood
Mic Mac Reserve
Shubenacadie, Nova Scotia

Dear Mr. Knockwood:

Re: Proposals of the Union of Nova
Scotia Indians re the establish-
ment and operation of a Native
Court Worker Program

In furtherance to the discussions which I and other members of my Department have had with representatives from the Union of Nova Scotia Indians in reference to the above matter, resulting from the submissions made by the Union to the Honourable Otto Lang, Minister of Justice, I wish to confirm my interest in considering such a program and my general support for the development of it.

I am prepared to recommend to my colleagues in the Executive Council of the Province, the development of such a native court worker program to serve the status and non-status people represented by the Union of Nova Scotia Indians and would hope that the proposals will receive their support, to enable such a program to be developed and operative in this Province as of April 1, 1974, provided of course that such a program qualifies for the financial assistance available for such projects through the Department of Justice of Canada.

I shall advise you of my colleagues position on this matter as soon as they have had an opportunity to consider the proposals.

Yours very truly

Allan E. Sullivan

RECEIVED

SEP 29 1973

PROSECUTOR GENERAL

NOVA SCOTIA

September 25, 1973

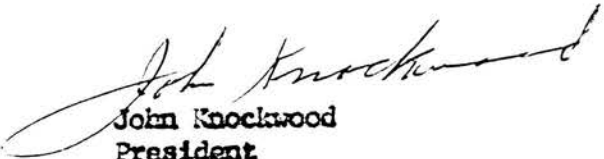
Premier Gerald Regan
Province House
Halifax, Nova Scotia

Dear Mr. Regan:

Through the Attorney General's Department the Union of Nova Scotia Indians has been discussing a Court Workers Program which will involve an education process about the White man's law to Indian people throughout the province of Nova Scotia. It would also result in a better understanding of police magistrate and in fact the whole procedure and the whole provincial services that the province has, amongst the Indian people of Nova Scotia. In short, it would be a two-way exchange which will result in better understanding on the part of the non-Indians and Indian people.

Mr. Sullivan is extremely keen about our court workers concept and he has indicated to us that he is prepared to present the concept to his colleagues in Cabinet, and by way of this letter we are asking you as a member of the Cabinet to give your full and co operative support for our venture. If you have any questions we would be only too glad to meet with you individually or as a group.

Yours in recognition
of aboriginal title,



John Knockwood
President

c.c. Stuart Killen
Executive, U.N.S.I.

24(u) legal BU
November 26, 1973

Mr. E.A. Tollefson,
Legal Research & Planning Section
Ottawa, Ontario
K1A 0H8

Dear Mr. Tollefson:

We refer to the conversations with yourself and Mr. McCaw on the proposed Court Worker's Program sponsored through the Union of Nova Scotia Indians by the Department of Justice and the Provincial Government of the Province of Nova Scotia.

We attach a revised annual budget covering the period April 1, 1973 to March 31, 1974.

We also attach a copy of the Union of Nova Scotia Indians travel regulations which are in line with the government travel regulations.

We wish to advise that the official delegates to the advisory committee are as follows;

- (1) Albert Julian - Vice President, Union of Nova Scotia Indians.
- (2) Peter Christmas - Non-status representative.

We trust this is the information you require.

Yours in Recognition
of Aboriginal Title,

S. Killen

emd

ANNUAL BUDGET

April 1, 1973 to March 31, 1974

COURT WORKERS PROGRAM

of the
Union of Nova Scotia Indians

Salary - 4 workers at \$ 8,200.00	\$ 32,800.00
Travel - 4 workers at \$ 3,500.00	14,000.00
Employee Benefits	4,500.00
Training	5,000.00
Seminars	12,000.00
Legal Fees	5,000.00
Administration - 10%	7,330.00
	<hr/>
	\$ 80,630.00
	<hr/> <hr/>



Jan 25/74

Halifax, Nova Scotia
B3J 2L6

January 25th, 1974

Mr. E. B. S. Miller
Co-ordinator of Indian Affairs
Department of Social Services
Halifax, Nova Scotia

Dear Mr. Miller:

Re: Native Courtworker Program

I have been reviewing the file on the native courtworker program and somewhere along the line the matter seems to have become bogged down. As you are aware, the Attorney General took this matter to Cabinet and received approval in principle from his colleagues for the Province to fund this program beginning April 1st, 1974. This decision was then communicated to The Honourable Otto Lang, Minister of Justice, so that the Department of Justice would fund it in the interim between the expiry of the LIP grant and April 1st when the Province would fund 50% of the program with the Federal Government. The Deputy Attorney General met with Mr. Killam of the Union of Nova Scotia Indians recently and we are left with the impression that they now have only one courtworker because the others have dropped out of the program through lack of interest and frustration or some other reason. While we have agreed to fund the program commencing April 1st, we will not do so unless we are presented with an outline of the program prepared by the Union and we are certain that there is an adequate degree of supervision and accounting.

As you know, when the first discussions were held on this matter there was some indication that the Union of Nova Scotia Indians would not be the vehicle running the program but rather that there would be some committee formed which would represent both status and non-status Indians as at that time there was

... /2

the suggestion that the non-status Indians would be forming their own organization. We are now given to understand that some accommodation has been reached whereby the Union will represent both status and non-status Indians so that there should be no problem in having the Union act as the vehicle running the program.

It is the opinion of this Department that the next step should be taken by the Union of Nova Scotia Indians and that this might be undertaken by yourself and Mr. Killam getting together to have a program put together which will set forth the details as to training, supervision and accounting. When this has been done then you and Mr. Killam should meet with the Deputy Attorney General and myself so that we can review the matter and be satisfied of its adequacy. I would appreciate it if this could be dealt with fairly soon as we do not have that much time available to us before the commencement date of April 1st if we are to commence on that date. In addition, one must also consider the fact that the Legislature will be meeting fairly soon and the Legislature must appropriate the funds for this program. I would be prepared to sit down with you at any time to discuss our approach on this matter and to offer any other assistance that I can.

Yours very truly,

Gordon S. Gale
Director (Criminal)

CSG:mf



DEPARTMENT OF JUSTICE
MINISTÈRE DE LA JUSTICE

Our file: 6350-8

Ottawa, Ont., K1A 0H8,
January 29, 1974

Mr. John Knockwood,
President,
Union of Nova Scotia Indians,
Sydney, N.S.

Dear Mr. Knockwood:

In my telegram of January 28 I indicated that the Treasury Board has ruled against permitting the Department of Justice to make contributions to Native courtworker programmes in cases in which the provincial government is not making any financial contribution. I had hoped that the provincial governments undertaking to enter into a shared-cost programme in the fiscal year 1974-75 would be a sufficient compliance with the terms and conditions laid down by Treasury Board, but this now does not appear to be the case.

I spoke with Mr. Gordon Coles, Deputy Attorney General for Nova Scotia, and he indicated that while he was pessimistic about the possibility of the Province providing any financial support for your programme prior to April 1, he was willing to discuss the matter with you. I would suggest, therefore, that you contact Mr. Coles, and if you receive some measure of provincial financial support for the operations of the courtworker programme for the balance of this financial year, contact me again.

The Department is also exploring other possible avenues of providing support, but I must say that in view of the Treasury Board ruling I do not think there is much chance that we can provide any money until the Province also agrees to do so. In the meantime, we have discussed the matter with those in charge of the Local Initiatives Programme, and they have agreed to continue funding at your existing rate until the federal-provincial agreement respecting courtworker services in Nova Scotia comes into effect - tentatively April 1, 1974.

Yours sincerely,

E.A. Tollefson

Legal Research and Planning Section.

EAT/H



Mar 19 1974

DEPARTMENT OF ATTORNEY GENERAL

MEMORANDUM

FROM:  DEPUTY

TO: Gordon S. Gale

Re: Native Courtworker Programme

I am enclosing the draft Agreement received from Mr. D. M. Farrell which I have perused and which appears to me to be in order. It follows the draft of previous Agreements; however I would like you to favour me with your comments on it.

You will note that it provides for 50% cost sharing. I believe we have received the budget from the Indians and we will need now to examine it to make certain that it only includes the costs which are shareable and to the extent that other items may be included we will need to have them deleted and pursue other avenues, if any be available, to deal with these items.

Due to the time frame, perhaps you could take a good look at the matter and we can get together within the next day or two.

*See attached
10/2/74*

Encls.

March 19, 1974



12

Mar 12/74

DEPARTMENT OF JUSTICE
MINISTÈRE DE LA JUSTICE

Room 4085, West Memorial Building
344 Wellington Street
Ottawa, Ontario K1A 0H8

March 12, 1974

Mr. Gordon F. Coles
Deputy Attorney General
Province of Nova Scotia
Provincial Administration Building
Hollis Street
Halifax, N.S. B3J 2L6

Re: Our file No. 6350-8
Native Courtworker Programme

Dear Mr. Coles:

Further to telephone conversation of March 11th, I am enclosing for your perusal a draft of the proposed agreement between our Governments covering Native Courtworker services in Nova Scotia. Would you kindly review the draft and give me your comments by telephone at your earliest convenience. In order to have payments made by Canada for the year 1974-75, the agreement must be signed by the parties prior to April 1st, 1974.

Upon receiving your comments, we shall send out from our Deputy Minister's Office copies of the agreement ready for signature. Please note the requirement under Section 3 for a submission which must be received prior to making payments under the agreement. You may reach me by telephone at (613) 995-0767.

Yours very truly

D.M. Farrell,
Legal Research and
Planning Section.

DMF:h1

Enclosure

MEMORANDUM OF AGREEMENT MADE THE DAY OF A.D. 197

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF CANADA,
(hereinafter referred to as "Canada")

of the First Part

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF NOVA SCOTIA, (hereinafter
referred to as "Nova Scotia")

of the Second Part

WHEREAS the Parties to this agreement are desirous of promoting the right of every individual to equality before the law and the protection of law;

WHEREAS the inherent dignity and the equal and inalienable rights of all members of the human family in Canada is the foundation of freedom and justice;

WHEREAS it is difficult, if not impossible, to assure equality before the law for Native people in our criminal courts when so many Native people do not understand the nature of the charges against them, the implications of a plea, the basic court procedures and legal terminology, or their right to speak on their own behalf or to request legal counsel;

AND WHEREAS the provision of Native courtworkers in criminal courts in certain localities where there is a substantial Native population would provide great assistance in promoting equality of justice in Nova Scotia;

NOW THEREFORE this agreement witnesseth that the Parties have agreed to the following:

Definitions:

1. In this agreement:
 - a) "approved cost" means the total cost of a courtworker programme as set out in the approved submission for a given financial year;
 - b) "approved submission" means a submission respecting the provision of courtworker services in Nova Scotia for a given financial year which has been approved by Canada and the term includes amendments to an approved submission;
 - c) "carrier agency" means a Native services organization responsible for the administration of a courtworker programme;

- 2 -

- d) "courtworker programme" means a programme of counselling other than legal, to persons charged with an offence under any federal or provincial statute or municipal by-law, in order that such persons may receive information about court procedures, be apprised of their rights, and be referred to legal aid or other resources;
- e) "courtworker area" means a geographical area within Nova Scotia designated as requiring a courtworker programme;
- f) "financial year" means a twelve month period commencing April 1st in any year and ending March 31st in the following year;
- g) "Native" means a person of North American Indian or Eskimo ancestry, whether he is registered (or entitled to be registered) pursuant to the Indian Act or not.

2. For the purposes of this agreement Canada shall be represented by the Minister of Justice and Attorney General of Canada, and Nova Scotia shall be represented by the Attorney General of Nova Scotia.

3. Not later than January 15th of each financial year, Nova Scotia shall prepare and deliver to Canada a written submission respecting the provision of courtworker services in Nova Scotia for the following financial year, setting out the courtworker areas, the name or names of the carrier agency or agencies, the number of courtworkers in each courtworker area, the total cost of providing the courtworker services, and any such additional information as Canada may require.

4. A submission which has been approved by Canada and such amendments thereto as may be agreed upon by the Parties from time to time shall become part of this agreement.

5. The following costs necessarily incurred by the carrier agency or agencies shall be shareable under this agreement to the extent that they were paid by Nova Scotia and were fairly attributable to the provision of courtworker services as described in the approved submission:

- a) salaries, wages and fees paid for professional, clerical, technical, administrative and maintenance services and casual labour, along with necessary contributions to the Unemployment Insurance Commission, the Canada Pension Plan and the Workmen's Compensation Board;
- b) costs of rent, normal utilities (such as electricity, heat, water, telephone and office equipment), the maintenance of offices, residences or other buildings and taxes;

- 3 -

- c) cost of supplies and materials and equipment, shipping charges, stationery, postage, licenses and other fees;
- d) actual and reasonable travelling expenses incurred in the performance of the duty of a courtworker;
- e) costs of insurance on buildings, equipment and materials that are used or are to be used;
- f) actual and reasonable costs of meetings, including travelling expenses, honoraria and necessary per diem allowances;
- g) any other costs that Canada may accept as valid and reasonable expenditures in relation to the courtworker programme.

6. Canada shall pay to Nova Scotia fifty percent (50%) of the shareable costs of the courtworker programme actually paid by Nova Scotia in accordance with the approved submission, or fifty percent (50%) of the approved cost, whichever amount is the lesser, for the financial years 1974-75 and 1975-76.

7. Canada shall make payments of up to twelve and one-half percent (12½%) of the projected shareable costs of the courtworker programme for each financial year on or about April 1st, July 1st, October 1st and January 1st of that financial year, the exact amount of such payments to be agreed between the Parties from time to time.

8. If Canada through payments to Nova Scotia has paid more than fifty percent (50%) of the actual shareable costs, Nova Scotia shall reimburse Canada in respect of that amount.

9. No payments shall be made by Canada for any financial year until a submission respecting the provision of courtworker services in Nova Scotia has been approved by Canada.

10. Nova Scotia shall submit to Canada no later than May 31st of each year a statement in such form as the latter may require, signed by the Provincial Auditor, indicating that the amount of the claim fairly represents the claimable portion of the actual shareable costs during the preceding financial year.

11. All claims submitted under this agreement shall be subject to verification by an auditor appointed by Canada and Nova Scotia shall make available to such auditor any books, records or accounts, including documents of the carrier agency or agencies, which the auditor may require.

12. Nova Scotia shall from time to time provide any other information required for the evaluation and funding of the courtworker programme by Canada as may be agreed between the Parties.

- 4 -

13. On or about September 30th, 1975, the Parties hereto, in consultation with representatives of the carrier agency or agencies, and representatives of such other agencies and organizations as may assist in the evaluation of the programme, shall review the over-all operation and effect of the courtworker programme and reach agreement as to its continuation, extension, curtailment or termination.

14. This agreement shall come into force and shall bind the Parties from April 1st, 1974 and shall continue in force until March 31st, 1976, and it may be renewed with the consent of and under the conditions agreed upon by both Parties hereto.

IN WITNESS WHEREOF the Honourable Otto E. Lang, Minister of Justice and Attorney General of Canada, has hereunto set his hand on behalf of Canada, and the Honourable Allan E. Sullivan, Attorney General of Nova Scotia, has hereunto set his hand on behalf of Nova Scotia.

Attorney General of
Nova Scotia

Minister of Justice and
Attorney General of Canada

Witness

Witness



Department of Social Services

P. O. BOX 696, HALIFAX, N. S.
B3J 2T7

April 16, 1974

INFORMATION ONLY

MEMORANDUM

TO: Dr. F. R. MacKinnon
Deputy Minister of Social Services

RE: COURTWORKERS' PROGRAM - INDIAN AFFAIRS -
MEETING WITH MR. GORDON F. COLES

1. Present at Meeting: Gordon Coles
Bernie Francis
E. B. S. Miller
2. Date of Meeting: Wednesday, April 10, 1974
@ 2:00 p.m.
3. Place of Meeting: Board Room, Attorney
General's Department
4. Courtworkers' program is under L.I.P. at present.
5. Program will cost approximately \$60,000. and will
be shared equally by Federal and Provincial
governments.
6. Union of Nova Scotia Indians will look after cost
of training courtworkers which will be approximately
\$22,000.



/2....

- 2 -

7. Union has already lined up four workers; namely:
- (a) Bernie Francis who will act as Coordinator and serve Whycocomagh and Wagnatkook out of Sydney.
 - (b) Fred Phillips will serve Digby, Cambridge, Hantsport and Wilcat Reserves out of the Shubenacadie Office.
 - (c) Michael Anthony Francis will serve Micmac, Millbrook, Pictou and Afton Reserves out of Shubenacadie Office.
 - (d) Eva Francis will serve Membertou, Eskasoni and Chapel Island out of the Sydney Office.
8. Carrier Agency - The Union of Nova Scotia Indians will constitute this agency and thus represent both the status and non-status Indians.
9. Advisory Board - The Courtworkers will report to this Board. The following will compose its membership:
- (a) Albert Julien - Vice-President, U.N.S.I.
 - (b) Peter Christmas - non-status Indians
- Two Provincial Government representatives:
- (c) E. B. S. Miller
 - (d) One to be chosen from the Attorney-General's Department.
10. The Federal Government will carry the financial load for the present until the Provincial House meets and approves the plans. According to Mr. Coles, there will be no problem here.
11. Agreement will be signed as soon as arrangements can be made.

E. B. S. Miller

 E. B. S. Miller,
 Prov. Government's
 Liaison Officer,
 Indian Affairs

EBSM/pal
 c.c. Mr. Dave Gourley ✓
 Mr. Stuart Killen ✓

May 7/74

Halifax, Nova Scotia
B3J 2L6

May 7, 1974.

Mr. Bernie Francis
Coordinator
Court Worker Program
Union of Nova Scotia Indians
P. O. Box 961
Sydney, Nova Scotia

Dear Mr. Francis:

I acknowledge receipt of yours of May 1, 1974.

I agree that the members of the Provincial Magistrate's Court in particular and other Courts in general should be made aware of the Courtworker Program and we will undertake to so advise them upon the Agreement between Canada and the Province being executed.

I realize that the program is presently underway pursuant to the Local Initiatives Program, however, as the Province is not participating nor involved in the present program, I think it more appropriate that any communication by us follow the implementation of the Federal-Provincial Agreement.

I shall advise when it is anticipated the Attorney General will be in a position to sign such an Agreement with the Federal Minister.

Yours very truly

Gordon F. Coles
Deputy Attorney General

THE FEDERAL GOVERNMENT
DEPARTMENT OF JUSTICE

Room 4057, West Memorial Building,
344 Wellington Street,
Ottawa, Ont. K1A 0H8.

May 27, 1974.

Our file: 6350-8

Mr. Bernie Francis,
Union of Nova Scotia Indians,
P.O. Box 961,
Sydney, N.S. B1P 6J4.

Dear Mr. Francis:

Thank you for your letter of May 21, regarding the cost of staff training and community seminars.

The Department of Justice does not have any funds to cover the cost of training courtworkers, but the Department of Manpower normally can provide funding under its re-training programme. I have asked Mr. C. Sparks of the Department of Manpower to get in contact with you regarding the criteria for funding under their programme.

Federal funding for the community seminars would depend upon their nature. The Department of Justice has some funds to help defray the cost of holding meetings between members of the judiciary and Native people. We introduced this item into our budget on the suggestion of Mr. George Manuel, President of the National Indian Brotherhood. The purpose of these meetings is to provide the Native people with a better understanding of the operation of the court system, and at the same time to provide the judges with a better appreciation of the problems confronting the Native people.

It is also useful to have other representatives of the justice system present at the community seminars. The R.C.M.P., probation officers and lawyers all have an interest in such a programme. As far as funding is concerned, the Department of the Solicitor General may be able to provide some assistance with regard to the cost of seminars involving the R.C.M.P., and the Provincial Government may also be able to assist with respect to the probation officers. What I would suggest is that you send me a specific proposal, outlining the type of seminar programme you have in mind - who would be involved, who it would reach,

when it would be held, what it would cost - and I will see what can be done from the standpoint of the Department of Justice, and at the same time I will refer your proposal to the Department of the Solicitor General. Our two departments co-operated in funding a somewhat similar programme in the Province of Alberta, and you may wish to get in contact with Chester Cunningham in this regard.

Yours sincerely,



E.A. Tollefson,
Director, Programmes and
Law Information Development
Section.

EAT/hm





Mr. Bernie Francis,
Union of Nova Scotia Indians,
P.O. Box 961,
SYDNEY, Nova Scotia.
B1P 6J4

OTTAWA, K1A 0J9
May 27, 1974.

Dear Mr. Francis:

As the Departmental Representative on the Sub-Committee of Native People and the Law, Mr. E. Tollefson, the Chairman, contacted me regarding your request for financial assistance in meeting the costs of training staff for the proposed Court Worker Program in Nova Scotia.

May I suggest that you discuss the training of personnel required for the Court Worker Program with the Canada Manpower Centre in Sydney. The Manager of that CMC is Mr. J. MacDowell, and he will be more than pleased to review your request with you.

I would also like to take this opportunity to wish you every success with the Court Worker Program.

Yours sincerely,

A.C. Sparks,
Consultant,
Policy Development &
Coordination,
Special Programs Branch.



YEAR END REPORT

UNION OF NOVA SCOTIA INDIANS

COURTWORKER PROGRAM

SUBMITTED TO:

JAMES L. CRANE
DEPARTMENT OF ATTORNEY GENERAL
HALIFAX, NOVA SCOTIA

During the early months of 1974, the Provincial and Federal Governments agreed to jointly fund the Native Courtworker Program, beginning the fiscal year, April 1974.

From April to December of 1974, the Courtworker Program was being subsidized by other programs in the Union, awaiting the signing of the contract between the Federal and Provincial Governments, and the forwarding of the first quarterly allotment. During this period there were two courtworkers working for the Native population of Nova Scotia.

Immediately upon receipt of the moneys from the province, steps were taken to fill the employment vacancies. Job openings were advertised, competitions were held and the best qualified candidates were selected. The four people selected began a two week orientation period under the co-ordinator of the program. They were given some briefing on the history of the Courtworker Program and its aims and objectives. Their duties and role as a Courtworker was explained to them. Some time was spent learning more about the various aspects of the law, as they met with various law enforcement agencies and were briefed by the personnel.

After two weeks, the four Courtworkers returned home to familiarize themselves with the area to which they were assigned, and to begin their duties as Courtworkers.

All field workers keep in regular contact with the co-ordinator of the Courtworker Program and the executive of the Union.

Appendix "A" describes the duties of a Courtworker. Appendix "B" shows the aims and objectives of the program.

(2)

Since April of 1974, we have become involved with approximately two hundred and seventy-two (272) cases. These cases involved the following:

INTERPRETING, OBTAINING LEGAL COUNCIL, ASSISTING IN FILING COMPLAINTS, APPLYING FOR BAIL, VIOLATIONS OF THE HUMAN RIGHTS ACT, INDIAN ACT, AND THE MOTOR VEHICLE ACT. WE DEALT WITH DIVORCE AND SEPARATION CASES, DELAYED REGISTRATION OF BIRTHS, CHANGE OF NAME CASES, CHILD WELFARE CASES, CASES WHICH COME UNDER THE CRIMINAL CODE. WE WORK CLOSELY WITH THE NATIONAL PAROLE, JOHN HOWARD SOCIETY, ASSISTING IN PRE-RELEASE PLANS AND SUPERVISING OF NATIVES ON PAROLE. ALSO TO THE SAME DEGREE, WE ASSIST THE ADULT PROBATION SERVICES IN CONDUCTING PRE-SENTENCE REPORTS AND ASSISTING IN THE SUPERVISION OF NATIVES ON PROBATION. WE MEET WITH THE NATIVE INMATES REGULARLY AND ALSO WITH THE INDIAN BAND COUNCILS AT THEIR REQUEST.

APPENDIX "B"

OBJECTIVES OF
THE COURTWORKER PROGRAM

OBJECTIVES OF THE COURTWORKER PROGRAM

The objectives of the Courtworker Program is to assist the Native People in Nova Scotia to develop a better understanding of their rights, interests, priviledges and responsibilities in relation to the criminal justice system. It is a role of the Courtworker to assist Native people wherever th ey may be in relation to the criminal justice system, to better understand the process of their relationship to it. The Courtworker attempts to bridge whatever gaps may exist between the justice system and the Native people.

One of the key features of the Courtworker program is liaison. It shall be the policy of the Courtworker to co-operate and work with the personnel of the criminal justice system in hopes of contributing to the achievement of the various goals of the system as well as contributing to the development of a more complete understanding within the justice system of the needs and concerns of the Native people.

ACTIVITIES

In addition to the general job description each Courtworker brings to his job a unique set of personal circumstances, experiences, interests and abilities. These unique features, combined with the unique and varied situation in which they operate in terms of the community, enforcement agencies, judges, court officials, lawyers and law, indicate that each Courtworker do somewhat differnet things in differnet ways in different situations.

COURTS

Attending court is the predominant activity of the Courtworker. The specific activities vary with the court concerned; law court, family court or juvenile. A general duty shall be to make themselves equally available to the courts and the Native people concerned. Through their presence in the court, the courtworker indicates their willingness to be of assistance in whatever way is required by the judicial system and more important to the Native people who are involved in the system. By attending court, the courtworker generates a series of other activities which constitute much of their work.

Many times, courtworker's find themselves being questioned by the Native people as to the general nature of their charges, the possible sentence and certain court procedures, an example being reserving plea in order to contact legal advice. Many Native people discuss details of their case with courtworkers and seek his/her advice as to what to do. The Courtworker tries to ensure that the accused has a general understanding of the situation and the kind of decisions the person will have to make. Depending on the circumstances, the Courtworker may advise the accused to discuss the matter with a lawyer. He may also suggest that it is not necessary to seek legal advice and that the accused can decide the matter for himself.

Courtworker's assist Native accused in filing applications to the Nova Scotia Legal Aid Society. This ensures the application is correctly completed and forwarded to the proper authorities.

APPEARING FOR OTHERS

One duty sometimes performed by the Courtworker is that of appearing in court for an accused who is unable to attend personally, due to legitimate reasons, such as employment. The Courtworker will explain the reason for the accused's absence and indicate what instructions, if any, he/she has received. A courtworker will NOT act as an agent if he/she feels that they are being "used" by the accused. The courtworker shall encourage the Native people to accept responsibility of appearing in court.

INTERPRETING

A Courtworker may be called upon to act as an interpreter for a Native person and for the Court. This activity may occur during the reading of the charge, outline of the circumstances to the court, the accused's remarks as to sentence or even during the trial. The Courtworker shall also be involved in explaining what has happened and is happening in the court to onlookers who do not understand the proceedings.

Many Native accused, upon pleading guilty, indicate they have nothing to say on their behalf. The Courtworker can play an important role here in providing the court with information about the accused and his circumstances which may be related to the case. In some courts, the courtworker will be encouraged to provide such information whenever he feels it important, while in other courts the courtworker will be allowed to provide relevant information only when requested.

In general, the courtworker tries to ensure that the court is aware of the circumstances of the accused, either directly to the court or through the Crown Attorney or other processes. The courtworker also encourages and provides moral support for Native people to speak up in court or their own if they have questions to ask or information to give.

EXPLAINING ORDERS, DOCUMENTS & PROCEDURES

Many Native people receive legal documents and orders which they are unable to understand. A courtworker is often called upon to provide these people with a general understanding of what it means or he/she can make necessary arrangements for the person to contact another source, such as a lawyer or the issuing body to find out exactly what is required.

In many ways, it seems that Native people see the Courtworker as a person whom they can turn to for advice on a variety of matters which generally fall within the scope of the justice system. The inquiries are not limited strictly to criminal matters. Courtworker's are consulted in regards to statutes involving child welfare, motor vehicles, highways, liquor, fish and game, city by-laws, as well as a variety of administrative and procedural matters which effect the lives of Native people but which they often fail to fully understand.

WORKSHOPS

The Courtworker should create close relations with the Native organizations and Friendship Centres within the area, and should assist and participate in regional meetings with workshops pertaining to the courts and where necessary contact and provide the necessary resource people and more important explain their role and function in the courts.

The most important concern of the courtworker is his/her image to the courts, law enforcement agencies and the general Native population. It is an accepted fact that unless you have the complete trust and co-operation of the courts and the people our effectiveness as courtworkers is completely unfulfilled.

APPENDIX "A"COURTWORKER - JOB DESCRIPTION

1. A courtworker should be available and willing to work at all times. In order to serve our people the way we should, we cannot operate on an 8:30 to 4:30 P.M. basis.
2. The Courtworker must familiarize themselves with the agencies or government departments that he or she is going to work with legal aid, parole, probation, family court, children's aid and other civic offices.
3. Attend courts, criminal, traffic, family & justice.
4. Explain court procedures and make sure the accused knows his rights, also what he is charged with and the possible sentence if found guilty.
5. Interpret when necessary.
6. Assist in obtaining lawyers or legal advice.
7.
 - (a) Make representation for bail.
 - (b) Contact family or friends for payment of bail.
8. Keep in contact with the native inmate and his family, also help the family learn about the penal system.
9. Involvement in the rehabilitation of the native offender.
 - (a) By helping the native inmate in taking steps so that he can fit into society when released. This can be done by assisting in obtaining employment, accommodation, transportation and education.
 - (b) This is why it is recommended we keep a constant contact with Social Councillors in our area.

10. Contact the Native offender and attempt to establish the problem area which has led him to difficulty with the law.
11. Help supervise natives on parole and probation.
 - (a) Assist in explaining and applying for parole and probation.
 - (b) Help in pre-release plans.
12. Assist families of persons sent to institutions and continue this assistance as long as it is needed.
13. Assist Natives in laying charges.
14. Assist Natives in other matters such as compensation, lost wages and related problems.
15. Set up workshops to help magistrates, police, other civic employees and native people establish better communications.
16. Visitations to the institutions.

CONFERENCE PROGRAM
STATEMENT OF EXPENSES

January 1/75-March 31/75

	<u>January</u>	<u>February</u>	<u>March</u>	<u>Totals</u>
Salary	1,500.00	3,250.92	5,625.70	10,376.62
Travel	80.21	1,142.30	1,507.84	2,730.35
Tel/Supplies	413.05	30.00	540.92	984.97
Employee Ben.			20.02	20.02
Meetings			200.00	200.00
	<u>1,993.26</u>	<u>4,423.22</u>	<u>7,894.46</u>	<u>14,311.00</u>
Total expenditures April 1/74 to March 31/75				44,907.00
Transferred to Land and Treaty Rights				<u>14,000.00</u>
Total actual expenditures for fiscal year 1974-75				58,907.00
Budget April 1/74 to March 31, 1975				<u>58,000.00</u>
Deficit 1974-75				<u><u>.907.00</u></u>

PROGRESS REPORT

COURT WORKER PROGRAM

FD-21/25

Approximately 439 cases have been handled by the Courtworkers Program, since January, 1973. An estimate of about 197 of these cases were dealt with between April and December 1974. However, due to the number of people who contact us on the street or through telephone calls seeking information on such things as Court dates and times, Consumer affairs, lawyers names etc., it is impossible to make an accurate estimate.

These cases involved such things as:

Interpreting, obtaining legal council, assisting in filing complaints, applying for bail, arranging settlement for payment of accounts. Violations against the Human Rights Act, the Indian Act and the Motor Vehicle Act. We dealt with divorce and separation cases, delayed registration of birth, change of name cases, child welfare cases, cases which come under the criminal code. We meet with Native inmates and also with the Indian Band Council. We work with the National Parole, the adult probation and other agencies for the betterment of the Native people.

It is impossible to compose an accurate report of the number of each type of case the Courtworker Program has dealt with thus far. The following, however, is a fairly close estimate of such.

1. Interpreting-----Some interpreting was necessary in approximately 95% of the cases dealt with, interpreting both in the court room and out.

Example-- At the lawyer's office, family court, probation office, children's aid, in the jail, while conducting post-release reports and pre-sentence reports and during counselling sessions.

2. Obtaining legal council for natives in need. Legal council was necessary in approximately 97% of the cases, and in these cases we assisted in obtaining the council. This involved calling for appointments, accompanying the person to the lawyer's office, either at the lawyers request or at the request of the person involved. Assisting in filling in legal aid applications, ect. The legal council that was obtained was not always legal aid. For those who do not qualify for legal aid and don't know any lawyer's we recommend someone to them, and again usually make the appointment.

3. Assisting in filing complaints.---- We assisted in filing 95% of the complaints that were filed by Native people. Some of these complaints were against other Native people.

Example--We have assisted several Native people in filing an assault causing bodily harm charge against another Indian person.

4. Applying for and posting bail.----There are approximately 22 instances where assistance was given in applying for and posting bail.

Example-- When a Native is remanded with no mention of bail we seek a lawyer and through him make an application for a bail hearing for that person. We assist in securing witnesses for the hearing and sometimes we testify for the Native. If bail is granted we seek out family and friends to post the bail. Sometimes in Court when bail is being set for someone, because there is no reason for him to be kept in jail or because no trial date is set right away, we ask the judge to take into consideration the fact that it is very difficult for Native people to post bail because of their financial situations, and the fact that very few Natives are property holders.

5. We intervene and arrange settlement in cases where a person cannot continue payment on his or her account for some reason, we usually reach an agreement which satisfies both parties before Court action is taken.----We dealt with approximately 20 cases of this nature.

Example-- A brief example would be one case we dealt with where the head of the household died, the wife with her nine children had to turn to welfare for the basic necessities of life. This family was left with practically nothing but accumulated bills. In fact, there were a total of eleven stores to which money was owing. Through a few phone calls, we found out that six of the higher bills were covered under death insurance and are automatically paid. This left five unpaid accounts. We went to the various stores to find out the outstanding balance of the

accounts and to notify the credit managers that Mr. X. had passed on and we were trying to arrange for payment of the bills, but that there would most likely be a waiting period.

We found out that Mr. X. had a good credit rating with all these stores, one company's credit manager stated they would be pleased if they received half of the outstanding balance. Other companies were willing to lower monthly payments so that Mrs. X. would be able to make payment easier if she had to. Since there was no way that Mrs. X. could pay at all, our next step was to approach the Band Council to find out if there was any way that they could help her. We received fairly good assistance from the Band Council and Welfare Officer in disposing of the bills.

I must point out here that not all cases of this nature were dealt with in the same manner. In some cases when monthly payments were lowered, the spouse was able to pay off the bills owing, either because the bills were for a small amount or because of a more stable financial situation.

6. Violations against the Human Rights Act.... Seven cases fell into this category, An example of the refusal of a local car rental agency to rent cars to people once they found out that the person applying was an Indian or lived on a reserve.
7. Violations against the Motor Vehicle Act.... Approximately 56 cases fell into this category. Most were minor incidents such as speeding, driving without a license, driving while suspended and driving without proper registration or insurance.
8. Violations against the Indian Act.... We handled approximately 10 cases of this nature.
An example... A person's account at a local clothing store was turned over to a collection agency. The payment was not secured and a representative from the agency went to the reserve, threatening to remove something from the home which he thought was worth what was owing, the item he wanted to take out was a refrigerator. This violates section 89 (1) of the Indian Act. (The fridge that was about to be removed from the house was given to the family through a special needs by the Band Welfare Officer.)
9. Divorce and Separation cases.... We assisted 17 Native people in applying for and receiving either a divorce or a legal separation from his or her partner.
10. Change of Name Act.... We worked under this act on four occasions.

An example of how we assisted one person was when a young man approached our program stating that he just found out that he was registered at birth under a surname different than the surname he thought was his. He gave reasons why he wanted to keep the name he had been using and asked if we could assist him. I told him about the Change of Name Act, and briefly explained the section pertaining to him. We then took the necessary steps to change his surname.

11. Delayed registration of birth...We handled approximately 23 cases of this nature. Most of the cases were elderly people who were having a problem applying for old age security, because they were not registered with the province as being born. Once a search of records showed that a person was not registered, we began to look for proof of age documents. When we have the necessary documents we fill in the required forms, enclose our proof of age documents and forward the material to Halifax.

12. Cases involving Child Welfare...We dealt with approximately 53 cases of this nature, most of which involved Children's Aid Society also. Termination of guardianship also falls into this group. The last child welfare case we dealt with was concerning a situation where the children were made wards of the C.A.S. and placed in foster homes on one of the local reservations.

A termination of guardianship case recently involved a couple from Eskasoni who had lost custody of their children and the children were made temporary wards and placed in foster homes. After six months the parents felt they would be able to take proper care of their children because they had stopped drinking and repaired their home and the man was now working. They came to the program and asked if we would help them get the children back home with them. I explained the procedure that had to be followed and took them to family court, where we made application for a termination of guardianship hearing. Just before they were scheduled to appear in court the couple started drinking and failed to show up at the appointed time. Every one concerned was quite disappointed because these people had been watched closely and everyone agreed that they had a good chance of regaining custody of the children.

13. Cases involving delayed income tax returns----We dealt with a total of 8 such cases. This type of case is fairly straight forward, however, out of the eight, five cases were slightly different because they involved people who had completed their returns mailed them in and were awaiting a refund. Quite sometime passed and not one of the five heard from the revenue department. In checking into it we found that not one of the returns was received by the Department. We checked with the local post offices but the material could not be located.

Our next move was to gather copies of the T-4 slips and fill in a delayed return.

14. We meet with the Band Councils when the need arises. Also some people have different problems on different reserves and discuss them with their Councils. We are asked by the Councils to advise on these matters dealing with law.

We have met with each Band Council in Nova Scotia, however not all of these meetings dealt with legal problems. But each meeting was concerning our positions as courtworkers.

15. We visit Natives in various Institutions---- An example are the Natives in the Springhill Institution, we try and visit them as often as we can.

The Courtworkers Program continually receives invitations from inmate organizations inviting us to come to their meetings to assist them in various ways. Unfortunately, in the past we have given very little time to the Natives in this institute because of our lack of workers and large case load.

16. Cases involving the obtaining of Canadian Citizenship----We dealt with 3 cases in which assistance was given in obtaining Canadian Citizenship for Natives. All three people were born and registered in the States and later moved to a local reserve in Nova Scotia with their family. The first case came to our attention when a person concerned came to our program for assistance. He brought with him a letter from the Immigration Department. The letter threatened that he would be deported if he failed to show up at the immigration Department on a specified date. The person concerned explained that he received several letters from these people in the past, he ignored them because he didn't know what the Immigration Department wanted of him. I called the Department and spoke to the gentleman who sent the letter, we then went down to see him. He answered several questions for us and explained why the person concerned had to be registered if he wanted to live in Canada. The proper steps were taken to register him a Canadian Citizen.

The Immigration Department representative was quite annoyed because of his numerous unsuccessful attempts to contact the Indian, he said it was due to lack of cooperation on the part of the Indian and stated that the next move would have been to have him deported. Our program was contacted by the Immigration Department for assistance with the other two cases.

17. Violations against the Criminal Code----The majority of cases we dealt with were offences which came under the C.C. We dealt with approximately 106 cases which came under the C.C., both summary and indictable offences.

Feb 5/75



ATTORNEY GENERAL
NOVA SCOTIA

Halifax, Nova Scotia
B3J 2L6

February 5, 1975

All Judges of the Provincial Magistrate's Court
Province of Nova Scotia

Gentlemen:

The Federal Department of Justice and this Department have entered into an Agreement entitled the Native Court Worker Program. The cost of this program is shared equally between the Federal Government and the Provincial Government.

The Program is designed to provide counselling other than legal to native persons charged with an offence under any Federal or Provincial Statute or Municipal By-Law, in order that such persons may receive information about court procedures, advised of their rights and referred to Legal Aid and other resources. The geographical areas in Nova Scotia have been established as follows:

COURTWORKER	AREA
David Toney	Cambridge, Hantsport and Bare River, with headquarters at Cambridge.
Mrs. Jeanette Niven	Halifax-Dartmouth area and Shubie area, with headquarters at Shubie Union Office
Peter Pierro	Truro, Sheet Harbour, Pictou and Afton, with headquarters in Afton Band Office.
Allan Bernard	Whycocomagh, Nyanza and Chapel Island, with headquarters in Whycocomagh Band Office.

continued 2/

All Judges of the Provincial
Magistrate's Court
February 5, 1975
Page -2-

Joseph Denny

Eskasoni, with headquarters in the
Eskasoni Band Office.

Eva Bernard

Co-ordinator, plus working the Sydney
area with headquarters in the Sydney
Union Office.

I solicit your cooperation in this program and request that the
court worker be granted permission to speak in court for any
native person if the court worker so requests.

Yours very truly,



R.A. MacDonald

Inspector of Legal and Registry Offices

RAMacD/frg

Feb 17/75

ATTORNEY GENERAL
NOVA SCOTIAHalifax, Nova Scotia
B3J 2L6

February 17, 1975.

Dr. F. R. MacKinnon
Deputy Minister
Department of Social Services
Halifax, Nova Scotia

Dear Dr. MacKinnon:

I acknowledge and thank you for yours of January 30th which I received upon my return from attending the National Conference on Native Peoples and the Criminal Justice System.

Before replying specifically to your letter, I wish to extend my appreciation in having Mr. Miller attend the above Conference as one of our Provincial delegates. We had a most interesting and at times provocative conference. It was most helpful to me to have the benefit of Mr. Miller's participation at the Conference.

Perhaps more than anything else the Conference did point out the need for attitudinal changes on the part of those involved in the criminal justice system and the need for the system itself to be more sensitive to Native peoples who come in conflict with the law.

Mr. Miller has offered to provide me with an overview of our Native peoples in Nova Scotia, both status and non-status with particular emphasis on their organizations and jurisdictional roles. It may well be that the Tripartite Committee should be reassessed, particularly as I understand it concerns itself primarily with status Indians.

Certainly I think the idea to provide a Directory of Government Services available to Native people to be a good one. I think as far as this Department is concerned there may be four such programs on which we can respond, namely, the Native Courtworker Program, Legal Aid, Police Services on and off Reserves and Probation.

I am passing a copy of your letter to each of the Directors in this Department for their information and response.

Yours very truly



Gordon F. Coles
Deputy Attorney General

c. c. Mr. E. B. S. Miller
Mr. James L. Crane
Mr. J. W. Kavanagh, Q. C.
Mr. R. G. Conrad
Mr. Gordon S. Gale
✓ Mr. R. A. MacDonald

Department of Social Services

P. O. BOX 696, HALIFAX, N. S.
B3J 2T7



NOVA SCOTIA

OFFICE
OF
THE DEPUTY MINISTER

January 30, 1975

Mr. G. F. Coles
Deputy Attorney General
Attorney General's Department
Halifax, N. S.

Dear Mr. Coles:

Many programs are being operated by the Government of Nova Scotia on behalf of the people of this province. For the most part, these programs are directed to individuals, but others have been designed to serve organizations and businesses.

While the Native people of our province come under Federal jurisdiction, they are benefactors of a large number of provincial services. Many of these people, however, are unaware of the services that are available to them.

In order that they may have a better understanding of our provincial programs, the Tripartite Committee is planning to compile a Directory of Government Services available to the Native people of Nova Scotia.

To do a good job on such a publication, we shall need the assistance of every Department of our Government. When the work is completed, we feel that the Indians of Nova Scotia will be assisted in the realization of some, at least, of their socio-economic goals. Moreover, it may serve some purpose in impressing them with the magnitude of the catalogue of services we provide.

Attached to this letter are a few statements of the kind of write-up we propose. Perhaps these may serve as a guide. It would be appreciated if you would send your material to E. B. S. Miller, Provincial Government's Liaison Officer, Johnston Building, before the end of February.

Thank you.

Yours faithfully,

F. R. MacKinnon
Deputy Minister

Attach.

SAMPLE

DEPARTMENT: Lands and Forests

PROGRAM: Securing a Hunting License for Moose

PROCEDURE: Any resident of Nova Scotia may apply for a Moose License. If he meets the requirements as outlined on the application, his application is made available for a Moose Draw.

If his name is drawn, he is advised by letter that he is eligible to receive a Moose License provided he does the following:

- 1) Reports on a specified date as outlined in the above letter, with the necessary papers, to a Department Testing Station in his county of residence and successfully passes a written and gun handling test.
- 2) Returns by a specified date the necessary paper, duly signed by the testing officer, and the required license fee to the Department of Lands and Forests, Halifax, N. S.

When the Department receives this material, a license and a tag are forwarded to the resident, entitling him to hunt moose in a moose hunting area during the open season for moose as determined by regulation.

FOR WHOM: Any Indian person may apply on the same basis as other individuals residing in the province.

FOR FURTHER
INFORMATION: Department of Lands and Forests
Special Services
6th Floor, Dennis Building
Granville Street
Halifax, N. S.
B3J 2T9
Phone: 424-4297

SAMPLE

DEPARTMENT: Social Services

DIVISION: Public Assistance Division

NATURE AND
PURPOSE:

Diabetic Assistance is a program to provide medication without charge to persons for the control of a diabetic condition. The Diabetic Assistance program is authorized under the provisions of Part 1 of the Social Assistance Act and the Diabetic Assistance Regulations.

The eligibility of the applicant is determined by subtracting the total income available to the person or family from the total amount allowed in the Regulations for food, clothing, personal needs, rent or mortgage payments, electricity, fuel and other allowances in the family budget. If these allowances are greater than the income, the applicant is eligible for Diabetic Assistance.

FOR WHOM:

Any Indian person may qualify for assistance under this program on the same basis as other persons in the province.

FOR FURTHER
INFORMATION:

Director of Provincial Social Assistance
Diabetic Assistance
Johnston Building
P. O. Box 696
Halifax, Nova Scotia
B3J 2T7
Phone: 424-4265

SAMPLE

DEPARTMENT: Development

PROGRAM: Incentives

NATURE AND
PURPOSE:

The Incentives Division acts as a source of information for all government assistance programs relating to industrial and economic development. Besides developing and maintaining a comprehensive inventory of incentives available from government sources, we directly assist individuals, groups or companies make out applications for financial assistance when this help is requested. The Incentives Division itself does not sponsor programs which provide direct financing, but it can help companies or groups in their dealings with financing agencies.

FOR WHOM:

Any Indian person may approach the Incentives Division for assistance on the same basis as any other individual in the province.

FOR FURTHER
INFORMATION:

Supervisor
Incentives Division
P. O. Box 519
Halifax, Nova Scotia
B3J 2R7
Phone: 424-4212

SAMPLE

DEPARTMENT: Social Services

PROGRAM: Municipal Social Services

NATURE AND
PURPOSE:

The Social Assistance Act authorizes the municipal level of government to provide financial assistance to persons in need on a short term basis or who require supplementation to income which is insufficient to meet their needs. For families with marginal incomes, the Municipal Social Services authority must show, on the basis of a "needs test", that hardship would result if assistance were not granted. The Act also makes provision for the payment of maintenance costs on behalf of persons in Homes for Special Care.

The municipal units generally provide for such basic requirements as food, rent, clothing, utilities and personal and household allowances. Certain items of special requirement may be included. These are: medical services and drugs, homemakers and day care services, V.O.N. services, household equipment, furniture, furnishings and supplies, expenses incidental to the education of children, household moving expenses, repairs, alterations, additions to property and burial expenses.

FOR WHOM:

Any Indian person living off the Reserve on the same basis as other individuals resident in the province.

FOR FURTHER
INFORMATION:

Department of Social Services
Municipal Social Services
Johnston Building
P.O. Box 696
Halifax, N. S.
B3J 2T7
Phone: 424-4277



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July 7/75
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ATTORNEY GENERAL
NOVA SCOTIA

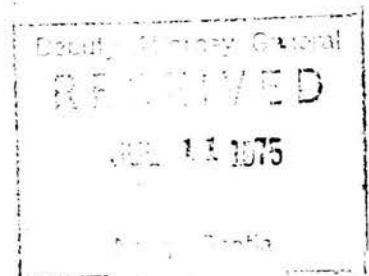
ADULT PROBATION SERVICE

P. O. Box 3245 South
Halifax, N.S. B3J 3H5
July 7, 1975Mr. Gordon Coles, Q.C.
Deputy Attorney General
Department of the Attorney General
Provincial Building
P. O. Box 7
Halifax, N.S.RE: Native Court Worker Program Pamphlet

Dear Mr. Coles:

Enclosed you will find information pamphlets forwarded from this office to all Judges, Prosecutors, Police Agencies, Jailers, and Probation Officers in the four regions of the province.

Yours very truly,

James L. Crane
DirectorJLC:ed
Enc.cc Mr. R. A. MacDonald ✓
Director

The Native Courtworker Program:

This program is among the many programs carried on by the Union of Nova Scotia Indians. Since April 1, 1974, it has been funded jointly by the Federal and Provincial governments.

The Courtworker Program was established to provide assistance to all Native people of Nova Scotia, both registered and non-registered, who find themselves in conflict with the law.

The basic philosophy of the Courtworker Program is to ensure that every Native person in the province understands the legal process in which he or she is involved, and the legal and social resources available to them.

Courtworkers: five courtworkers are assigned to various areas throughout the province.

They are as follows:

<u>Name</u>	<u>Assigned Areas</u>
David Toney	Cambridge, Bear River, Acadia, Halifax and Dartmouth.
Jeanette Nevin	Shubenacadie, Pictou and Truro
Allan Bernard	Afton, Whycocomagh, Wagmatcook and Chapel Island.
Charles Morris	Eskasoni
Eva Bernard	Sydney & Co-Ordinator

The Aims and Objectives of the Courtworker Program:

A) To assist the Micmac people in Nova Scotia to develop a better understanding of their rights, privileges and responsibilities in relation to the Criminal Justice System.

B) To be available equally to the Courts and the Native persons concerned.

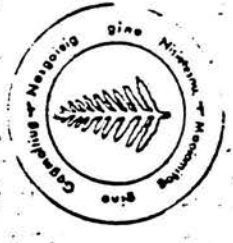
C) To liaise between the Native population and the Criminal Justice System.

Duties of the Courtworkers:

1. The Courtworker must familiarize themselves with the agencies or government departments that they are going to be working with, such as, Legal Aid, Family Court, Children's Aid Society, Parole and Probation Services, etc.
2. Attend courts - criminal, traffic, juvenile and family court.
3. Explain court procedures and make sure the accused knows his rights, what he is charged with and the possible sentence if found guilty.
4. Interpret when necessary.
5. Assist in obtaining lawyers or legal advice.
6. Make representation for bail, and if necessary contact the family or friends of the accused for payment of bail.
7. Keep in contact with the native inmate and his family and inform them about the penal system.
8. Involvement in rehabilitation of the Native offender.
 - (a) by helping the native inmate in taking steps so that he can fit into society when released. This can be done by assisting in obtaining employment, accommodation, transportation and education.
 - (b) By keeping in constant contact with social counsellors and workers who can help in his rehabilitation.

9. Contact the Native offender and attempt to establish the problem area which has led to his difficulty with the law.
10. Help supervise Natives on parole and probation.
 - (a) assist in explaining and applying for parole and probation.
 - (b) help in pre-release plans.
11. Assist families of persons sent to penal institutions and continue this assistance as long as it is needed.
12. Assist Natives in laying charges.
13. Assist Natives in other matters, such as, compensation, lost wages and related problems.
14. Set up workshops to help magistrates, police and other civic employees and Native people to establish better communications.
15. Assist the courts in obtaining necessary information and interpret the offender's situation to the court.
16. Assist Native people arrested or summoned for court appearances.

UNION OF NOVA SCOTIA INDIANS



NATIVE
COURT WORKER
PROGRAM

FOR FURTHER INFORMATION
WRITE

COURT WORKER PROGRAM
P.O. BOX 961,
SYDNEY, NOVA SCOTIA

PHONE: 539-4107

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1. The Courtworker must familiarize themselves with the agencies or government departments that they are going to be working with, such as, Legal Aid, Family Court, Children's Aid Society, Parole and Probation Services, etc.
2. Attend courts - criminal, traffic, juvenile and family court.
3. Explain court procedures and make sure the accused knows his rights, what he is charged with and the possible sentence if found guilty.
4. Interpret when necessary.
5. Assist in obtaining lawyers or legal advice.
6. Make representation for bail, and if necessary contact the family or friends of the accused for payment of bail.
7. Keep in contact with the native inmate and his family and inform them about the penal system.
8. Involvement in rehabilitation of the Native offender.
 - (a) by helping the native inmate in taking steps so that he can fit into society when released. This can be done by assisting in obtaining employment, accommodation, transportation and education.
 - (b) By keeping in constant contact with social counsellors and workers who can help in his rehabilitation.

9. Contact the Native offender and attempt to establish the problem area which has led to his difficulty with the law.
10. Help supervise Natives on parole and probation.
 - (a) assist in explaining and applying for parole and probation.
 - (b) help in pre-release plans.
11. Assist families of persons sent to penal institutions and continue this assistance as long as it is needed.
12. Assist Natives in laying charges.
13. Assist Natives in other matters, such as, compensation, lost wages and related problems.
14. Set up workshops to help magistrates, police and other civic employees and Native people to establish better communications.
15. Assist the courts in obtaining necessary information and interpret the offender's situation to the court.
16. Assist Native people arrested or summoned for court appearances.

UNION OF NOVA SCOTIA INDIANS



NATIVE
COURT WORKER
PROGRAM

FOR FURTHER INFORMATION
WRITE

COURT WORKER PROGRAM
P.O. BOX 961,
SYDNEY, NOVA SCOTIA

PHONE: 539-4107



ATTORNEY GENERAL
NOVA SCOTIA

*Court Workers file
Telegram
and Sept 4/75*

TO ALEX DENNY
President
Union of Nova Scotia Indians
Sydney, Nova Scotia

Sydney — c/o Mrs. Eva Bernard
126 Membertou Street
Cape Breton County, Nova Scotia
Telephone 539-5468
Office 539-4109

RE: COURT WORKERS PROGRAM.

Further to our attempt to meet you and your executive on Wednesday, September 3, 1975, re the above, it is our understanding that the Union has terminated the Court Workers Program and laid off all court workers. In accordance with the Agreement the Department requires a full accounting of funds already advanced to the Union as the carrier agency of the program.

Accordingly, a representative of our Department will be visiting your offices on Monday a.m. to review with the secretary treasurer the present financial affairs of the program.

*Signed
Sept. 7 Attorney
General.*



56

Sept 9/75
SEP 10 1975
Nova Scotia

DEPARTMENT OF SOCIAL SERVICES

E. B. S. Miller
Prov. Government's
Liaison Officer
Indian Affairs

P. O. Box 696
Halifax, N. S.
B3J 2T7
Tel. 424-4188

September 9, 1975

U R G E N T

MEMORANDUM TO: Mrs. Eva Bernard
Carol Bernard
Mrs. Lorraine Cox
James Crane
Ron MacDonald ✓

The Advisory Council of the Native Court Worker Program will meet for a very important meeting in the Board Room, Adult Probation Services, 1521 Dresden Row, Halifax, Nova Scotia, on Tuesday, September 23, 1975 at 2:00 p.m.

Yours sincerely,

E. B. S. Miller

E.B.S. Miller
Prov. Government's
Liaison Officer
Indian Affairs

EBSM:ghm

cc: Dr. F. R. MacKinnon
Mr. Gordon Cole
Mr. Joe B. Marshall
Mr. Dave Gourley

*Jim Teyoung
to change date
of meeting
to 23rd
Advised*

~~TA~~

57

Oct 1/75

94

D379 FR

DY. 2B2680 SIG 424 4025

CRT HALIFAX NS 9-4 1040A ADT

ALEX DENNY, PRESIDENT UNION OF NOVA SCOTIA INDIANS

TF OFFICE 539-4109 HOME 539-5468 CARE MRS EVA BERNARD

126 MEMBERTOU ST SYDNEY NS

866
DEPT. OF ATTORNEY GENERAL
RECEIVED
OCT 1 1975
Nova Scotia

BT

RE COURT WORKER PROGRAM FURTHER TO OUR ATTEMPT TO MEET WITH YOU
AND YOUR EXECUTIVE ON WEDNESDAY SEPTEMBER 3 RE THE ABOVE IT IS OUR
UNDERSTANDING THAT THE UNION HAS TERMINATED THE COURT WORKERS PROGRAM
AND LAID OFF ALL THE COURT WORKERS. IN ACCORDANCE WITH THE AGREEMENT
THE DEPARTMENT REQUIRES A FULL ACCOUNTING OF FUNDS ALREADY ADVANCED
TO THE UNION AS THE CARRIER AGENCY OF THE PROGRAM ACCORDINGLY A
REPRESENTATIVE OF OUR DEPARTMENT WILL BE VISITING YOUR OFFICES ON
MONDAY MORNING TO REVIEW WITH SECRETARY TREASURER THE PRESENT
FINANCIAL AFFAIRS OF THE PROGRAM
DEPT OF ATTORNEY GENERAL.



58 *Nature Court*
W. L. ...
1975

DEPARTMENT OF SOCIAL SERVICES

E. B. S. Miller
Prov. Government's
Liaison Officer
Indian Affairs

P. O. Box 696
Halifax, N. S.
B3J 2T7
Tel. 424-4188

October 20, 1975

Mr. Alex Denny
President
Union of Nova Scotia Indians
117 Memberton Street
Sydney, Nova Scotia

Dear Mr. Denny:

At a meeting of the Court Workers Advisory Council on October 16, 1975, I was asked to write you regarding the question of a future financial arrangement for the Court Workers Program. It was unanimously decided to ask the Board of Directors of the Union of Nova Scotia Indians for the assurance that all money granted by the Federal and Provincial Governments for the operation of this program be kept in a separate account. Until the intent of the Union outlines this necessary control the Attorney Generals' Department refuses to issue further funds for the operation of this program. On receipt of the Union's assurance to do this a cheque will be forwarded to your Treasurer, Carol Bernard. Please contact- Mr. Ronald MacDonald, Department of Attorney General, Halifax.

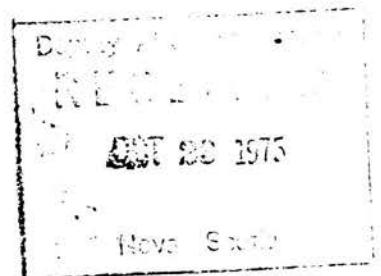
This is an excellent program and we are hoping that there will be no interruption in it.

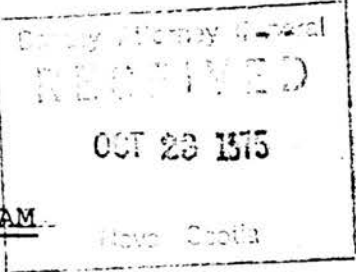
Yours sincerely,

E.B.S. Miller
Chairman

E.B.S.M/ss

Cc: Carol Bernard
Mrs. Eva Bernard
Mr. Ronald MacDonald ✓



SPECIAL MEETINGADVISORY COUNCIL, NATIVE COURTWORKERS PROGRAM

PLACE OF MEETING: Board Room, Department of Social Services
J. W. Johnston Building
Halifax, Nova Scotia

DATE OF MEETING: Wednesday
October 16, 1975
2 p.m.

MEMBERS PRESENT: E.B.S. Miller
Mrs. Eva Bernard
Carol Bernard
Mrs. Lorraine Cox
James Crane

OTHERS PRESENT: Ron MacDonald
James MacLean
Ronald Paul
Joe Dennis
Finley Paulette
Shirley Cope

ITEMS DISCUSSED:

1. Ronald Paul, President of the Indian Brotherhood of Westmoreland Correctional Institution, Annex to Dorchester Penitentiary, spoke on behalf of his organization about the need for better communications between the Indian Inmates and the Native Court Workers. He stated that there were seven of his people at Westmoreland and twenty two at Springhill who seldom see or have a visit from a Court Worker. This, he felt, was unfortunate as most of the Inmates has personal and domestic problems and concerns which made their experience in the institutions almost unbearable at times. To have a Court Worker visit them even occasionally and talk with them would help much to resolve some of the heartaches which very often involved finances, problems at home, employment on release, etc.

James MacLean, District Representative, Sydney District, National Parole Service, Cabot House, 500 Kings Road, Sydney, N.S. said that there was no problem regarding this matter and that he would discuss the question with Eva Bernard and then write letters to the officers in charge of the Institutions and ask for permission for the Court Workers to visit the Native People there on certain days each month.

Thanks were expressed to the three representatives of the Indian Brotherhood from Westmoreland Correctional Institution and to Mr. MacLean for his offer to assist

in this problem. It was agreed that it was a good idea to have representatives of the Brotherhood meet with our Advisory Council occasionally. It was also thought that representatives of the Indian Sisterhood should be invited to the occasional meeting. The Native representatives then retired from the meeting.

2. On the question of financing the Court Workers' program Mr. Ronald MacDonald, Attorney General's Department asked for a clarification of the \$14,000 that has been transferred from the Court Workers' program to the Land and Treaty Rights. Carol Bernard stated that this money had been given to the Court Workers by the Union of Nova Scotia Indians until the grant was received from the Attorney Generals' Department to carry on the program. On receipt of the Attorney Generals' cheque this \$14,000 was returned to the Union. The end result, according to Mr. MacDonald is that 50% of this amount will have to be returned to Ottawa.

3. The second question asked by Mr. MacDonald concerned our financial standing at the moment. Carol Bernard reported that we now have a surplus of \$2,134.81 which is sufficient to carry the court workers' program to the end of October.

Mr. MacDonald stated that before further funds could be advanced for the operation of the Court Workers program the Attorney Generals' Department want immediate assurance from the Union of Nova Scotia Indians that funds for the Court Workers program will be kept in a separate account rather than placed in the pool of Union funds. A letter of intent, endorsed by the Board of Directors of the Union is required. Mr. Miller was asked to write Mr. Alex Denny, President of the Union, requesting a letter of intent outlining the necessary controls, and send copies of his request to Carol Bernard, Eva Bernard, and Ron MacDonald. In order to facilitate matters Carol Bernard stated that she would forward a telegram to Mr. Ronald MacDonald re authority from the Board of Directors who are to meet this coming week-end.

On receipt of this information Mr. MacDonald is to forward a cheque to cover the balance of funds for the Court Workers program this year.

4. Since the Native Court Workers Program is to be shared with the Non-Status Indians and Metis of Nova Scotia, Mrs. Lorraine Cox is to contact Eva Bernard and give her from time to time a list of her people in need of the program and a list of prospective Courtworkers from

the Non-Status people who might enter the competition for positions in the program.

5. Carol Bernard stated that the Records of her office were open to the Government people at Ottawa if they wish to look at them. Mr. MacDonald said that he would inform the Solicitor General's Department re the same.
6. Re the projected operating costs of \$2734.50 for the third quarter of the 1975 fiscal year, Mrs. Eva Bernard said that she would keep within this budgetted amount and only hire one more worker.
7. Re the training program for the Court Workers, it seems that Gordon Williams of the Solicitor Generals' Department promised to provide program material on training the workers but has never fulfilled his promise. Mr. MacDonald said that he would look into the question and see that the material is secured as promised.
8. Re the proposal for a new contract for 1976 and 1977, Mr. James Crane and Mr. Ronald MacDonald stated that they would have to discuss this whole question with the Attorney General and his Deputy sometime before the end of October and report to our next meeting.
9. Next meeting is to take place on Monday, November 17, 1975, at 10 a.m. in the office of the Non-Status Indian and Metis Association at Millbrook.

E.B.S. Miller
E.B.S. Miller
Chairman

Cc: Dr. F. R. MacKinnon
Mrs. Eva Bernard
Carol Bernard
Mrs. Lorraine Cox
James Crane
Ronald MacDonald
Mr. Alex Denny
Mr. Joe Marshall
Mr. Dave Gourley



ATTORNEY GENERAL
NOVA SCOTIA

ADULT PROBATION SERVICE

P.O. Box 3245 South
Halifax, N.S. B3J 3H5

October 23, 1975

Mr. R.A. MacDonald
Director of Admin. Services
Department of the Attorney General
P.O. Box 7
Halifax, N.S. B3J 2L6

Dear Mr. MacDonald:

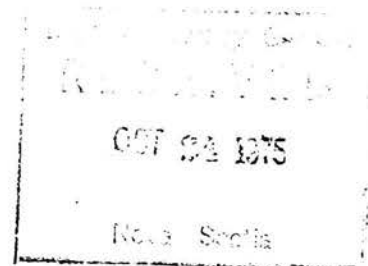
Enclosed is a copy of a letter from Lorraine Cox addressed to Mrs. Eva Bernard which I believe is indicative of the increasing friction between status and non-status Indians. I am sure you noticed with interest the apparent conflict at our last meeting on the Native Courtworker Program and Lorraine Cox appears to be taking a more positive interest in the Non-Status Indian Group.

I pass this on to you as a point of interest and a matter which should demand our attention.

Yours very truly,

James L. Crane
Director

JLC:yd
Encl.



Oct 23/75
Nature Court Worker



NON-STATUS INDIAN AND METIS ASSOCIATION OF NOVA SCOTIA

63

President — Viola M. Robinson
Vice-President — Lorraine A. Cox
Secretary-Treasurer — Barbara A. Brake

P.O. BOX 1320
TRURO, NOVA SCOTIA

TELEPHONE 902-895-6579

October 10, 1975

Mrs. Eva Bernard,
P. O. Box 961,
Sydney, Nova Scotia.

Dear Mrs. Bernard:

I have received a copy of your latest report which was received by E.B.S. Miller on October 8, 1975.

I wonder if it would be possible for you to give me a breakdown on some of the items on the Statement of Expenses. I have drawn up a form which might be of assistance to you.

Also your report states that 1,012 cases were served by this program. Could you give me a breakdown on this, i.e. the number of cases handled by each courtworker and the counties in which the cases originate.

Just for my own information could you advise me of the names of the four resource people which took part in the seminar of July 3, 1975.

Also could you advise us as to the number of cases which you have handled involving the non-status Indians?

As this program is a partnership between our organization and the Union we would like to have half of the courtworkers originating from our organization. Our membership is quite high in the western shore area and we would like to see a non-status courtworker covering that area for both the status and non-status. The Outreach program is presently being handled in much the same manner.

Yours in recognition of
Indian Unity

Lorraine Cox
Lorraine Cox

/lc

cc: E.B.S. Miller
James Crane ✓

PAYROLL FOR COURTWORKERS PROGRAM FOR SECOND QUARTER JULY 1/75 - SEPT. 30/75

<u>JULY</u>	<i>Gross Pay</i>	<i>Deductions</i>	<i>Net Pay</i>	<i>Travel</i>
PAY PERIOD JULY 7-18				
<u>David Toney</u>				
<u>Jeannette Nevin</u>				
<u>Charles Morris</u>				
<u>Eva Bernard</u>				
PAY PERIOD JULY 21 - AUG. 1				
<u>Eva Bernard</u>				
<u>Charles Morris</u>				
<u>Jeannette Nevin</u>				
<u>David Toney</u>				
PAY PERIOD AUGUST 5-15				
<u>Eva Bernard</u>				
<u>Charles Morris</u>				
<u>Jeannette Nevin</u>				
<u>Alan Bernard</u>				
PAY PERIOD AUGUST 18-29				
<u>Eva Bernard</u>				
<u>Charles Morris</u>				
<u>Jeannette Nevin</u>				
<u>Alan Bernard</u>				
PAY PERIOD SEPT. 1-11				
<u>Eva Bernard</u>				
<u>David Toney</u>				
<u>Charles Morris</u>				
PAY PERIOD SEPT. 15-22				
<u>Eva Bernard</u>				
<u>David Toney</u>				
<u>Alan Bernard</u>				

now 3/75

65

1247



ATTORNEY GENERAL
NOVA SCOTIA

ADULT PROBATION SERVICE

P.O. Box 3245 South
Halifax, Nova Scotia

November 3, 1975

Mr. R.A. MacDonald
Director of Administrative Services
Department of the Attorney General
P.O. Box 7
Halifax, Nova Scotia

Dear Mr. MacDonald:

Re: Native Courtworker Program

I enclose a copy of a letter of resignation submitted by Eva Bernard to the Executive of the Union of Nova Scotia Indians. It is with regret I learn of this resignation and it gives me all the more reason to doubt the justification for continuation of the program.

Perhaps you can inform me as to the status of the presentation of the new proposal to the Attorney General and further I suggest that perhaps we can meet at the earliest possible date to attempt to reconcile the entire matter.

Yours very truly,

James L. Crane
Director

JLC:yd
Encl.

NOV 4 1975

UNION of NOVA SCOTIA INDIANS

MICMAC P. O.
HANTS CO, N. S.
TEL. 758 2048
TELEX 019-34576



66

P. O. BOX 961
SYDNEY, N. S.
B1P 6J4
TEL. 539 4107
TELEX 019 35215

October 22, 1975

TO: BOARD OF DIRECTORS
EXECUTIVE MEMBERS

This is a letter of notification informing you that I am resigning as a Coordinator for the Courtworker Program effective November 24, 1975.

In the next two weeks, I will finish up what I have left to do.

Yours in recognition
of aboriginal title,

Eva Bernard
Eva Bernard, Coordinator
Courtworker Program

EB/bjm

*Withdraw her resignation
until further notice*

67



1892

DEPARTMENT OF SOCIAL SERVICES

E. B. S. Miller
 Prov. Government's
 Liaison Officer
 Indian Affairs

P. O. Box 696
 Halifax, N. S.
 B3J 2T7
 Tel. 424-4188
 January 21, 1976

TRIPARTITE LIAISON COMMITTEEPROVINCE OF NOVA SCOTIA

PLACE OF MEETING: Offices
 Union of Nova Scotia Indians
 117 Membertou Street
 Sydney, Nova Scotia

DATE OF MEETING: Tuesday, January 20, 1976
 1:00 P.M.

MEMBERS PRESENT: Dave Gourley
 Joe B. Marshall
 E. B. S. Miller

OTHERS PRESENT: Alex Denny

ITEMS DISCUSSED:

1. COURTWORKERS' PROGRAM

Emphasis was placed on the heavy workload of the Co-ordinator of this program, Mrs. Eva Bernard, and the fact that more courtworkers could not be employed because of Government restrictions on financing. The present agreement allows for four courtworkers and a Co-ordinator.

Mr. Miller informed the members that according to the latest report from the Attorney-General's Department, the Courtworkers' Program would have to operate on the same budget in 1976 as in 1975. A meeting of the Advisory Council on the program is to take place in Halifax on January 27th. Consideration will be given to the whole program at that time.

ITEMS DISCUSSED (CONT'D)2. MUNICIPAL SERVICES TO INDIANS AT ESKASONI

Mr. Miller reported on the meeting of January 14th between the Eskasoni Band Council and the Honourable Fraser Mooney, Minister of Municipal Affairs, at which Roger Hill, Band Manager, presented a Brief on behalf of the Council re a request for financial assistance to operate garbage, electric, etc. services on the Reserve.

Under the Municipal Services Act, the Eskasoni Reserve does not qualify for a municipal grant as the people of the Reserve do not pay property taxes, and the sharing of cost of municipal services is based solely on the ability of people to pay. There is, therefore, nothing under the Municipal Services Act, which applies solely to municipalities, whereby the Department of Municipal Affairs can help. It can, of course, extend services, but it cannot enter into an agreement with any particular body such as a Reserve. Any agreement that is undertaken must be between the Reserve and the Municipality, such as the agreement between the Municipality of Sydney and the Membertou Reserve, where the Department of Indian Affairs pays 100% of the costs.

Mr. Miller said that Mr. Mooney was prepared to work in any discussion that might facilitate the matter, but there was nothing further that he, as the Minister of Municipal Affairs, could do at this juncture under the present Act.

It was felt that the proper body to handle this matter re further discussion would be the Tripartite Committee. However, the request must come first from the Union of Nova Scotia Indians.

3. RE: MINUTES OF TRIPARTITE COMMITTEE MEETING
ON DECEMBER 17, 1975

Mr. Denny reported that there was one item missing from the above minutes about which he had written the Honourable Mr. Huskison on January 15, 1976. It relates to the fact that no consultation on any agreement

ITEMS DISCUSSED (CONT'D)

or plan concerning the Indians of Nova Scotia should take place between the Province and the Federal Government without the prior consent of the Union of Nova Scotia Indians. In other words, the Union of Nova Scotia Indians does not wish to have any provincial involvement in matters concerning them, as all matters relating to them are the responsibility of the Federal Government completely.

Mr. Miller stated that he would speak to Mr. Huskison and see that the additional item was included in the Minutes of the Tripartite Committee.

4. EXEMPTION FROM GASOLINE TAX

Mr. Joe Marshall stated that a Brief on exemption from the Gasoline Tax for Indian people was being prepared by the Union and should be ready for presentation in the near future.

Arrangements are to be made for a meeting with the Honourable Peter Nicholson as soon as the Brief is ready.

5. QUESTION RE: THE TERM "NATIVE"

Mr. Denny and Mr. Marshall asked that the question of the term "native" be discussed at a meeting of the Tripartite Committee with the possibility of deleting the word from some of the references and programs as it does not apply. Two separate organizations are involved, namely the registered Indians, who are under the absolute jurisdiction of the Federal Government and the Non-Status and Metis people who are unregistered as far as the Department of Indian Affairs is concerned.

6. NEXT MEETING

The next meeting is to take place in the Board Room, Provincial Building, Sydney, Nova Scotia, on Tuesday, March 2, 1976 at 9:00 a.m.

ITEMS DISCUSSED (CONT'D)

The reason for the meeting in Sydney is because the Provincial Advisory Council on Native People and the Criminal Justice System will be meeting at 10:00 o'clock on the same day.



.....
E. B. S. MILLER

EBSM/vw
c.c. Dr. F. R. MacKinnon
Mr. Alex Denny
Mr. Gerri Bell



DEPARTMENT
OF
ATTORNEY GENERAL
NOVA SCOTIA

P. O. BOX 7
HALIFAX, NOVA SCOTIA
B3J 2L6

March 18, 1976

10/2/76

Mr. Gordon Williams
Department of Justice
Ottawa, Ontario
K1A 0H8

Re: Native Courtworkers Program

Meeting held with Advisory Group on Tuesday, March 16, 1976. Advised by Union of Nova Scotia Indians that they would no longer be the carrier agency after March 31, 1976 unless the Province agreed to divide the funding between status and non-status. Attorney General advised Union on Monday, March 8, 1976 that he would not agree with this proposal. In accordance with the Agreement this will serve as notification that Program will cease on March 31, 1976. A letter respecting costing and evaluation will follow.

March 19, 1976

Ms. Eva Bernard
Director Courtworker Program
Union of Nova Scotia Indians
P.O. Box 961
Sydney, Nova Scotia
B1P 6J4

Dear Ms. Bernard:

In accordance with our meeting of Tuesday last, please be advised that I have notified the Federal Government that the Union of Nova Scotia Indians will no longer be the carrier agency after March 31, 1976. I also advised them that there will be an evaluation prepared. I have indicated to them that there may be some changes re the funding for the 74-75 year.

I anticipate that I will receive documentation from you within a week to 10 days to finalize the fiscal year 74-75 and I would hope that you will forward to me the necessary documentation to finalize the fiscal year 75-76. We have in our files documentation relating to the period April 1, 1975 to December 31, 1975 which indicates an expenditure of \$2,880.63. All that remains to finalize this fiscal year is the expenditures for the last three months.

Yours very truly,

R. A. MacDonald
Director of Administration

RAMacD/cap

March 19, 1976

Mr. Brian Moore
Department of Justice
Ottawa, Ontario
K1A 0H8

Re: Native Courtworker Program

Dear Mr. Moore:

This has further reference to the telegram received relating to the above. The Union of Nova Scotia Indians had a meeting with the Attorney General on March 8, 1976. At that meeting they requested the Attorney General to insert a clause in the Agreement which would permit the funding arrangement to be changed whereby the Federal contribution would be directed to the status Indians and the Provincial funding towards the non-status. The Attorney General advised the Union that he was not prepared to make this arrangement.

With respect to the funding arrangement for 74075, I have received further information verbally from the Union that they will be able to produce documentation indicating that the \$14,000 transferred to Land and Treaty Rights was in fact expenses incurred for the Native Courtworker Program. Accordingly, I would request that until this information is received we take no further steps to finalize the funding arrangements for the fiscal year April 1, 1974 to March 31, 1975. I expect to receive this information from the Union within a week to 10 days.

In view of the fact that the Union have notified us that they will no longer be the carrier agency consideration will have to be given to advising our Treasury Board with respect to the funding. However, we do not intend to do this for a short period as there may be some other means by which this Program could be continued.

I also wish to advise that in accordance with the Agreement there will be an evaluation of the Program prepared and submitted by the Union. I understand that this evaluation will be directed to MR. E.B.S. Miller who in turn will forward it to the Federal Government.

If you have any questions with respect to the above, please do not hesitate to contact me.

Yours very truly,

R. A. MacDonald
Director of Administration

RMacD/cap
cc: Mr. Gordon Williams



ATTORNEY GENERAL
NOVA SCOTIA

CORRECTIONAL SERVICES

P. O. Box 3245 South
HALIFAX B3J 3H5
March 30, 1976

Mr. R. A. MacDonald
Director of Administrative Services
Department of the Attorney General
P. O. Box 7
Halifax, N. S. B3J 2L6

Dear Mr. MacDonald:

RE: Native Courtworker Program

As you know, I have felt for some time that if the Native Courtworker Program could not be operated properly by native peoples, perhaps this program could be operated more efficiently and effectively by this Department. I continue to feel this way; however, in view of official statements made by representatives of the Union of Nova Scotia Indians, I am rather reluctant to assume this responsibility because I feel we may not receive their full cooperation. It seems to me that the native peoples are not fully appreciative of the efforts being made and for the program to operate properly, we must have the full cooperation of all native peoples, including the Union of Nova Scotia Indians.

In response to Mr. Gordon Williams, I would simply state that we have had a continued interest but because of the Union of Nova Scotia Indians' unwillingness to recognize any other carrier agency, I simply cannot see how we could operate this program properly.

Yours very truly,

James L. Crane
Director, Correctional Services

/se

June 1, 1976

Mr. Alex Denny
President
Union of Nova Scotia Indians
117 Memberton Street
Sydney, Nova Scotia

Dear Mr. Denny:

As you are aware, the Native Courtworker Program ceased to function on March 31, 1976. Since then there have been ongoing discussions with departmental officials and the Attorney General and with representatives of the Federal Government. The Attorney General is prepared to re-establish this Program connected with this department but he is only prepared to establish it if you are prepared to express in writing that your members will not be restricted from utilizing the services rendered by the Program if they have an occasion to request assistance.

Yours very truly,

R. A. MacDonald
Director of Administration

RAMacD/cap
cc: Mr. Gordon Williams

UNION of NOVA SCOTIA INDIANS

MICMAC P. O.
HANTS CO, N. S.
TEL. 758-2048
TELEX 019-34576



P. O. BOX 961
SYDNEY, N. S.
B1P 6J4
TEL. 539-4107
TELEX 019-35215

OFFICE OF
THE PRESIDENT

July 15, 1976


Mr. R.A. MacDonald
Director of Administration,
Department of Attorney General,
P.O. Box 7,
Halifax, Nova Scotia

Dear Mr. MacDonald:

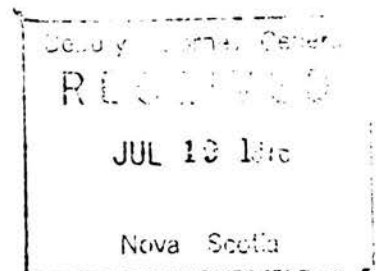
As per our telcon on July 6, 1976 this is to advise you and your attorney-general that we cannot possibly go along with what you've mentioned in your letter of June 1, 1976. I am sure it's not necessary to give you our reasons in detail.

As much as we, (the Micmac Indian people of N.S.) appreciate any meetings that might have taken place to discuss our problems, don't you think it would be about mature time for the Micmac Indian people to be included as one of do-gooders groups?

Yours in Recognition
of Aboriginal Title.


Alex Denny, President
Union of Nova Scotia Indians

AD/nm



UNION of NOVA SCOTIA INDIANS

MICMAC P. O.
HANTS CO, N. S.
TEL. 758-2048
TELEX 019-34576



P. O. BOX 961
SYDNEY, N. S.
B1P 6J4
TEL. 539-4107
TELEX 019-35215

OFFICE OF
THE PRESIDENT

July 15, 1976


Mr. R.A. MacDonald
Director of Administration,
Department of Attorney General,
P.O. Box 7,
Halifax, Nova Scotia

Dear Mr. MacDonald:

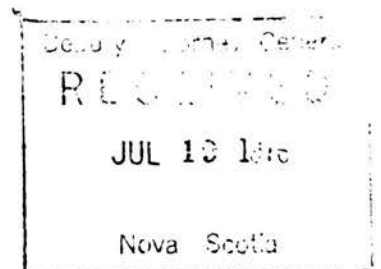
As per our telcon on July 6, 1976 this is to advise you and your attorney-general that we cannot possibly go along with what you've mentioned in your letter of June 1, 1976. I am sure it's not necessary to give you our reasons in detail.

As much as we, (the Micmac Indian people of N.S.) appreciate any meetings that might have taken place to discuss our problems, don't you think it would be about mature time for the Micmac Indian people to be included as one of do-gooders groups?

Yours in Recognition
of Aboriginal Title.


Alex Denny, President
Union of Nova Scotia Indians

AD/nm



F
Native Courtworkers

October 19, 1976

Ms. Lorraine A. Cox
Vice-President
Non-Status Indians and Metis
Association of Nova Scotia
P. O. Box 1320
TRURO, Nova Scotia

Dear Ms. Cox:

Re: Courtworkers Proposal submitted by the
Mic Mac Native Friendship Centre

Your letter of October 14th to the Deputy Attorney General has been referred to me for reply.

The Attorney General has reviewed the matter and has determined that since the program will not be supported by the Union of Nova Scotia Indians that it will not be representative of all Native people and, therefore, he will not approve the proposal submitted by the Mic Mac Native Friendship Centre.

Yours Very truly,

Gordon S. Gale
Director (Criminal)

GSS:ap

DEPARTMENT OF ATTORNEY GENERAL

MEMORANDUM

FROM: Deputy

TO: Gordon S. Gale

The MicMac Native Friendship Centre proposal, as you will recall, is limited to a courtworker program in the Halifax area. The Attorney General asked whether it would have the support of the Union of N. S. Indians and when we met with certain of their representatives the other week they indicated that they were not prepared to express themselves in support of the Program.

Although we have indicated that we are prepared to support a program which meets the Federal terms and which has the support of both the status and non-status Indian people and is available for the assistance of both, we are not able to fund a program limited as is the Friendship Centre proposal, particularly in the absence of endorsement and support of the Program by the Union of N. S. Indians.

Would you reply to Mrs. Cox's letter of October 14 on my behalf.

18 October 1976.

October 19, 1976

Ms. Joan Glode
Executive Director
Mic Mac Native Friendship Centre
2281 Brunswick Street
HALIFAX, Nova Scotia

Dear Ms. Glode:

I wish at this time to acknowledge your letter of July 19th and our subsequent conversation concerning the Native Court Worker proposals.

I must advise you that the matter has been discussed with the Attorney General and he has concluded that he is not prepared at this time to support the program. The Attorney General has in part based his decision on the fact that the Union of Nova Scotia Indians will not endorse or support the program and in view of this the Attorney General's decision is that without this support the program will not be applicable to all Native peoples.

Yours very truly,

Gordon S. Gale
Director (Criminal)

GSG:ap

November 24, 1976

Mr. James L. Crane
Director, Correctional Services
P.O. Box 3245 South
Halifax, Nova Scotia
B3J 3H5

Dear Mr. Crane:

I have for acknowledgment your letter of November 22, 1976 re the proposal of the Mic Mac Native Friendship Centre.

As I advised you verbally, the Attorney General is not prepared to accept any proposal as it relates to the Native Courtworker Program unless that proposal provides an opportunity for all Native people to participate. The present proposal does not meet with the approval of the Union of Nova Scotia Indians and therefore as far as this Department is concerned the Program is no longer functioning.

I have so advised Treasury Board and deleted this item from our budget for this current year and for the next fiscal year.

Yours very truly,

R. A. MacDonald
Director of Administration

RAMacD/cap



ATTORNEY GENERAL
NOVA SCOTIA

CORRECTIONAL SERVICES



P. O. Box 3245 South
Halifax, N.S. B3J 3H5
November 22, 1976

Mr. R. A. MacDonald
Director of Administration
Department of the Attorney General
P. O. Box 7
Halifax, N. S. B3J 2L6

Dear Mr. MacDonald:

RE: Proposal of Mic Mac Native
Friendship Centre

As I have heard nothing further on the proposal from Joan Glode to the Deputy Attorney General concerning a Native Courtworker Program, to be coordinated by her in cooperation with this Department, I suspect the matter is no longer being pursued. In view of this, I am closing my file on the matter unless further proposals are to be made.

Yours very truly,

James L. Crane
Director, Correctional Services

/se
c.c. Mr. Gordon S. Gale
Director (Criminal)