

United Native Friendship Centre

JOB DESCRIPTION

A. POSITION TITLE: Aboriginal Combined Court Worker

B. IMMEDIATE SUPERVISOR: Justice Team Lead

C. SUPERVISION:

Employed by the Friendship Centre, responsible for adherence to the policies and directions as determined by the Board of Directors of the Friendship Centre under the supervision of the Executive Director and direct supervision of the Program Director.

D. OBJECTIVES:

The goal of the Aboriginal Combined Courtwork Program is to assist Aboriginal people involved in the Canadian Justice System to better understand their rights, options and responsibilities when appearing before the courts. This would include Aboriginal adults charged under the Criminal Code of Canada, Youth court (12-17 years), child protection and family court matters.

E. AREA OF RESPONSIBILITY: The Aboriginal Combined Court Worker is responsible for the coordinated services to meet the needs of the community within the mandate of the Aboriginal Courtwork Program.

F. QUALIFICATIONS

- Post-secondary education in Social Services/Law Advocacy
- Past experience in statistical, quarterly and annual reports
- Past experience working with Aboriginal people
- Excellent communication and public relations skills
- Knowledge of community agencies and referral sources
- Group facilitation skills
- Ability to work as a team member and also with minimal supervision
- Knowledge of computer programs
- Must provide a vulnerable sector criminal reference check
- Must have a valid driver's license and access to a vehicle

G. JOB DUTIES:

1. To assist Aboriginal persons who come into conflict with Federal, Provincial, Municipal, First Nations laws. These will include but are not restricted to; Criminal Code of Canada, Youth Criminal Justice Act, Child and Family Services Act, First Nation and Municipal by-laws and provincial offences.
2. To provide consistent and ongoing attendance in advance of and during Criminal

Court, Bail Court, Youth Court, Child Protection, and Family Court, and to assist Aboriginal People who come into conflict/contact with the law, ensure that the client receives unbiased treatment from the legal system.

3. First Appearance, Bail and Child Protection Court are to be priority. Courtworkers will not generally sit through trials.
4. To act as liaison between the client and court administrators in assisting the Aboriginal person who comes into contact with the law, to ensure information is brought forward relevant to the various stages of the legal process.
5. To explain to clients their right to obtain a lawyer (private, legal aid, or duty counsel) or to inform them of their right to speak for themselves in court, understanding they have a right to prepare a full defense/case.
6. To ensure the clients understands the charge(s)/matters before the court and that they understand their rights and responsibilities in relation to their matters. This includes criminal matters for adult and youth as well as child protection/family matters.
7. To advocate for the client/court in locating Aboriginal cultural and/or language interpreters if the client requires or requests one.
8. To be knowledgeable of and to work with community agencies and referral sources. To collaborate with such agencies and services in effort to assist the client(s) and to provide client directed services.
9. To explain to the client the nature and meaning of any and all sanctions/conditions/requirements taken against or applied to the client and/or their family by the courts and any other processes that arise as a result of contact with the mainstream justice system.
10. To contact the appropriate Native Inmate Liaison Worker or community agency contact, should the accused receive a jail/custodial sentence for support in remand detention, custody or release.
11. To visit the local/district jails, or detention centers or any other institutions to provide moral support and pertinent information to the accused as necessary if no services are being provided by a Native Inmate Liaison Worker.
12. To provide equal services and treatment to separating parties when both voluntarily agree.
13. To assist victims of offences, to understand their rights and responsibilities and to refer them to appropriate supportive services if not in conflict with the accused person. When conflict arises, the Courtworker shall refer the client to another community resource or Friendship Centre program.

14. To work with Friendship Centre programs to promote a coordinated client directed and service approach to ensure client needs are being addressed.

COURT & JUSTICE SYSTEM:

1. To work with all Justice personnel to ensure that Aboriginal people who come into contact with the law receive equitable and reasonable treatment during the court process.
2. To assist upon request with the preparation of Pre-Disposition/Pre-Sentence reports, Gladue reports, Plan of Care, Review of Custody, Affidavits, Case Conference, Mediation and Motions. This input will encourage a full unbiased presentation of any pertinent facts relating to the Aboriginal person charged with an offence or before the court.
3. To explain to the client the importance of complying with the conditions, requirements, sanction and/or their disposition. The Courtworker will clarify the meaning of forms or measures affecting them. Emphasis will be placed on the importance of making and retaining required contact with personnel responsible for enforcing reporting requirements (police, bail programs, probation and parole, etc.) Aboriginal Courtworkers will not supervise any form of release or conditions issued by the police, courts or probation in criminal or family court matters.
4. To provide oral submissions when requested by the client or Justice personnel with approval from the client and with guidance from legal counsel acting for the accused.
5. To ensure that the courts are aware and advocate the principles of the provision and its appropriateness when dealing with an Aboriginal accused person within the Canadian Criminal Code and to reference the principles of Regina vs. Gladue.
6. To ensure there is a working relationship with the Aboriginal Community Justice Coordinator (if one is located in or near the community) to ensure that all clients meeting the criteria are diverted at the earliest stage of the process.

ABORIGINAL COMMUNITY JUSTICE PROGRAMS (Where they exist)

1. To advocate the Aboriginal Community Justice Program as a primary option for all Aboriginal accused (where clients meet admission criteria.)
2. Collaborate with Justice Coordinator on identification of clients to be diverted.
3. To promote the Aboriginal Community Justice Program to mainstream justice personnel.
4. Ensure that all necessary paperwork is completed in advance and upon completion of diversion.

RESOURCES OUTSIDE THE COURTS:

1. To attend meetings, workshops, seminars and conferences that relate to the Courtworker's duties, and which are encouraged by their immediate supervisor and to further the objectives of the Courtwork Program.
2. To act as a resource person at training sessions, committee meetings, etc, to ensure that information on the culture, needs, concerns and aspirations of Aboriginal people are expressed.

COMMUNITY:

1. To explain to the client's family, and if necessary the Aboriginal community, the legal procedures and steps taken against the accused by the Justice system, if the client consents to the release of such information.
2. To provide service to the Aboriginal community by organizing and/or conducting at least one public education/prevention workshop per year on matters relating to adult/youth/family/children justice issues and Aboriginal specific issues.
3. To encourage, in the Friendship Centre/delivery agent, mainstream justice system and the Aboriginal and non-Aboriginal communities, the development of prevention program, alternative and Aboriginal Community Justice Initiatives in the Aboriginal Community which is being served.

ADMINISTRATION:

1. To report regularly to the Executive Director (or designate) of the Friendship Centre.
2. To prepare accurate caseload reports for submission on a quarterly basis to the Ontario Federation of Indigenous Friendship Centres (OFIFC) in a timely fashion as directed by the OFIFC financial policy.
3. To maintain an orderly office that reflects the professionalism of the Courtwork program and that permits organized access to information as required.
4. To keep comprehensive up-to-date client files that are in compliance with the OFIFC file maintenance policy.

EVALUATION:

1. To participate in field visits, case audits, compliance audits, program evaluation or any other specially designed processes that may be undertaken to assess the effectiveness of the Courtwork Program.

H. RESPONSIBILITY:

1. Shall mean doing or causing to be done the duties and responsibilities assigned.

I. OTHER:

1. To undertake any other such reasonable duties as may be assigned from time to time.

(revised 2018)