

<b>Position Title:</b> Indigenous Combined Court Worker	<b>Date Created:</b>
<b>Team:</b> Circle of Life	<b>Date Approved:</b>
<b>Date Amended:</b> August 23, 2019	

**A. POSITION: Indigenous Combined Court Worker**

**B. Immediate Supervisor: Circle of Life Team Lead, Wendy Kabel**

**C. Position Summary:** The Indigenous Combined Court Worker is accountable to the United Native Friendship Centre and responsible to the policies and direction as determined by the UNFC Board of Directors and Executive Director. The Indigenous Combined Court Worker will ensure that the goals and objectives and overall policy of the UNFC are adequately met, providing support to all Programs.

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

**E. Qualifications:**

- Post-secondary education in Social Services/Law Advocacy
- Minimum 2 years-experience in the justice field
- Past experience in statistical, quarterly and annual reports
- Past experience working with Indigenous youth and families
- Excellent communication, organization 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 satisfactory vulnerable sector criminal reference check
- Must have a valid driver's license and access to a vehicle
- Valid First Aid/CPR and WHMIS

## **F. Responsibilities:**

- Coordinate services to meet the needs of the community within the mandate of the Indigenous Court Worker Program
- Assist Indigenous persons who come into conflict with Federal, Provincial, Municipal and/or First Nations laws.
- Provide consistent and ongoing attendance in advance of and during Criminal Court, Bail Court, Youth Court Child Protection and Family Court, ensuring that clients receive unbiased treatment from the legal system. (Usually for first appearance, not generally to sit through trials).
- Act as liaison between the client and court administrators in assisting the Indigenous person(s) who come into contact with the law, and to ensure information is brought forward relevant to the various stages of the legal process.
- Able 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.
- Ensure that clients understand 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.
- Advocate for the client/court in locating Indigenous cultural and/or language interpreters if this assistance is required.
- Knowledgeable of other community agencies and referral sources to collaborate with in an effort to assist the client(s) with necessary direction and support services.
- Able to explain to the client(s), 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 other processes that arise as a result of contact with the justice system.
- To contact the appropriate Indigenous Inmate Liaison Worker or community agency, should the accused receive a jail/custodial sentence for support in remand detention, custody or release.
- Visit local/district jails or detention centres or any other institutions to provide moral support and pertinent information to the accused as necessary if no services are being provided by an Indigenous Inmate Liaison Worker.
- Provide equal services and treatment to separating parties when both sides voluntarily agree.
- 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 Court Worker shall refer the client to another community resource or Friendship Centre program.
- Work with internal UNFC programs to promote a coordinated client directed and service approach to ensure client needs are being addressed.

- Sensitive to the culturally based activities, teachings and practices of UNFC (ie. Smudge, Drumming, Ceremonies etc.)

### **COURT & JUSTICE SYSTEM:**

1. Work with all Justice Personnel to ensure that Indigenous people who come into contact with the law receive equitable and reasonable treatment during the court process.
2. 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 Indigenous person charged with an offence or before the court.
3. Able to explain to the client the importance of complying with the conditions, requirements, sanction and/or their disposition. The Indigenous Combined Court Worker 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.) Indigenous Combined Court Workers will not supervise any form of release or conditions issued by the police, courts or probation in criminal or family court matters.
4. 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 Indigenous 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 Indigenous 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.

### **RESOURCES OUTSIDE THE COURTS:**

1. Attend meetings, workshops, seminars and conferences that relate to the Combined Court Worker's duties, and which are encouraged by their immediate supervisor and to further the objectives of the Court Program.
2. Act as a resource person at training sessions, committee meetings, etc, to ensure that information on the culture, needs, concerns and aspirations of Indigenous people are expressed.

3. Collaborate with other community justice programs

#### **COMMUNITY:**

1. Explain to the client's family, and if necessary to the Indigenous 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. Provide service to the Indigenous 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 Indigenous specific issues.
3. Encourage the development of prevention programs, alternatives and Indigenous Community Justice Initiatives in the Indigenous community which is being served.

#### **ADMINISTRATION:**

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

#### **G. Evaluation:**

The position will be evaluated after completion of 3 and 6 month probationary periods and then on an annual basis thereafter. It will be based on the UNFC standards of performance and specific goals of the program as agreed upon by the Board of Directors and the Executive Director. In addition to these, regular formal assessment evaluations will be an ongoing process.