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Vision Sharing Trust Strength



LINK

Aboriginal Justice Learning Network
Réseau de la justice autochtone

New Look

The Aboriginal Justice Learning Network (AJLN) is pleased to unveil the new look and format of its newsletter, the *Link*. We at AJLN hope that this new format provides more information about AJLN and justice activities than the one-page edition that was formerly used. We plan to publish the newsletter more frequently than we have in the past. We encourage you to send in your stories, ideas, comments, and pictures.

AJLN Advisory Committee Established

Following the AJLN meeting in Ottawa in June 1998, it was decided that there should be an Advisory Committee to provide advice to the AJLN and Deputy Minister regarding activities of the AJLN. An Elders panel was struck to select the members of the Advisory Committee. In August, the Elders, Clare Beckton, Assistant Deputy Attorney General; Geoffrey Bickert, Director General, Aboriginal Justice Directorate; and Mary Tobin-Oates, National Coordinator, AJLN; met in Winnipeg to review the many nominations that were received. It was a difficult task, as the names of many talented individuals were put forward. The final list of members was presented to Morris Rosenberg, Deputy Minister of the Department of Justice, for approval.

Every effort was made to have the Advisory Committee represent all stakeholders in Aboriginal justice: community members, judges, lawyers, police officers, and corrections officers. Members are Inuit, First Nation, Métis, non-Aboriginal, men, women, and youth. There are 14 members and 10 alternate members who can be invited to substitute for a member who is unable to attend. Elders, Advisory Committee members, and alternates are highlighted in this special issue of *Link*.

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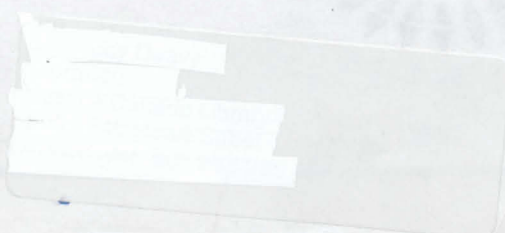
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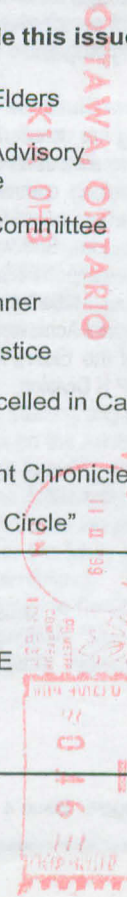


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DESTINATION:



POSTAGE



Meet the Advisory Committee

Committee Members:

Susan Enuaraq – Nunavut

Ms. Enuaraq is working as a policy analyst with the Nunavut Department of Justice in Iqaluit. Ms. Enuaraq worked with the crown attorney's office for four years, providing assistance to victims and witnesses. She has travelled extensively with the territorial court in the Baffin region as an English/Inuktitut interpreter.

Shirley Kemeys Jones – Northwest Territories

Ms. Kemeys Jones is originally from Alberta but now lives in Yellowknife. She is the coordinator of community corrections for the Northwest Territories. Her work involves building a network between communities and correctional facilities to promote the rehabilitation and reintegration of offenders. Ms. Kemeys Jones advises community groups in the western Territory and Nunavut on a wide range of local justice initiatives.

Harold Gatensby – Yukon Territory

As a community justice worker with the Southern Lakes Justice Committee in Carcross, Yukon Territory, Mr. Gatensby tries to find a more meaningful way of dealing with offenders. For the past six years, Mr. Gatensby and the Committee have been operating Peacemaking Circles in Carcross. Mr. Gatensby provides training for this alternative sentencing measure and has done so throughout Canada and several American states.

Freda Rosa Ens – British Columbia

Ms. Ens is the Executive Director of the Vancouver Police and Native Liaison Society. She participates on numerous boards and committees, including the Canadian Association of Chiefs of Police, the Aboriginal Peoples Committee, and was recently appointed to the National Crime Prevention Centre Steering Committee.

Henry Bird Quinney – Alberta

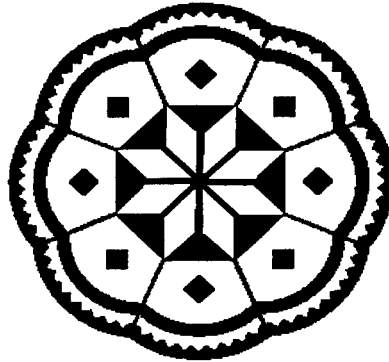
As the Tribal Justice Coordinator for the Saddle Lake First Nation, Mr. Quinney was the driving force in his community behind efforts to implement a tribal justice model completed in July 1996. Prior to his involvement with local justice, Mr. Quinney was a band councillor and Chief of Saddle Lake First Nation for many years.

Craig Nyirfa – Saskatchewan

Mr. Nyirfa holds the position of Aboriginal Liaison Officer with the Saskatoon Police Service. The role of the liaison office is to break down the negative stereotypes that exist within the police service and the Aboriginal community.

Graydon Nicholas – New Brunswick

Mr. Nicholas is a member of the Maliseet Nation from the Tobique First Nation, New Brunswick. He graduated from law school in 1971 and was appointed as a judge in 1991. Judge Nicholas has worked extensively in the areas of Treaty and Aboriginal rights, land claims, and constitutional rights. Judge Nicholas also lectures part time at the Native Studies Program at St. Thomas University, Fredericton.



Kathy Mallett – Manitoba

Ms. Mallett is the Executive Director of Ganootamaage Legal Services of Winnipeg, an urban court diversion process for a broad base of first-time offenders. Ms. Mallett serves on a community justice forum steering committee and is part of an advisory group assisting the Winnipeg Chief of Police deal effectively with policing issues of concern to the urban Aboriginal community.

Susan Swan – Manitoba

Ms. Swan became the first female Aboriginal Constable with the Winnipeg Police Service 13 years ago. She has developed a unique program in Canada, designed to offer healthy options to Aboriginal youth who might otherwise be recruited into street gangs. Ms. Swan travels extensively to rural communities and First Nations to educate and counsel youth on the perils of the street gang lifestyle.

Celina Reitberger – Ontario

Ms. Reitberger is a member of the Fort William Indian Band in Ontario. Ms. Reitberger currently works with Nishnawbe-Aski Legal Services Corporation in Thunder Bay as the restorative justice coordinator. She was also a general law practitioner in Thunder Bay for more than 16 years.

Jean Dutil – Quebec

Judge Dutil presides over a circuit court in Northern Quebec. He has practised alternative sentencing measures for the past five years and is assisting some of the 14 villages he serves to establish community justice committees. Judge Dutil attends many alternative justice conferences across the country to promote the establishment of locally controlled justice programs throughout Canada.

Heidi Marshall – Nova Scotia

Ms. Marshall has served as the Executive Director of the Mi'kmaq Justice Institute in Nova Scotia for the past two years. She graduated from Dalhousie law school in 1993. Prior to working for the Mi'kmaq Justice Institute, Ms. Marshall was a legal advisor for the Nova Scotia Native Women's Association and is a member of the Nova Scotia Legal Aid Commission.

Robert Fowler – Newfoundland

Judge Fowler is a veteran of alternative sentencing who has been using alternative measures for the past 14 years. Judge Fowler began his judicial career 21 years ago as a Deputy Judge in the Northwest Territories and has served in Grand Falls, Newfoundland for the past 15 years.

Jason Madden – Ontario

Mr. Madden is a Métis law student and one of the youth representatives on the Advisory Committee. Mr. Madden is a founding member and current chair of the Métis National Youth Advisory Council and acts as the post-secondary representative on the Métis Nation of Ontario's Provincial Council. Mr. Madden was recently appointed to Co-Chair the Federal/Provincial/Aboriginal Working Group to develop a National Aboriginal Youth Strategy.

Alternate Members:

Sandra Inutiq – Nunavut

Ms. Inutiq is the youth representative alternate for the Advisory Committee. Ms. Inutiq has significant experience within the justice field, first as a youth officer in a facility for young offenders in Iqaluit in 1994. In 1998, Ms. Inutiq was a research assistant with the federal Department of Justice, Northern Issues Sector. She is currently the President of the National Inuit Youth Council and has been involved with the Council since 1994.

Sandi Gleason – Yukon Territory

Ms. Gleason brings a wealth of community justice experience with her to the Committee. She works with the Council of Yukon First Nations as the Manager of Justice Programs. Sandi has recently returned from a one-year secondment with the Yukon Government. Ms. Gleason assisted in the development of "Keeping Kids Safe", a strategy for working with sex offenders in the communities.

Bonnie George – British Columbia

Ms. George is the liaison facilitator for the Unlocking Aboriginal Justice program in Moricetown, British Columbia. She works primarily with people facing charges and builds rehabilitation plans according to needs of each individual. At least half of these rehabilitation plans are based on Wet'suw't'en culture and traditions. Ms. George has travelled throughout Canada promoting alternative justice.

Diana Goldie – Alberta

Ms. Goldie is a lawyer in Edmonton and her practice relates to criminal, child welfare, and correctional law. Ms. Goldie works with the national Aboriginal law section of the Canadian Bar Association to advise lawyers from across Canada on Aboriginal legal issues. She has advised on constitutional and national issues to the Assembly of First Nations and the Grand Council of Treaty 8.

Berna Bushie – Manitoba

Ms. Bushie is a social worker and Director of the Hollow Water Community Holistic Circle Healing program. Ms. Bushie designed the Hollow Water program in 1984, and the program has since grown to receive international recognition. Ms. Bushie continues to direct the program, but also now spends a few months of the year training other communities to run similar holistic programs.

Waylon Badger – Saskatchewan

As one of the youth alternates for the advisory committee, Mr. Badger combines traditional spirituality with knowledge of modern healing processes. Mr. Badger is already an accomplished presenter and has spoken at many seminars and workshops on topics ranging from spirituality, addictions, and community issues.

Jackie Kistabish – Quebec

Ms. Kistabish is the coordinator of the newly created justice section of the Quebec Native Women's Association. Her job is to create a justice committee for the association that will assist communities to establish local justice programs that are responsive to the needs of Aboriginal women in Quebec.

Donald Marshall Jr. – Nova Scotia

Mr. Marshall is an active board member of the Mi'kmaq Justice Institute. Mr. Marshall founded and coordinates the Donald Marshall Sr. Youth Cultural Camp, a culturally based program designed to teach traditional Mi'kmaq knowledge and skills to at-risk youths and young offenders. Mr. Marshall often shares his experiences at justice-related conferences and seminars throughout Canada.

Dale Sylliboy – Nova Scotia

Mr. Sylliboy spent 12 years as a police officer with the Truro police service in Nova Scotia. In 1994, he was appointed as a part-time member on the National Parole Board of Canada. Mr. Sylliboy is a member of the RCMP Commanding Officer's Aboriginal Advisory Committee. He has received extensive training in stress management, cultural awareness, and conflict resolution. This past June, Mr. Sylliboy was named as a designated Elder at the Springhill Institution in Nova Scotia.

Millie Augustine – New Brunswick

Ms. Augustine graduated from Dalhousie law school in 1994 and was called to the bar in 1996. She has the distinction of being the first Mi'kmaq woman in New Brunswick to become a lawyer. Ms. Augustine is an executive member of the United Nations of New Brunswick, a group which focuses on provincial forestry issues. Her past activities include activism in human rights, with a specific focus on women's and Aboriginal rights.



Advisory Committee Meeting

The Elders and Advisory Committee met with Clare Beckton, Assistant Deputy Attorney General; Geoffrey Bickert, Director General, Aboriginal Justice Strategy; and the staff of the AJLN in Ottawa on Monday, October 26 and Tuesday, October 27. Morris Rosenberg, Deputy Minister of Justice, joined the meeting briefly on Tuesday afternoon. The meeting began with a talking circle and everyone had the opportunity to introduce themselves. Many took a few moments to express their initial thoughts about their collective role as an advisory committee.

Mr. Bickert provided a concise breakdown of how the Aboriginal Justice Strategy functions, and described some of the goals and direction of the Strategy during the next two years.

The Committee was shown on a province-by-province basis, where the Department has assisted in the implementation of alternative justice programs, and where more efforts are needed.

Several issues were raised through the course of the two-day meeting. They included: generally, the types of projects the AJLN should seek out and support; a communications strategy for the AJLN; honoraria for Elders and the possibility of honoraria for members; the frequency and locations for future meetings; how many Elders should attend meetings; and the possibility of regional meetings. The Advisory Committee meets in March 1999.

Award Winner!

The AJLN is pleased to announce that one of its video productions, "A Matter of Trust", won the Best Public Service category in the American Indian Film Festival in San Francisco, California.

"A Matter of Trust" is a portrayal of the Vancouver Police and Native Liaison Society. The Liaison Society is a storefront policing operation which works toward improving the relationship between the Vancouver police and the Aboriginal community within the notorious downtown eastside area of Vancouver. The award is a bronze statue created by

Rance Hood, a Comanche artist from Oklahoma.

The Vancouver documentary and another AJLN production the "Donald Marshall Youth Cultural Camp," were both selected for theatrical screenings during the film festival, which ran from November 14 to 20, 1998.



Beyond Justice

The northern Manitoba community of Nelson House began a healing circle process, similar to family group conferencing, for certain offenders in June 1998. The results have been so successful that other uses for it are now being explored.

Sonny Ballantyne, a former parole officer and five-year member of the National Parole Board, has facilitated almost 40 of the Nelson House healing circles. The process was originally intended to divert certain criminal cases, but Mr. Ballantyne says that he is now starting to see non-criminal matters.

Mr. Ballantyne says that local teachers and school administrators have approached him to run circles as a way to improve student/teacher relationships within the local school.

In late November 1998, a healing circle was held for a local woman who lost a leg in a car accident. The process is expected to help her overcome the emotional burden of her injury.

For now, the focus of the healing circles will remain with criminal matters. Referrals to the process come from the local magistrate and the police. Mr. Ballantyne is working to expand the program in the coming year and to develop a training manual for neighbouring communities that want to run a similar process. He hopes to hire permanent staff and establish a suitable home base within the next year.

Contact: Sonny Ballantyne (204) 484-2227

Court Cancelled in Cape Dorset

When the territorial court of the Northwest Territories makes its regular stop in Cape Dorset, there are usually about 30 people listed on the court docket waiting to have their cases processed. However, last September, court was cancelled because there were only one or two cases to be heard. For the past several years, this community of 1,200 people on the southern tip on Baffin Island has dealt with criminal cases through its local justice committee. Referrals to the justice committee come from the RCMP and the Justice of the Peace. The committee will take most cases except those that involve domestic violence or serious assaults.

Nina Manning-Toonoo, Coordinator of the justice committee, says that offenders are typically ordered to perform community service or to work with Elders. "This way, they do their hours, plus they learn something traditional," says Ms. Manning-Toonoo. Offenders are usually ordered to write a letter of apology to the victim as part of their rehabilitation.

Judge Beverly Browne was so impressed with the results of the diversion process that she sent the community a letter

congratulating them on their success. She wrote: "I would like to pass on my congratulations to the people of Cape Dorset, the Elders, the Justices of the Peace, the Youth Justice Committee, the Social Services Department, the Alcohol Education Committee, the Hamlet Council and many others for all work that is being done to make Cape Dorset a safe place to live and for all the work that is being done with individuals who have been in court. It is a significant credit to the people in Cape Dorset that there is so little work for the Territorial Court to do."

Ms. Manning-Toonoo says that cancelling court has saved several thousand dollars in court costs, because each three-day sitting involves the transportation and accommodation of nine people. In her letter to the Hamlet Council in Cape Dorset, Judge Browne said that she hopes to see more court cancellations: "We are always prepared to cancel any other court circuits if there is no work to be done and I issue a challenge to the community to continue the good work being done."

Contact: Nina Manning-Toonoo (867) 897-8211

The Nitinaht Chronicles

The Nitinaht Chronicles is a National Film Board documentary portrait of an Aboriginal community coming to terms with a legacy of sexual abuse. The film captures the efforts of the community over a seven-year period as it struggles to find ways to overcome its past and to create a road to healing.

The film is being released with a CD ROM version of "Healing". Produced through Solicitor General Canada, "Healing" is a compilation of selected reports from the Aboriginal Peoples Collection and Technical Series. The "Healing" CD is an in-depth examination of issues concerning sexual abuse. It includes a detailed description

of the Hollow Water Community Holistic Circle healing program, an internationally recognized program from northern Manitoba, designed specifically for Aboriginal communities which are trying to overcome the devastating effects of sexual abuse.

Contact: Jack Horwitz (613) 995-8020



"GETTING TO CIRCLE" in Miawpukek First Nation

In May 1997, Judge Fowler attended the AJLN Defence Constituency Group meeting in Vancouver, British Columbia. Judge Fowler has long been interested in alternative measures and restorative justice. His circuit includes Miawpukek First Nation, in Conne River, Newfoundland. The community had approached the judge about Circle Sentencing and a potential case had been identified. A MicMaq man had been charged with assaulting an RCMP officer and uttering death threats. The community and the RCMP had already performed a Pipe Ceremony, and had agreed to explore alternatives to the court process in dealing with the incident. Judge Fowler contacted the Aboriginal Justice Directorate, expressing an interest in Sentencing Circle training for the Miawpukek First Nation.

An information session was presented by the AJLN on June 25-26, 1998 to familiarize the potential Circle participants, other interested community members, and justice professionals with the Circle Sentencing process. This session introduced the Circle process; explained the roles and responsibilities of those directly involved in the Circle; identified the crucial supportive role of community members, social service agencies, police, and justice professionals; and identified the important first steps to be taken by the offender and his/her support during the months before the Circle. The community expressed an interest in obtaining some form of training that would enable it successfully complete its first Sentencing Circle.

Subsequently, the AJLN arranged for trainers to conduct a session in the Miawpukek First Nation from September 14-16, 1998. The training, conducted by Mark Wedge and

Harold Gatensby from the Yukon Territory, provided an intensive hands-on experiential training on the Circle process. Because of the number of people (approximately 50) who wished to attend the training, two other Aboriginal trainers, Vince Kicknosway and Jim Albert were identified to work with Mr. Wedge and Mr. Gatensby. Messrs. Gatensby and Wedge have conducted many training sessions of this nature, in cooperation with the Honourable Barry Stuart and Yvonne Smarch, in Canada, United States and South Africa. Mr. Albert and Mr. Kicknosway both belong to the Urban Aboriginal Justice Committee in Ottawa, and have extensive training in conducting healing and talking Circles in Aboriginal communities and in the urban setting.

This training design was unique in that it "walked" the community and justice officials through the process, and offered the participants a direct contact and permanent link with another First Nation that has been practicing this process for at least five years.

The training was immediately followed by the actual Sentencing Circle for the above-mentioned case. Both the training and Circle Sentencing were a tremendous success, and the Miawpukek First Nation has subsequently established their own justice committee that will provide a nucleus for the successful continuation of community-based justice in their community.

Contact: Chief Misel Joe (709) 882-2731

