

Aboriginal Justice Learning Network
Réseau de la justice autochtone



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LINK

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COMMUNITY NEWS

Community-Based Justice: A New Series

In recognition of the important and integral role that community-based justice programs play in facilitating new forms of justice that ensure cultural relevance and meaningful processes, each issue of LINK will highlight an Aboriginal community – based justice initiative that is operating in Canada. If you would like to have your program outlined in upcoming issues of LINK, please send us a short description of what it does, how it does it, and who to contact to answer questions.

The Wet'suwet'en Unlocking Aboriginal Justice Program

The Wet'suwet'en Nation consists of five clans with thirteen houses. Each House is headed by House Chiefs and subchiefs. Wet'suwet'en Territory is located in central British Columbia.

Since 1992 the Wet'suwet'en Unlocking Aboriginal Justice Program (WUAJ) has been operating a pre and post charge diversion program for Aboriginal youths and adults in three communities across the Wet'suwet'en Territory. WUAJ is designed for the prevention of crime, as well as providing rehabilitation and support when crime occurs. The program works on strengthening and enhancing the Wet'suwet'en traditional system of justice based on cultural laws while working in conjunction with the Euro-Canadian criminal justice system.

To take part in the WUAJ the accused must accept responsibility for their actions. Once diverted, program staff assist House Chiefs and members (Wet'suwet'en House Groups) in resolving issues by using traditional structures and processes, including cleansing feasts and community decision-making on how to address the offence. Chiefs consider a number of dispositions such as counselling, anger management, parenting skills, domestic peace program, work services, and mental health counselling. The victim(s), of course, have the choice to participate or not, but their consent must be attained for the applicant's file to proceed. Their participation is critical, and if they do not agree, the file is closed and referred back to the referral agency. When they do participate, they offer input into the process and assist in developing an Action Plan.

There are four structured and in-depth stages in the WUAJ process. The first, the assessment stage, assesses the level of remorse or sense of responsibility the potential client exhibits and conducts a series of risk/needs assessment

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Department of Justice
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Canada

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along with determining suitability in accordance with the WUAJ criteria. The second stage, the pre-contract stage, is where victims are consulted. The third stage, the Contract Development stage, is where House Group Meetings are conducted. Here the victim and the offender have the opportunity to express their concerns and submit their recommendations in developing an Action Plan for the accused. The fourth and last stage, is a monitoring stage in which the client is monitored to ensure the offender is completing their agreement in the Action plan.

The program is also involved with the community and assists with the operation of the 'Distinctly Wet'suwet'en Culture Camps' as well as a community project that is investigating and charting the genealogy of the Wet'suwet'en people.

If you want to contact the Wet'suwet'en Unlocking Aboriginal Justice Program, their address is:
R.R. #1, S15 C25
Morisetown, B.C. V0J 2N0
They can also be faxed at (250) 847-1767

AJLN NEWS/ACTIVITIES



AJLN Advisory Committee Member Awarded International Community Justice Award in London, England

At a large conference held in London, England, Harold Gatensby, an AJLN Advisory Committee member and prominent community justice worker from the Carcross-Tagish First Nation, was recognized for the contributions he has made to his own and surrounding communities in the area of community justice. The award was given to Harold by none other than Princess Anne. The three-day international conference, held in January 2000, was called 'Probation 2000' and it examined more effective ways of dispensing justice and making communities safer. This recognition confirms what we already know: people are working hard at the community level to make change. Congratulations Harold!

First Aboriginal Justice Learning Network Advisory Committee Meeting of the New Millennium Held in February, 2000

Co-facilitated by Susan Swan and Craig Nyirfa, the latest AJLN Advisory Committee was held in Saskatoon, Saskatchewan February 5-8, 2000. The Advisory Committee and Elders Panel had the opportunity to meet the new Director General of the Aboriginal Justice Directorate, Bill Pentney, who highlighted the Aboriginal Justice Renewal Strategy. The present mandate of the AJLN expires in March 2001 and it is currently in the process of renewal. At the meeting, the challenges and opportunities facing the AJLN in the coming months were discussed. As well, the newly created sub-committees reported back to the group on future plans for AJLN and

recommendations in the areas of public relations and education, finance, support for existing programs, and the Elders sub-committee. Those who attended didn't spend all of their time working: one evening Waylon Badger and his group danced for the Committee. It was a wonderful, energized performance that celebrated pow wow dancing. A special thanks also goes to Walter and Maria Linklater as well as the other Elders present for providing spiritual teachings and prayers. The next meeting is scheduled for June, 2000, Vancouver, B.C.

AJLN Website Launched!

The Aboriginal Justice Learning Network (AJLN) is very excited to announce the launch of their long-awaited website. It can be found at <http://www.canada.justice.gc.ca/en/ps/ajln/index.html>. This website will assist the Learning Network in fulfilling their mandate by enlarging their capacity to assist Aboriginal communities across Canada attain their justice goals through communication, education, training, and information sharing. What the AJLN does, who we are, and some of our most recent accepted proposals will be some of the information available online. Resources, supplied free of charge to the public from the AJLN, can now be ordered online. You can also email us your questions, comments, and suggestions. Check us out and see what the AJLN can do for your community or organization!

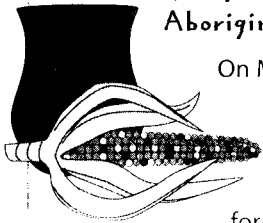
AJLN National Coordinator Selected

The Aboriginal Justice Learning Network is pleased to announce that Pauline Busch of Saskatchewan will be the new National Coordinator of the AJLN. Pauline is a member of the Nisichawayasihk (Nelson House) First Nation. She was raised at South Indian Lake Manitoba and is the daughter of a trapper and fisherman and the granddaughter of a traditional Medicine Man. Pauline is married to a member of the RCMP and has eight children.

For the past 2 years Pauline has been the Executive Director of the Regina Alternative Measures Program, an established, urban alternative measures program serving Aboriginal peoples in the city of Regina.

Pauline has accomplished a number of achievements and has extensive experience in working to improve the quality of life for residents in Aboriginal communities. She has served on a number of National and Regional associations in Canada, acting as member and president. She is bringing an exciting breadth of knowledge and experience to AJLN and we are very much looking forward to working with her!

Spring Feast Celebrated with the Aboriginal Justice Directorate

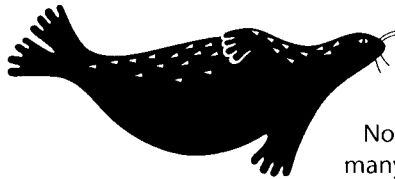


On May 25, during Aboriginal Awareness Week, the Aboriginal Justice Learning Network organized a Spring Feast for the employees of the Aboriginal Justice Directorate, of which the Aboriginal Justice Learning Network is a part. The Spring Feast encompassed lunch at the Odawa Friendship Centre in Ottawa, as well as dancing and opportunities for learning about Aboriginal cultures. The Assistant Deputy Attorney General for Aboriginal Affairs, and the Deputy Minister all attended the event.



AJLN Email Address

The Aboriginal Justice Learning Network can be contacted a number of ways, and now you can connect to us through electronic mail. If you have a comment or anything you would like to let us know, email us. Our address is ajln-rja@justice.gc.ca



National Aboriginal Day

June 21 is National Aboriginal Day and the Department of Indian and Northern Development has many events planned as well as a number of resources for

communities to use in their planning. Contact them to see how they can help your community or organization make this day a success.

Ontario Justice Workshop

Last summer the AJLN partnered with the Saskatchewan government to provide a workshop for community-based justice workers. Based on the positive feedback from that event, the Aboriginal Justice Learning Network is currently planning a workshop for September, 2000 in Ontario. This workshop is intended to provide an opportunity for community-based justice workers and community members in Aboriginal communities in Ontario to come together and share best practices and learn about the different program options and resources that exist. The emphasis is on peer learning and networking. It is expected that the Aboriginal Justice Learning Network will have other partners from the Department of Justice attend to learn and share their knowledge, such as Youth Justice, the Victims Unit, and the National Crime Prevention Centre. Other federal partners attending include the RCMP and the Solicitor General. The Ministry of the Attorney General of Ontario will also be attending this event. Our next issue of LINK will report on the outcomes of the workshop.

Peacemaking Circle Training in Nova Scotia

In February, the AJLN, with the Native Council of Nova Scotia, sponsored a Peacemaking Circle Workshop, which was facilitated by Justice Graydon Nicholas. This workshop took place in Truro, Nova Scotia and was attended by Mi'kmaq peoples and other Aboriginal communities in Cape Breton, Nova Scotia as well as provincial and federal representatives. The workshop was very well received by all who attended. A very special thank you to Justice Nicholas for so generously offering his expertise.

Dene Nation Community Justice Conference

A three-day justice conference was held February 1-3, 2000 in Yellowknife, Northwest Territories, bringing together community based justice workers, community justice specialists and justice policy makers from the Northwest Territories, as well as other provinces. Organized by the Dene Nation, the conference addressed the failings of the current system with respect to Dene people, the implementation of alternative measures based on Dene culture, principles, and traditions, as well as youth justice issues. The role of substance abuse in criminal activity, the importance of healing,

and the effects of sending community members away to southern institutions were also addressed. There were a number of resource people present who made presentations and were available for discussions with the approximately 60 delegates throughout the conference.

The conference, sponsored by the Aboriginal Justice Learning Network and GNWT Community Justice, was well received. The planning committee consisted of representatives from the Dene Nation, GNWT Community Justice, and the Aboriginal Justice Directorate.

Videos

The AJLN has had a number of videos produced, and there are a few new ones to report. The first, by Manitoba Keewatinowik Okimakanak (MKO), focusses on exploring the MKO justice initiative and it is entitled 'The First Nations Justice Strategy'. The second is entitled 'On the Red Road: A Walk On the Outside'. Both of these will be valuable resources for communities to draw ideas and practices from. Similarly, AJLN has prepared a Video Resource Guide. This guide highlights some of the many videos that have been prepared that address Aboriginal justice issues in Canada. If you would like a copy, let us know!

WHAT'S GOING ON / RECENT & UPCOMING EVENTS



Royal Commission on Aboriginal Peoples and the Manitoba Justice Inquiry are now on-line

Some of the most comprehensive reports that have examined the problematic historical relationship between Canada and Aboriginal peoples, as well as how the Canadian justice system has failed Aboriginal peoples, are now on-line. Comprehensive highlights from the Royal Commission on Aboriginal Peoples (RCAP) can be found on-line at the Department of Indian and Northern Affairs website (www.inac.gc.ca/rcap/report/). The Manitoba Justice Inquiry Report is also now on-line at the Aboriginal Justice Implementation Commission's website www.ajic.mb.ca. When there you can check out what the government of Manitoba's implementation plans are for the Aboriginal Justice Inquiry of 1990. Manitoba created the Aboriginal Justice Implementation Commission (AJIC) in 1999 to deal with the recommendations of both the Aboriginal Justice Inquiry and the Royal Commission on Aboriginal Peoples. While surfing the Department of Indian and Northern Affairs website, you may also want to check out the background information they have provided on the Nisga'a Final Agreement or the government's response to the Royal Commission's work in *Gathering Strength: Canada's Aboriginal Action Plan*.

Historic Nisga'a Treaty Ratified and Receives Royal Assent

On July 16, 1998 the federal and B.C. governments reached a treaty agreement with the Nisga'a nation of Northern B.C. This treaty gives the roughly 5,800 Nisga'a approximately 1,930 square kilometers of land, financial resources, and the jurisdiction to enforce Nisga'a laws on Nisga'a land. The Nisga'a Treaty was ratified and received Royal Assent in Ottawa on April 13, 2000. The full treaty text is online at the B.C. government's Nisga'a Treaty pages. Background documents, fact sheets, speeches and other material are also online at the Department of Indian Affairs web page (www.inac.gc.ca) and further information can be obtained at the Nisga'a Tribal Council website (www.ntc.bc.ca/).

Law Commission of Canada Publishes Report on Institutional Abuse in Residential Schools, Homes for the Disabled, and Juvenile Custody

The Law Commission of Canada recently released a comprehensive report entitled *Restoring Dignity: Responding to Child Abuse in Canadian Institutions*. This report focuses on the issue of institutional child abuse and how the federal government can redress the

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victims of residential schools, juvenile facilities and institutions for the deaf. The report holds that the federal government should provide financial compensation and co-ordinate a redress program for victims of these Canadian institutions. The report offers a detailed history of institutions for children dating back to the 17th century and reports horrifying testimony. It suggests that the church and the government must work out a plan for redress for victims of residential schools together. The federal justice minister has promised a response to the by the end of the year. If you would like a copy of the report, visit the Law Commission of Canada website at www.lcc.gc.ca and link to their publications page.

Three Feathers Research Foundation Golf Tournament

If you are in the Tyendinaga Mohawk Territory, or in Edmonton, Alberta or Saskatoon, Saskatchewan you may be interested in participating in the Three Feathers Charity Golf Tournament that will be taking place in each of those areas. The Three Feathers Research Foundation is a charitable organization established to address health issues that are over-represented in Aboriginal communities. Diseases such as diabetes, heart disease, high blood pressure, and cancer are evident in epidemic proportions within Aboriginal communities. The Foundation is organized to raise both awareness and research dollars to combat these health problems through clinical research. Three golf tournaments will be held in order to accomplish these goals. On July 21, 2000 a tournament will be held at the Briar Fox Golf and Country Club near Shannonville, Ontario. Another tournament will be held July 14, 2000 in Saskatoon sponsored by the Saskatchewan Institute of Technologies. A third will be held July 21, 2000, sponsored by the Paul Band in Alberta. For more information contact these sponsors or email the Three Feathers Foundation at 3feathers@home.com



CONNECTIONS



Renewal of the Youth Criminal Justice Act

On October 14, 1999, the Honorable Anne McLellan, Minister of Justice and Attorney General of Canada, re-introduced the Youth Criminal Justice Act (YCJA) in the House of Commons. The YCJA, which would replace the Young Offenders Act, is comprehensive legislation that deals with all aspects of the Youth Criminal Justice System. Among provisions in the YCJA are those that:

- ◆ encourage a full range of community-based sentences and effective alternatives to the formal court process for dealing with non-violent youth that focus on accountability and repairing the harm done to the victim and community. These include compensation to the victim and community service;
- ◆ establish an effective rehabilitation and reintegration process that would require all young people who have served a period in custody to also serve a period of controlled supervision in the community. The current system does not require this; and
- ◆ expand the role of victims in the system to ensure they receive the information they need and are treated with respect.

The provisions contained in the new Act serve to fulfil key elements of the commitment made by the Government of Canada in May, 1998, when it launched its Strategy for the Renewal of Youth Justice. The Strategy is based on three key directions that work together to better protect the public: preventing young people from turning to crime in the first place; ensuring that all offences result in meaningful consequences for the young person; and effectively and safely rehabilitating and reintegrating young people so they do not re-offend.

The Strategy also includes a commitment by the Government of Canada to continue to work with the provinces and territories, child welfare, mental health, law enforcement and other professionals to develop a new strategy to address children under the age of criminal responsibility that protects the public while providing these children with the treatment they need. To address broader factors associated with youth crime, the Strategy is linked with the National Strategy on Community Safety and Crime Prevention, the National Children's Agenda and Gathering Strength – the Government's response to the Royal Commission on Aboriginal People.

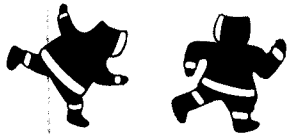
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Justice Canada is encouraging Aboriginal communities to become involved in the Strategy for the Renewal of Youth Justice. As a first step, Justice Canada hosted an Aboriginal Information and Skills Exchange Forum in November, 1999. The Forum provided an opportunity for Aboriginal community representatives to explore the roots of youth crime in Aboriginal communities and to share experiences and information concerning effective youth justice programs in various Aboriginal communities across Canada. Presentations were made on programs associated with crime prevention, policing and front-end measures, custody and corrections models, reintegration models, community based sentencing models, and therapeutic healing models. As a follow-

up to the Forum, Justice Canada has facilitated short-term training for members of Aboriginal communities who were interested in learning more about the programs presented at the Forum with a goal of perhaps establishing a similar program in their own community.

If you have any questions about the Youth Justice Renewal Initiative, how it can assist your community through assisting in the development of pilot projects focussed on youth crime, please feel free to browse their web site at <http://canada.justice.gc.ca/en/ps/yj> or call them at (613) 954-2895.



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