

KITIMĀHAKAN Ō-MIYIKOSIWIN PĪHCI-KĀNATA

NŌKOHTĀWIN NAKINKĒWIN

Kĭkway anima nōkohtāwin nakinkēwin?

Sṭhkihēmowin ohci nōkohtāwin nakinkēwin Wiyasiwēwin kī-osīhtaw nakinkēwin kāwiya awiyak ta-nōkohtāt, wīhtamākēwin, ahpō ta-sipwētisaha ācimostākēwin isi ta-nisitawēyihtākosit kitimāhakan, nīpawīstamakēw, ahpō kotak ayisiyiniw ēkwāna kī-wīchihwēw ita ōma māyiniwēyiniw kihci-itasiwātēwin pamihcikēwin. Ōma nōkohtāwin nakinkēwin asocikatēw ta-pakitinih kitimāhakanak, nīpawīstamakēwak, mīna kotakak ka-wīchihwēcik ita ōma kihci-itasiwātēwin pamihcikēwin ēkā kīkway kakwātakihtāwin ta-ohcipayik.

Kitimāhakan ō-miyikosiwin!

Ōma *Canadian Kitimāhakan Nahēyihtowin ohci Miyikosiwin* kī-mācipayin ispīhk Opaskowi-Pīsim 23, 2015. Ōma Act pakitinam kici tahto kitimāhakan ta-kaskihtamasot tēpakēyimowin ēkwa mīna kīmōci-ayi katawāhk isi ta-nākatohiht ohci okimānāhk pīhci ōma māyiniwēwin kihci-itasiwēwin pamihcikēwin ēkwa mīna ta-kakwēcihkēmowak wīyawaw ō-nisitawēyihtākosiwin ta-manācihtāwihk. Ōhi miyikosiwina pāh-pahki ohci kitimāhakan ō-miyikosiwin kanawēyimiwēwin.

Tānispīhk sīhkihēmowin ta-kī natotam Wiyasiwēwin kici nōkohtāwin nakinkēwin?

Ōma itasiwēwin nisitohamowin nīkānēyihtākwān isi Kānata criminal kihci-itasiwātēwin pamihcikēwin. Pēyakwan ka-nisitawēyihtākwa āhtasiwēwin, kahkiyaw itasiwēwina itahkamikan pīhci-yōhtēkotēw wiyasiwēwin ēkwa mīna nīpawīstamakēwak ō-wīhowinowaw,

kitimāhakanak, ēkwa māyiniwēyiniw nōkohāwak. Ihtakon māka asici mawinēhotowin. Itahkamikan ōma ispīhk Wiyasiwēwin sīhkihēmowin nōkohtāwin nakinkēwin ta-kanawēyimiwh kitimāhakan, nīpawīstamakēw ahpō kihci-itasiwātēwin pamihcikēwin wīchihwēw. Ōma Wiyasiwēwin katawāhk ta-nākatohkātāw awina kici ōma nōkohtāwin nakinkēwin, ōma itowahk māyiniwēwin mīna kotaka māyahkamikanahk ispīhk ka-wiyasiwāta mahti ta-osīhtat ōma sīhkihēmowin. Ōma nōkohtāwin nakinkēwin piko katawāhk, tāpiskōc, isi:

- nīpawīstamakēwak sīhkimiwēwin ēkonik ka-kostāhk ta-pikiskwēcik;
- ta-kanawēyimiwh na-nēsowisiw nīpawīstamakēw, asici awāsisak mīna kitimāhakan ohci māyiniwēwin;
- kitimāhakanak sīhkimiwēwin mīna kotakak isi ta-wīhta māyiniwēwina ēkwanihi māna namōya nihtā-wīhtamawak, tāpiskōc masiwēwin māyiniwēwin; mīna
- kanawēyimiwēwin kīmōci-ayi ohci kihci-itasiwātēwin pamihcikēwin wīchihwēwak.

Tānisi isi Wiyasiwēwin oyasiwēw mahti ta-natotahk nōkohtāwin nakinkēwin

Ōma *Criminal Code* oyasiwātāw āhtasiwēwina isi kiskinohtahiwēwin nōkohtāwin nakinkēwin. Ōhi āhtasiwēwina kwēsikinikātēwa ohci kaskihowin awina ka-natotahk kici nōkohtāwin nakinkēwin ēkwa mīna kīkway ohci ōhi itasiwēwina.

Tāpiskōc, ōma Wiyasiwēwin piko ta-wīhtamawāt kitimāhakanak ēkwāniki āstamēhk 18 itahtoponēt ohci ō-miyikosiwin ta-natotamat nōkohtāwin nakinkēwin



Miyikosiwin
ācimostākēwin



Miyikosiwin isi
kanawēyimiwēwin



Miyikosiwin isi
wīchihwēwin



Miyikosiwin ta-
natonamin tīpahikēwin



Miyikosiwin ta-
osīhtayin mawimowin



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ĕkwa, kĭspin kitimāhakan natotamaw pĕyak, ōma Wiyasiwĕwin piko ta-natotahk ōma nōkohtāwin nakinkĕwin . Ōma Wiyasiwĕwin *piko* ta-wĭhtamawat kahkiyaw kitimāhakanak mĭna nĭpawĭstamakĕwa ohci masiwĕwin mĕyinikĕwin ĕkwāniki āstamĕhk 18 itahtopiponĕwak ō-miyikosiwin ohci ta-kĭ kaskihtawak ta-natotamat nōkohtāwin nakinkĕwin. Kĭspin natomwak ōma nakinkĕwin, ōma Wiyasiwĕwin piko ta-natotahk.

Ōma *Criminal Code* mĭna itasiwĕw ōma Wiyasiwĕwin *ta-kĭ* natotam nōkohtāwin nakinkĕwin ta-kanawĕyihcikasot ō-nisitawinakisiwin ohci kotakak kitimāhakanak ĕkwāniki ayiwāk 18 itahtopiponĕwak ahpō kotakak nĭpawĭstamakĕw kĭspin ōma Wiyasiwĕwin tapwĕyihitam ōma sĭhkihkĕmowin nawac “iteyhtakwan kiki katawāhk nākatohkātĕwin opaminikĕwak ohci kihci-itasiwātĕwin.” Ōma Wiyasiwĕwin ta-kĭ osihtaw ōma sĭhkihkĕmowin kiki kotak ayisiyiniwak ka-wĭchihwĕt isi mĕyinikĕwin itasiwĕwina tāpiskōc juror, simākanis ahpō simākanis ācimisostākĕw kiki mĕyinikĕwin ka-nākatohkāta mĕyinikĕwin māmawohkamātowin, terrorism, mĭna national security.

Ispĭhk kĭsĕyihitamowin mahti ta-natotcikatĕk nōkohtāwin nakinkĕwin kiki ĕkonik kitimāhakanak, nĭpawĭstamakĕwak ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕwak, ōma Wiyasiwĕwin piko ta-pisiskāpahtahk tanisi isi katawāhk ta-nākatohkāta. Ōhi kikinikātĕwa:

- miyikosiwin ohci mĕyinikĕwiyiniw isi katawāhk mĭna nōkohtāwin māmawapiwin;
- mahti ĕsa ihtakon paspiwin ĕwako kitimāhakan kiki, nĭpawĭstamakĕw ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕw ta-kĭ mĕyinikĕw kĭspin nisitawinakisiwin;
- mahti sĭhkihkĕmowin nitawĕyihcikātĕw ta-kanawĕyihcikasot kitimāhakan, nĭpawĭstamakĕw ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕw ohci sākōtĕyimowin ahpō āpĕhowin; ĕkwa
- society’s ō-nākatohkātĕwin ta-sĭhkimiwĕhk wĭhtamākĕwin ohci mĕyinikĕwin ĕkwa mĭna wĭchihwĕwin kiki kitimāhakanak ĕkwa nĭpawĭstamakĕwak ĕkwa kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕwak(tāpiskōc, wiyasiwĕwin okanawĕyihcikĕwak ahpō jurors) pĭhci ōma mĕyinikĕwin kihci-itasiwātĕwin pamihcikĕwin.

Ōhi kahkiyaw factors masinahikatĕwa mĭna miskikatĕw ōta *Criminal Code*.

Tanisi isi nōkohtāwin nakinkĕwin ta-kĭ natotamahk?

Ōma *Criminal Code* osihtaw isi natotamākĕwin kiki discretionary nōkohtāwin nakinkĕwin :

- Āwa prosecutor, kitimāhakan, nĭpawĭstamakĕw, ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕw piko ta-natota nōkohtāwin nakinkĕwin isi masinahikanihk. Ayisiyiniw ka-natota ōma sĭhkihkĕmowin piko ta-wĭhta tanĕhki ka-nitawĕyihita ĕkosi isi ōma kanawĕyimiwĕwin.
- Ōma natotamakĕwin osĭhcikātĕw kiki wiyasiwĕw ĕkwana ka-natohta ōma case. Kĭspin wiyasiwĕw namōya cĕskwa nawasōnaw, ōma natotamakĕwin ta-kĭ osĭhcikātĕw kiki kotak wiyasiwĕw ĕkota pĕyakwan isi wiyasiwĕwin.
- Āwa prosecutor, mĕyinikĕwiyiniw, ĕkwa kotak ayisiyiniw ka-kĭ mōsihcikĕt ohci nōkohtāwin nakinkĕwin piko ta-wĭhtamakawit ohci ōma masinahikan. Ōma Wiyasiwĕwin ta-kĭ oyasiwātam mahti ta-wĭhtamakĕt isi wĭhtamākĕwin ahpō piko awiyak ĕkwaniki ka-mōsihcikĕcik ohci ōma masinahikan. Tāpiskōc, ācimowin masinahikan piko ta-kiskĕyihitāhwaw ayis nōkohtāwin nakinkĕwin ta-kĭ āciwinam tanisi isi ta-wĭhtamākĕk isi trial ahpō itasiwĕwina.
- Ōma Wiyasiwĕwin ta-kĭ miciminam māmawapiwin kiki iteyhtamowin ōma nōkohtāwin nakinkĕwin. ita māmawapiwin, kitimāhakan, nĭpawĭstamakĕw ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕw ta-kĭ pĭkiskwĕw tānĕhki ka-nitawĕyihcikātĕk ōma sĭhkihkĕmowin. Āwa prosecutor, mĕyinikĕwiyiniw, wĭhtamākĕwin, ahpō kotakak awiyak ka-mōsihtāt ōma sĭhkihkĕmowin mĭna wĭyawaw ta-kĭ pĭkiskwĕwak.

Kĭkway ispayin ita māmawapiwin?

Māmawapiwin ta-wiyasiwāta mahti ta-natotahk nōkohtāwin nakinkĕwin nawac āstamĕhk formal ispĭhci māmawapiwin ĕkwa mĭna ihtakon kĭmōci-ayi, iyāyaw isi ohtinikatĕw wiyasiwĕwin. Āya kitimāhakan, nĭpawĭstamakĕw, ahpō kihci-itasiwātĕwin pamihcikĕwin wĭchihwĕw ka-kakwĕcihkĕmot kiki nōkohtāwin nakinkĕwin ta-kĭ pikiskwĕtamsow ahpō ta-kĭ kakwĕcimĕw owiyasiwĕwa ta-pikiskwĕstamakot.

Kĭspin ōma Wiyasiwĕwin nahĕyihtotam ĕkwanima nōkohtāwin nakinkĕwin nitawĕyihcikātĕw ta-kanawĕyimihih ohci kitimāhakan ō-nisitawĕyihitākosiwin, nĭpawĭstamakĕw ahpō kihci-itasiwātĕwin pamihcikĕwin

wīcihiwēw, ōma Wiyasiwēwin ta-natotam ōma nakinkēwin. Ōma sīhkihēmowin ta-kī itastēw itowahk nahēyih towin ahpō kikamon māmiskōcikatēwinahk — tāpiskōc, ahpō ētikwē ta-kī apatan kanakē aciyaw kici.

Kīkway anihī kihci-nākatēyih tamowina ohci kitimāhakanak, nīpawīstamakēwak, ēkwa kotakak ēkwāniki ō-nisitawēyih tākosiwīn kanawēyih tamwān ohci nōkohtāwin nakinkēwin?

Nīkānēyih tākwan kici kitimāhakanak, nīpawīstamakēwak ēkwa kihci-itasiwātēwin pamihcikēwin wīcihiwēw ta-kiskēyih takwaw kīspin ōma Wiyasiwēwin sīhkihēmowina

nōkohtāwin nakinkēwin, wīyawāw ō-wīhowin namōya ta-kī wīhtamākan isi ācimowina ēkwa mīna namōya ta-kī pikiskwēwak asici wīhtamākēwin piko isi. Tāpiskōc, kitimāhakan namōya ta-kī masinaham masinahikēwin isi aya editor ēkwanima ohci nisitawēyih tākosiwīn pēyakwan kitimāhakan ahpō nīpawīstamakēw isi ōma māyīnikēwin.

Kitimāhakan, nīpawīstamakēw, ahpō kihci-itasiwātēwin pamihcikēwin wīcihiwēw mwēstas ta-kī wiyasiwātam kīspin namōya nitawēyih tam ōma nōkohtāwin nakinkēwin. Piko ta-kakwēcihkimot isi ōma Wiyasiwēwin kiki ta-pakitēyih ta sīhkihēmowin ēkwa ta-wīhta tanēhki ka-kwēskēyih ta ōma ka-osihta sīhkihēmowin natawēyih cikātēwin.

Tānitē astēw ayiwāk ācimostākēwin?

Kīpsin kiya ahpō awiyak ka-nisitawēyih mit kī-kāh-kitimāhaw ohci māyīnikēwin, wīcihiwēwin ihtakon. Kahkiyaw kā-piskih tahastāhk mīna territories pakitinamwak pamīstakēwin kici kitimāhakan isi māyīnikēwin. Ka-kī wīcihikwak kīspin kī-nitawēyih tēn ayiwak ācimostākēwin ahpō kotaka nīsōhkamākēwina. Ōma Kitimāhakan Pamīstakēwin Masinahikana ka-kī wīcihikon ta-miskamin kitimāhakan pamīstakēwina cīki kiya:

<http://www.justice.gc.ca/eng/cj-jp/victims-victimes/vsd-rsv/index.html>

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