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JUSTICE IN THE DEH CHO, 1992 - FORUM ON JUSTICE & LEGAL ISSUES

RECOMMENDATIONS

COMMUNITY JUSTICE

1. To take **community alternative suggestions** from within the community as opposed to depending on the current/professional legal system.
2. Revive **alternative measures**. Youth Justice Committees are more reflective and adaptive to local communities and should be utilized more.
3. There should be more focus on **peace making/restitution** regarding community crime rather than just punishment.
4. More community processing of young offenders - ie corrections Diversion programs more utilized so that offenders do not go to jail
5. Could use the Wabesca example and have an **elders council** to deal with young offenders
6. **Justice Committees** could meet with the Police to liaison about different community crime problems.
7. **Sentencing Committees** could be formed that would/could deal with domestic disputes, youth criminal activity. Sentencing committee could also do some counselling. Community based Sentencing Panel.
8. There could be an **extension of Youth Justice Committees** (where in place) to deal with criminal activities among all people.
9. There should be an **exploration** of various ways of dealing with crime/social problems that are being done in other communities: - Navaho way of dealing with things
 Greenland - justice committees, own judges, no jails, halfway house
 Australia missions - offenders afraid to go back to their own communities to face elders
10. **Community commitment** will be needed. Need to get community resources working together. Communities will need to make decisions on what they wish to become involved with. Communities will need support from the system in the way of allowing input and for aftercare services
11. **Funding sources** need to be identified and coordinated
12. **More education** of individual rights, law processes, more workshops of this type to help spread knowledge

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- 13. A full time staff person is needed to help integrate some of the ideas of the workshop into the communities. Motivation and interest should be kept at a maximum. The Deh Cho Tribal Council spoke with the community of Pikagikum and they stated that their justice committee was falling apart as they had not hired a person who worked solely with community justice issues.
- 14. Communities consist of more than elders and it is important to bring in others ie adults and youth (men and women) in any initiative. Communities must become aware that they are responsible for the people of their community and this must be communicated to the communities.
- 15. Re-education of the communities needed. Traditional knowledge could be used to gain community consensus so that everyone comes together on issues.
- 16. It is recommended that community people are not asked to sentence relatives and/or friends, but that elders and youth from different communities (Dene Communities) be asked to recommend solutions eg. Denendeh Elders Council (could travel when asked or needed). Community justice should remain arms length from political organizations.

Dene Elders Justice Council - would be a travelling court. If a community request the Elder's Council to travel to the community for difficult cases then they would go.

Group of elders/sober individuals to travel to Deh Cho communities - analysis of community healing and sharing of pain - support mechanisms to help the community

- 17. Where **Dene Law** is clear and held by the community that it applied for the Dene persons instead of Canadian law.
- 18. Have a full Dene System:
 - 1) **Dene Policing** (Community networking)
Will be everyone's responsibility to report offenses
 - 2) **Dene Court System**
Community Confrontation or intervention and the start of the healing process rather than punitive measures
 - 3) **Dene Sentence System**
Elders are offered the responsibility to sentence offender. These elders may accept to sentence or delegate it to another group
 - 4) **Dene Healing**
The community has to be willing to accept the responsibility to heal the wrong that has been done,

through counselling, positive image sentencing, community service, Drug & Alcohol treatment

In order for the Dene communities to be able to take on their own justice system, they need to go through a healing process. This healing process has to involve all individuals in the communities. It has to be inner healing.

19. There needs to be **better co-operation** between the different components of the Justice System. The components should include the members of respective parliaments, elders, agencies, and government bodies.
20. **More workshops** in the Deh Cho region regarding family violence, offenders, healing, youth and elders. Workshops should be out on the land for 2 or 3 days.
21. The implementation of a community justice system should begin with formation of an **education committee** that would begin a process of justice education and debate within communities as to the nature and scope of community justice and its possible impact on their individual communities.
22. Each community who wishes to participate in community justice could use a **phased implementation approach** according to the structure that each community had decided was appropriate for their community.
23. Communities would need to decide to what degree they wished to take on certain responsibilities eg. some communities would not feel comfortable dealing with sexual assault cases. **Clear guidelines** would need to be drawn up in advance by the communities so that cases would be directed to the correct authorities in a timely fashion so as to cause the least possible suffering to victims and accused alike.
24. **Pilot project** for the Deh Cho Region is needed.
25. **Training and education** was stressed as being vital to the integrity of community justice. It would be recommended that training and community education be emphasized in any implementation of community justice, both for members of the community and for members of justice committees.
26. **A resource person** should be made available to provide administrative backup to volunteers involved in community justice.
27. **A Community Justice Steering Committee** should be set up (at this conference) to examine ways of implementing a pilot project in the Deh Cho Region as soon as possible.

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**COMMUNITY BASED POLICING WITH R.C.M.P.
TRIBAL/BAND POLICE FORCES**

1. The R.C.M.P. should work more closely with the community
More liaison between RCMP and Youth Justice Committees. More interaction of the RCMP within the communities. Police should get involved with community.
2. Native communities and government departments tend to compete against each other. **The Police and the communities need to work together** and not try to solve all the problems by themselves.
3. **Politics between the bands and policing must be separate.** The community should set up policy, but police need to be an independent operation to enforce policy. Need to be independent of political interference in policing work.
4. People need **more education** as to individual rights according to laws processes such as this seminar to help spread the knowledge.
5. Communities want **more information from RCMP** other than monthly reports as to the number of arrests and complaints.
6. Police members should be told that changes are coming, that the communities are going to become more involved.
7. Bands should prepare BCR's and formally begin implementation of **policing of their choice.**
8. **Better liaising** with community and Ottawa to inform of funding programs, summer student programs, etc.
9. **More aboriginal police officers** for the Deh Cho Region
10. **Cross cultural awareness training** is needed for RCMP members in the detachments of the Deh Cho Region. RCMP need to get out and speak to the Dene because about 80% of the people in the communities are Dene
11. The RCMP should host a **conference in the NWT.**
12. **Crime Prevention** starts with the discretion of the police. Issues should be brought to community justice panels for diversion rather than just going through the formal processes.