

Justice Program

The Community Justice Program is administered through the Akwesasne Justice Department, located in the Angus Mitchell Memorial Administration Building at Akwesasne.

The Community Justice Program is made available to you through the Mohawk Council of Akwesasne with funds provided jointly by the Department of Justice Canada, Justice Quebec, Ontario Ministry of the Attorney General, and the Ministry of Child & Youth Services.

The goals of the Community Justice Program are:

- To enable the Mohawks of Akwesasne to reassert their traditional practices with respect to the conduct of Akwesasnoron;
- To encourage peace and harmony by resolving disputes and conflicts in the Akwesasne community, thereby enabling Akwesasnoron to grow stronger and more united;
- To facilitate the greater involvement of Akwesasnoron in the administration of justice;
- To restore a greater degree of responsibility to the Akwesasne community for the conduct of its people who come in conflict with the justice system both on and off the Territory;
- To provide an Aboriginal alternative to the mainstream court process which respects the basic tenets of the Kaiahnerekowa and which will encourage Mohawk offenders to accept responsibility for their

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Principles

- To continue and expand the work of the Community Neh-Kanikonri:io Council (Neh-Kanikonri:io means "Good Mind") which hears cases diverted to it by the local crown attorneys in Cornwall, Ontario and Valleyfield, Quebec or pre-charge diversion cases referred by Akwesasne Mohawk Police and/or other service agencies;
- To continue and expand the work of the Community Neh-Kanikonri:io Council which, when a Justice of the Ontario Court of Justice or the Ontario Superior Court of Justice orders a presentence report and requests an "Old Ways" hearing be conducted, makes recommendations to the court as an appropriate sentence through the probation office;
- To reduce over time, the rate at which Akwesasnoron are convicted of offences committed both on and off the territory;
- To contribute to a reduction in the workload of the Akwesasne Mohawk Court and the courts in Cornwall, Ontario and Valleyfield, Quebec, thereby enabling the courts to focus on more serious crimes.

The Community Justice Program ensures the smooth operation and development of the overall program by regularly checking its effectiveness, identifying needs in the program, providing resources and by being available to assist in day-to-day problems with the program. Since the development of the Community Justice

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Program,
feel free to contact:
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Courtworker
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Akwesasne Justice Department
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Or visit us at:
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Village of St. Regis (Kana:takon)



**AKWESASNE
COMMUNITY
JUSTICE
PROGRAM**



ABORIGINAL COURTWORKER

Courtworkers assist Aboriginal individuals at the earliest possible stage of the justice process by acting as a liaison between the individual and the Court;

Courtworkers work with various officials of the court to ensure that an individual receives fair treatment;

Courtworkers explain to the accused, with timely and accurate information, the nature and consequences of their charges, their legal rights, responsibilities and the Community justice processes;

Courtworkers explain to the victims or witnesses, their legal rights and responsibilities within the system including Community justice processes available;

Courtworkers can obtain, if necessary, the services of Native language interpreters and interpreters of Native culture when it has a bearing on the case;

Courtworkers make contact with the area Native Inmate Liaison Worker if the accused is sentenced to a provincial institution;

Courtworkers can explain to a person placed on probation, what it means and exactly what is expected of them;

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EXTRAJUDICIAL MEASURES (EJM)

EJMs are interventions that happen without the use of the court system. It is the process of dealing with a young person's offence before being formally charged. It is more commonly known as a pre-charge diversion.

Referrals come from a Policing Agency, who will provide an explanation of the program; Accused is contacted by ACJP to schedule the intake meeting

At intake, the ACJP will explain the program, process, complete the intake form and parties will sign the consent to collaborate form;

Conference will be scheduled with the Neh-Kanikonri:io Council

There will be 2-3 CNC members, the facilitator, the accused and their supporters, the victim and their supporters, and relevant resource people present at the conference

The CNC members will make recommendations based on the information received and a formal agreement will be signed

If the accused complies with the recommendations, the accused will not be formally charged and the matter is dealt with.

EXTRAJUDICIAL SANCTIONS (EJS)

EJS may be used only if a young person cannot be appropriately dealt with through EJM due to the extremity of the offence. It is more commonly known as a post-charge diversion.

It is the same process as the EJM, however, referrals will come from the Crown Attorney's office and the accused will have to attend court for the pending charge(s).



YOUTH REINTEGRATION PROGRAM Who is eligible?

Aboriginal Youth (status and non-status, Metis, and Inuit) between the ages of 12-17 years at the time of offence, who have been found guilty and are currently on probation, conditional supervision or community supervision.

Program Objectives:

Provide community based services that are culturally appropriate.

Provide services that address assessed individual needs or conditions of Aboriginal Youth.

To support and assist rehabilitation and reintegration of Aboriginal Youth back into the community

Services:

We work collaboratively with Youth Probation Officers and Youth to ensure conditions and recommendations are met.

We provide intervention trainings/workshops to Youth, parents, and/or caregivers.

We have an inventory of community resources that are available to youth and parents/caregivers.

We assist parents/caregivers and Youth in understanding their rights and responsibilities.

We work closely with all agencies at and



COMMUNITY SERVICE PROGRAM

Monitors, supervises and finds placement for adult and youth who receive community services hours through Ontario and Quebec Probation, Akwesasne Mohawk Court and the Akwesasne Community Neh-Kanikonri:io Council. Monitors the Quebec Compensatory Program Clients, and also monitors for Ontario the Intermittent Community Work Program Placements.

COMMUNITY NEH-KANIKONRI:IO COUNCIL (CNC)

Members of the Akwesasne Mohawk Territory have been trained to facilitate community justice values and principals.

They are committed to the well being of the community by offering culturally based responses to conflict to strengthen the community and re-establish social harmony.

When a circle has been coordinated, the Ohenton Kariwatekwen is read. Welcoming and introductions are made and then the CNC will ask for the Offender to tell their side of the story.

Everyone in the circle contributes to the fair, attainable measures for Offenders to accomplish to make things right relating to the harm that has been done. Agreement is signed by CNC members and Offender.

The essence of the CNC is to r if p e c

The main concern of the CNC is to

