

# MOHAWK COUNCIL OF AKWESASNE AKWESASNE JUSTICE DEPARTMENT

*Sustaining our inherent rights, facing challenges together to build a strong and healthy future*



**“Equity, fairness and respectfulness.”**

**613 575 2250 extension 2400  
Fax: 613 575 1726**

**Authorities, Boards, Commissions, Tribunals**  
 Akwesasne Review Commission  
 Akwesasne Election Appeal Board  
 Akwesasne Appeal Tribunal  
 Neh Kanikonriio Council  
 Akwesasne Legislative Commission  
 Akwesasne Tobacco Commission  
 Akwesasne Comm Review Panel

**Programs:**  
 Akwesasne Court  
 Akwesasne Community Justice Program  
 Legal Services  
 Legislative Services  
 Native Inmate Liaison Officer Prg  
 Compliance Program  
 Conservation Program  
 Aboriginal Courtworker Program  
 Ontario Probation  
 Quebec Probation  
 Youth Probation & Reintegration

**Services**  
 ATV Registrations  
 Boat Registrations  
 Boat Safety Course  
 Court Worker Services  
 Firearms Safety Course  
 Jury Duty Notices  
 Complaints on CBSA  
 Mediation Services  
 Criminal Diversions  
 Gladue Writer and aftercare  
 Cultural Sensitivity Training  
 Legislative Services  
 Legal Services  
 Native Counselling Services  
 Probation & Parole Services  
 River Patrol  
 E-Voting/Elections

**The Akwesasne Justice Department employs the principle of natural justice to empower the community to safeguard collective rights, primarily, and individuals rights (secondary) for Akwesasronon, while remaining respectful of the community’s heritage and culture.**

**A First Nation Justice System**  
 A first in Canada, Mohawk Council of Akwesasne designed a First Nation Justice System based on customary laws which incorporate traditional restorative principles in the three main responsibilities of government: Law-Making; Adjudication and Enforcement  
 Legislative Enactment Regulation  
 General Referendum Regulation  
 Akwesasne Law Registry  
 Akwesasne Court Law and procedures  
 Akwesasne Court Procedures  
 Council of Elders/Appellate Division  
 Compliance and Conservation enforcement of Akwesasne Laws.  
 Development of Laws:  
 33 Akwesasne Laws Registered  
 6 laws being amended

**Akwesasne Court**  
 Laws currently being developed  
**Judicial Law Justice appointments, Prosecutor and Defense Counsel**  
 On an independent court, the judiciary is overseen by the Akwesasne Review Commission to ensure judicial independence.  
 The *Akwesasne Tekaia torehtha:ke Kaianerenhsera* (Akwesasne Court Law) sets out the principles, powers and authorities of the court and reflects the values of the Mohawks of Akwesasne and the principles of Sken:nen (peace), Kasastensera (strength) and Kanikonri:io (a good mind), respect, fairness and natural justice.  
 The Akwesasne Court Law is enacted in exercise of the inherent right of self-government of the Mohawks of Akwesasne as recognized and affirmed by the Royal Proclamation of 1763; section 35 of the Constitution Act 1982; and, by the United Nations Declaration on the Rights of Indigenous Peoples.

**Services:**  
 Adjudication of Akwesasne Laws  
 Court appointed defense services  
 Peacebond Hearings  
 Mediation Services  
 Appeals (tbd)

**Ontario Probation**; (MCSOS Ontario) Supervision of clients  
**Quebec Probation** (Ministère de la Sécurité publique) Supervision of clients

**Akwesasne Community Justice Program**  
 In 2004, a Crown Protocol agreement was established between MCA, DOJ Quebec and MAG Ontario for diversion and community justice services.

**Services:**  
 Neh Kanikonriio Council (Criminal Court Diversions) 30-50 diversions/yr  
 Aboriginal Court Worker Program

**Ministry of Children and Youth Services**  
 Youth Liaison Worker  
 Youth Community Services Monitor  
 (Youth Personal Service Orders)  
 Extra-Judicial Measures (since 2012) = 84 clients  
 Extra-Judicial Services (since 2012) = 63 clients

**Native Inmate Liaison Officer Program**  
 Native programming, services and counselling at the Ottawa Carleton Detention Centre.  
 Culturally relevant programming  
 Sweat Lodge on site  
 Smudging  
 Referral Services