



FOR IMMEDIATE RELEASE

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On Aboriginal Justice Awareness Day, the AMC calls on provincial and federal governments to finally implement the Aboriginal Justice Inquiry

Treaty One Territory, Manitoba – On the occasion of *Aboriginal Justice Awareness Day*, marked on February 26, 2021, AMC Grand Chief Arlen Dumas calls out both the federal and provincial governments on their failure to fully implement the Aboriginal Justice Inquiry (AJI).

The 1987 trial and outcome of the kidnapping and murder of Helen Betty Osborne led to widespread calls for a public inquiry. In 1988, Winnipeg Police Services shot JJ Harper to death. This led to the Island Lake Tribal Council initiating a First Nation commemorative "JJ Harper Day," which has since been renamed Aboriginal Justice Awareness Day. These two main events led to the province of Manitoba creating the Public Inquiry into the Administration of Justice and Aboriginal Peoples, otherwise referred to as the AJI.

Co-chaired by Associate Chief Judge Murray Sinclair and Associate Chief Justice Alvin Hamilton, the AJI made 296 recommendations. The recommendations were mostly unaddressed during most of the 90s until 1999, until work began on the AJI-Child Welfare Initiative. Although provincial governments have made efforts to implement the AJI, particularly its child welfare recommendations, the promise of the AJI for First Nations remains largely unfulfilled to this day.

AMC Grand Chief Arlen Dumas stated:

For thirty years, history shows a near non-existent meaningful attempt to fully implement the AJI by successive provincial and federal governments. Continued inaction can be seen from the Royal Commission on Aboriginal Peoples Report, to the Truth and Reconciliation Commission's Calls to Action, to the National Inquiry into Missing and Murdered Indigenous Women and Girls. This aversion for mainstream political parties and politicians has, and continues to have, a devastating impact on First Nations in Manitoba.

First Nations continue to be disproportionately arrested, incarcerated and continue to suffer more severe outcomes due to involvement with the provincial justice system. Sadly, three years ago this month, justice was denied for Tina Fontaine, her family, and First Nation by Manitoba's justice system. This month, Headingley Correctional Institute staff killed William Ahmo, the Independent Investigations Unit exonerated the Winnipeg Police Services shooting of Eishia Hudson. In one week alone, the AMC First Nations Family Advocate's Office received reports of four missing First Nations women.

The AMC Chiefs-in-Assembly was quick to fully endorse the AJI and called for its full implementation. First Nations leadership saw the benefit for their citizens and nations in terms of rights recognition, jurisdiction and the administration of First Nations laws and our own justice and court systems. The leadership of the day, like now, knew that had the AJI been implemented, First Nations in this province would have better education and health outcomes overall, as well as a better quality of life from participating in the economy and from an equitable share in the natural resources generated from our territories and lands.

Because of the refusal and dithering of provincial and federal governments and bureaucrats, valuable time has been lost for First Nations to pursue their self-determination in the area of justice. This includes lost time for the reinvigoration and restoration of existing inherent First Nations laws, restorative justice approaches and traditional forms of peacemaking. It also includes lost time for enhancing First Nations' capacity to respond to the current justice system's existing problems, from policing, representing our people in courts, to corrections.

There was some good sectoral work with the AJI – Child Welfare Initiative (AJI-CWI). In 2005, this led to the temporary measure of the provincial *Child and Family Services Authorities Act* and other provincial legislative reforms until First Nations design and control and administer their own child welfare system created under their laws. Thanks to the ongoing advocacy at the Canadian Human Rights Tribunal, the federal government held accountability. Sadly, there remains a number of provincial issues with the current state of child welfare for First Nations in Manitoba, and there is still much work that needs to be done with the federal and provincial governments in this area.

Recently, the AMC has been working with Legal Aid Manitoba through its Public Interest Law Centre to reinvigorate First Nations' inherent laws dealing with children and families. The AMC Executive Council of Chiefs has identified the need to focus on work in the area of justice by supporting the development of a Justice and Restoration of Legal Systems Unit, and reinvigorating the AMC Chiefs Justice Committee.

As noted in my recent Facebook live session with Murray Sinclair, First Nations are united in a call to address the colonial constructs and assumed white superiority that informs, underpins and manifests as systemic racism against First Nations within police services and the justice system in Manitoba.

Looking forward, the AMC remains committed to the full restoration of First Nation's inherent jurisdiction in the area of justice through the operation of justice systems mandated by First Nations carrying out their own laws. It must ultimately reduce First Nations' representation in provincial and federal systems, including child welfare agencies, jails and prisons.

To this end, the AMC, in partnership with Manitoba and Canada, is advancing restorative justice initiatives and the restoration of First Nations laws and legal systems under First Nations' jurisdiction. My office and the AMC Secretariat have also been in discussions with federal and provincial politicians and government representatives to work on issues from policing and the Independent Investigations Unit, representation of First Nations in the current justice system, development of restorative justice hubs that can lead to the re-establishment of First Nations justice systems.

Discussions with the provincial and federal governments on going forward with First Nations in the area of justice can be effective. However, any approach to justice must be made holistically to meaningfully address all areas that affect First Nations in the area of justice, as recommended by the AJI.

To have the potential to make up for lost time and result in meaningful change concerning the administration of justice and First Nations in Manitoba, I therefore call on the province of Manitoba and Canada to honour the principles and vision of the AJI Commissioners on the 30th anniversary of their report, and commit to work with First Nations in Manitoba and the AMC to fully implement it as reconciliation action consistent with the Truth and Reconciliation Commission and many calls for justice from the National Inquiry into MMIWG. This would then give some long-needed response to the basis of Aboriginal Justice Awareness Day: the death of JJ Harper, of Helen Betty Osborne and many more First Nations women and men that have gone before and that we have lost.

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About the Assembly of Manitoba Chiefs

The AMC was formed in 1988 by the Chiefs in Manitoba to advocate on issues that commonly affect First Nations in Manitoba. AMC is an authorized representative of 62 of the 63 First Nations in Manitoba with a total of more than 151,000 First Nation citizens in the province, accounting for approximately 12 percent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Ininew (Cree), Anishininew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.