

## Wet'suwet'en Unlocking Aboriginal Justice

In response to the general dissatisfaction of the Western Judicial System – the Unlocking Aboriginal Justice Program proposal was developed and implemented in 1992. Cost shared by Department of Justice – Canada & Attorney General, British Columbia Government.

The Wet'suwet'en territory is located in Northwest British Columbia, Canada. There are approximately 3800 people living in the Wet'suwet'en Nation. The Wet'suwet'en, means people of the lower drainage. The Wet'suwet'en Territories are defined by the Bulkley River drainage, the headwaters of the Fraser River drainage, and the Babine Lake drainage.

The process of the justice system we have within the Traditional Territories is not a matter of creating a new system, but rather a matter of **UNCOVERING our LAWS AND PRACTICE** and having them **RECOGNIZED**.

We have drawn from our own experiences through, work and continual learning. The Western Justice System has been very successful in standing in the way in our efforts in dealing with our problems. The ultimate responsibility for justice relies on all of us, as House members, as Wet'suwet'en.

### **Social Structure:**

The Wet'suwet'en is a matrilineal descent group, which are made up of clans, of which we are born into the clan; we follow our mothers kinship ties. All the clan members identify the clan crests, such as a frog, the wolf, the bear, the sun, or the beaver. There are five clans within the Wet'suwet'en; Gilsehyu – Big Frog, Laksamshu – Fireweed, Tsayu – Beaver, and the Laksilyu – Small Frog.

Each of the clans listed is made up of distinct matrilineages, which are subdivided into Houses. Tem of the **Kinship**, a house is a matrilineage of people so closely related that the members know how they are related. The closest relatives on one's mother's side are in that particular house.

### **Wet'suwet'en**

#### **Laksilyu**

**Ginehlcaiyax** – House of many eyes

**Tsekalkaiyax** – House on top of a flat rock

**Kwanbeahyax** – House beside the fire

#### **Gilsehyu**

**Ya'tsalkas** – Dark House

**Ta'tsowitan** – Thin House

**Kaiyax** – Birch bark House

#### **Gitdumden**

**Kyasyax** – Gruzsky House

**Kaiyaswinits** – House in the middle of many

The Wet'suwet'en Unlocking Aboriginal Justice Program is working to strengthen and enhance our tradition based on our cultural laws working in conjunction with the Canadian Justice System.

Goals of the program;

- **Prevention** – some examples of prevention. Working with the Wet'suwet'en Youth and the membership to provide workshops addressing; Self Esteem, Spousal Abuse, Traditional Cultural Activities to revitalize the culture of the Wet'suwet'en.
- **Intervention** – the program hosts Men's and Ladies UAJ Culture Camps, communication skills workshops, Asserting yourself, time management, looking after yourself in a healthy manner, development of positive support network.
- **Rehabilitation** – Assess and develop plans of actions for program participants, working with the hereditary chiefs to enhance & strengthen cultural identity and understand our traditional system.
- **Support** – Working directly with the house group's members in developing a healthy support network for clients.

### **What is Unique about our program ?**

- The foundation is based upon traditional Wet'suwet'en Laws.
- The involvement of Hereditary Chiefs and Members & Victims
- The linkage to a future governance structure.
- The acceptance of the UAJ program by both the Provincial and Federal Governments.

### **What is WUAJ?**

- The UAJ program is based on the traditional justice system of the Wet'suwet'en people
- UAJ serves all members of the Wet'suwet'en Nation, no matter where they live.
- The potential client must be involved in the Wet'suwet'en UAJ program by voluntary consent. Client must be willing to take responsibility of his/her actions.
- The justice worker will request information (police report, victim(s) statement).
- The justice worker will meet with the client and explain the criteria and conditions and the intent of the program. An interview with the client is established to review their intentions of a rehabilitation plan.
- The justice worker will contact the House chief and WUAJ Advisory board/pr members to review and assess the referral.'
- **The victim must consent to the acceptance of the referral. If the victim does not agree to the acceptance of the referral to the program the file is then closed and referred back to the referring agency.**

- When all parties have accepted the referral, house group meeting is scheduled for the development of adequate support and construction of rehabilitation plans.
- A rehabilitation plan will be ratified by all parties (victim, clan, family) Agreement for services will be drawn and signed by all parties and sealed with the WUAJ corporate seal and presented in court.
- Copies of the contract agreement of services will be distributed to the members involved. If the participant is sentenced to serve a term of probation the WUAJ justice worker will supervise the court order.
- Case conferencing will be scheduled as needed with Probation Officers, Victims Support Worker, Clan & local service providers (Band Social Workers, Drug & Alcohol Counselors, Family Support Workers).
- The client is required to contact the Justice worker once a month or as per risk assessment (High risk: 4 x month – Low risk: 1X) to review progress. Monthly reports are submitted to all parties or as per required.
- If the client re-offends a House group meeting will be scheduled to address the concerns, either by re-designing the plan of action or terminate the file. The advisory board will determine if the file is closed and referred back to the referring agency and/or criminal charges for non-compliance.
- Should the client, while in a contact agreement and not comply within three months without just cause, the justice worker will contact all parties to recommend termination of the contract and refer back to referring agency for processing.

The Wet'suwet'en UAJ Program is guided and supported by the UAJ Elders Advisory Board; that have an understanding of traditional laws and practices of the Wet'suwet'en people. The advisory board is made up of elders and chiefs from the Wet'suwet'en membership. The intent of the board is to assist the justice workers on stabilizing the program within the Wet'suwet'en Nations to develop and maintain the program such as; the program attains the intent of the goals. The advisory board reviews existing policies, criteria and conditions of the program including to be entrusted to make decisions for the benefit of the clan, house-members and the program.

The program has entered into protocol agreements with 10 local agencies with the service areas: Local Detachments of the RCMP, Ministry of Children & Families, Legal Aide Offices, Friendship Centers, Northwest Community Corrections,. Presently working on finalizing protocol agreement with Crown Counsel, Native Court Workers Association and Federal & Provincial Parole Boards.

