# INDIGENOUS PEOPLE & THE JUSTICE SYSTEM

*A listing of materials available at the Justice Institute Library*

## GENERAL LAW - BOOKS

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<thead>
<tr>
<th>Title</th>
<th>Author(s)</th>
<th>Publisher</th>
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<tr>
<td>21 Things You May Not Know About the Indian Act: Helping Canadians Make Reconciliation with Indigenous Peoples a Reality</td>
<td>Bob Joseph</td>
<td>Indigenous Relations Press.</td>
<td>Port Coquitlam, BC</td>
<td>KE7709.2 J67 2018</td>
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<tr>
<td>Aboriginal Law</td>
<td>Thomas Isaac</td>
<td>Carswell</td>
<td>Toronto, ON</td>
<td>KE7709 I823 2016</td>
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<tr>
<td>Aboriginal Law Handbook</td>
<td>Olthuis Kleer Townshend, LLP</td>
<td>Thomson Reuters</td>
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<td><a href="http://www.lss.bc.ca/publications/pub.php?pub=5">http://www.lss.bc.ca/publications/pub.php?pub=5</a></td>
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<tr>
<td>Bill C-31, Equality or Disparity? The Effects of the New Indian Act on Native Women</td>
<td>Joan Holmes</td>
<td>Canadian Advisory Council on the Status of Women.</td>
<td>Ottawa, ON</td>
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<td>Essentials of Canadian Aboriginal Law</td>
<td>Kerry Wilkins</td>
<td>Thomson Reuters</td>
<td>Toronto, ON</td>
<td>KE7709 W55 2018</td>
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</table>
INDIGENOUS PEOPLE & THE JUSTICE SYSTEM


Intercultural Dispute Resolution in Aboriginal Contexts edited by Catherine Bell and David Kahane. Vancouver, BC: UBC Press. (K 2390 I574 2004)


Law’s Indigenous Ethics by John Borrows. Toronto, ON: University of Toronto Press. (KIC 5780.5 B67 2019)


Native Juveniles and Criminal Law: Preliminary Study of Needs and Services in Some Native Communities of Quebec by Alain Bissonnette; in collaboration with Serge Bouchard and Jacques Pregent. Ottawa, ON: Research and Statistics Section, Policy, Programs and Research Branch, Department of Justice Canada. (E 98 J9 B53 1985)

Native Rights in Canada edited by Peter Cumming, Neil Mickenberg, and Kevin Aalto ... [et al.].
Toronto, ON: Indian-Eskimo Association of Canada in association with General Publishing.
(KE 7722 C5N3 1972)

North American Indians: Canadian Law by Harry Crosby. (KE 7709 C7 1973)

Oral History on Trial: Recognizing Aboriginal Narratives in the Courts by Bruce Granville Miller.
Vancouver, BC: UBC Press. (KE 7709 M55 2011)

Otter’s Journey through Indigenous Language and Law by Lindsay Keegitah Borrows. Vancouver,
BC: UBC Press. (E 98 S77 B67 2018)

Protection of First Nations Cultural Heritage: Laws, Policy, and Reform edited by Catherine Bell and

A Review of Legal Services to Aboriginal People in British Columbia by Marion Buller. Vancouver,

Review of the Consultative Papers on the Impact of the Young Offenders Act on Native Juveniles
by Carol LaPrairie. Ottawa, ON: Programs Branch, Ministry of the Solicitor General.
(KE 9445 L37 1984)

To Right Historical Wrongs: Race, Gender, and Sentencing in Canada by Carmela Murdocca.
Vancouver, BC: UBC Press. (HV 9960 C2 M87 2013)

Suffer the Little Children: Genocide, Indigenous Children, and the Canadian State by Tamara
Starblanket. Atlanta, GA: Clarity Press, Inc. (KE 7722 I58 S73 2018)

Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories by Mary-Ellen Kelm
and Keith D. Smith. Toronto, ON: University of Toronto Press. (KE 7709.2 K45 2018)

A Toolkit for Developing Community-Based Dispute Resolution Processes in First Nations
Communities. Ottawa, ON: Canadian Human Rights Commission. (E 98 C89 T66 2013)

Witnessing the Colonialscape: Lighting the Intimate Fires of Indigenous Legal Pluralism by Sarah
Hunt. Burnaby BC: Simon Fraser University. (E 78 C2 H868 2014)

GENERAL LAW - DVDs

D956   Elijah (DVD, 88 minutes)
The Meech Lake Accord: a political crisis that left the country teetering on the edge. It’s a
subject that might put some high school students to sleep, but not in Elijah, the spirited
tale of a reluctant hero who went on to change the course of Canadian history - with a
**INDIGENOUS PEOPLE & THE JUSTICE SYSTEM**

**D1374**  
**Just Cause: Police Interaction Video** (DVD, 12 minutes)  
This comedic parody follows the adventures of a fugitive Kokum and her well meaning grandson. Hosted by Howie Miller, this hilarious comedy teaches adults of all ages about their legal rights and obligations when interacting with the police. Learn from Kokum and her grandson about the basic “do’s and dont’s” of police interaction. (Bearpaw Communications)  (E 98 C87 J87 2011)

**CORRECTIONAL SYSTEM - BOOKS**

**Aboriginal Behavioral Trauma: Towards a Taxonomy** prepared by Joseph Couture. Saskatoon, SK: Corrections Canada.  (E 98 P95 C688 1994)


**Aboriginal Offenders at the Regional Psychiatric Centre (Prairies): Final Report** by James Waldram. Saskatoon, SK: University of Saskatchewan.  (E 98 C87 W244 1992)

**Aboriginal People in Corrections: Perspectives, Restorative Justice, Interventions.** Ottawa, ON: Correctional Service Canada.  (E 98 C87 A266 2000)

[http://www.ahf.ca/publications/research-series](http://www.ahf.ca/publications/research-series)

**Analysis of Native Indian Admissions to the B.C. Correctional System for 1975** by the Program Evaluation and Data Systems section of the Corrections Branch. Victoria, BC: Ministry of the Attorney-General.  (E 98 C87 B758 1976)

**An Analysis of Native Overrepresentation in Correctional Institutions Within British Columbia** by Gregory Muirhead. Victoria, BC: University of Victoria.  (E 98 C87 M8 1980)

**Correctional Issues Affecting Native Peoples.** Ottawa, ON: Correctional Law Review.  
(E 98 C87 C25 1988)

**Dimensions of Aboriginal Over-Representation in Correctional Institutions and Implications for Crime Prevention** by Carol LaPrairie. Ottawa, ON: Corrections Branch, Solicitor General Canada.  (E 98 C87 L36 1992)


**An Examination of Aboriginal and Caucasian Women Offender Risk and Needs Factors** by Colleen Anne Dell and Roger Boe. Ottawa, ON: Correctional Service Canada, Research Branch.  
(HV 6046 D446 2000)

**Examining Aboriginal Corrections in Canada** by Carol LaPrairie, assisted by Phil Mun and Bruno Steinke, in consultation with Ed Buller, and Sharon McCue. Ottawa, ON: Ministry of the Solicitor General, Aboriginal Corrections.  (KE 7722 C75 L264 1996)

Focusing on Aboriginal Issues: Perspectives, Profiles, Programs, Reintegration. Ottawa, ON: Correctional Service Canada. (E 98 C87 F526 2002)


Native Offenders' Perceptions of the Criminal Justice System by Brad Morse and Linda Lock. Ottawa, ON: Department of Justice Canada, Policy, Programs and Research Branch, Research and Development Directorate. (E 98 C87 M67 1988)


A One-Day Snapshot of Aboriginal Youth in Custody Across Canada by Steven Bittle ... [et al.]. Ottawa, ON: Department of Justice Canada, Research and Statistics Division. (HV 9108 O547 2002)

A One-Day Snapshot of Aboriginal Youth in Custody Across Canada: Phase II: Research Reports by Jeff Latimer and Laura Casey Foss. Ottawa, ON: Department of Justice Canada, Research and Statistics Division. (HV 9108 O547 2004)

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Private Sector Alternatives to Corrections: The Role of Native Counselling Services of Alberta. Edmonton, AB: The Service. (E 98 C75 P64 1981)


Strategies to Reduce the Over-Incarceration of Aboriginal People in Canada: A Research Consultation. Regina, SK: Prairie Justice Research, School of Human Justice, University of Regina. (E 98 C87 S778 1990)


A Tribute to Our Grandparents: a Review of the Use of First Nation Traditional Remedies at the Whitehorse Correctional Centre prepared by Ida Calmegane, Ruby Van Bibber, and Mary Kane for the Council for Yukon Indians Justice Program. Ottawa, ON: Corrections Branch, Solicitor General Canada. (E 98 M4 C34 1994)

**CORRECTIONAL SYSTEM - DVDs**

**D1932**  
**Healing the Spirit** (DVD, 33 minutes)  
This program concerns the relationships of Aboriginal people with the law. Topics include: the extent of Aboriginal over-representation in the criminal justice system; success stories of Aboriginal offenders who became law abiding citizens; early years of Aboriginal offenders; factor contributing to Aboriginal offenders getting into trouble; ways of Aboriginal offenders getting out and staying out of trouble; and recognition of larger social, cultural and political forces that impacted strongly on Aboriginal communities.  
(Nechi Institute)  
(E 98 C87 H427 1995)

**D738**  
**The Meaning of Life** (DVD, 82 minutes)  
This film looks at a very unusual prison, and at a fascinating model for rehabilitating prisoners - a collaboration between the Chehalis Nation of British Columbia and Correctional Service of Canada. Filmed over the course of two years at Kwikwêxwelhp (formerly known as the Elbow Lake Correctional Facility), the film examines a different way to look at the concepts underlying punishment and rehabilitation and the idea that the current prison system can be significantly changed by including community in the process.  
(Face-to-Face Media)  
(E 98 C87 M425 2008)

**D1983**  
**On the Red Road** (DVD, 48 minutes)  
A documentary about the transition of Aboriginal inmates from a federal prison to the outside. The program picks up two years after the completion of Within the walls: a story of healing. It focuses on four Aboriginal men, who talk about their ongoing "red road" program of healing, re-integration into the community and hopes for the future.  
(Chiara Productions)  
(HV 9309 B7 O57 2003)

**D1537**  
**The Spirit Within** (DVD, 52 minutes)  
Looks at native spirituality programs, led by native elders, and assisted by Liaison Officers, that have been established in Western Canada's federal and some provincial penal institutions. The way of life in the institutions, the impact of the programs, and depiction of the program, workshops and ceremonies provide an introduction to the facts of life faced by native inmates.  
(National Film Board of Canada)  
(E 98 C75 S658 1990)

**D1312**  
**Voyage of Rediscovery** (DVD, 23 minutes)  
This video documents the story of Frank Brown, who as a young Heilsuk Native boy of Bella Bella, B.C., found himself in trouble with the law. In an agreement between family and judge, traditional Heilsuk law was applied and he was exiled from his village to a remote island for eight months. As a result, his life was transformed and he eventually led a project which helped to restore a sense of pride to his people.  
(See-Quest Development Company)  
(E 98 C87 V68 1990)

**GOVERNANCE - BOOKS**

**Aboriginal Governments and Power Sharing in Canada** edited by Douglas Brown.  
Kingston, ON: Institute of Intergovernmental Relations, Queen's University.  
(E 92 A364 1992)


Minutes of Proceedings and Evidence of the Special Committee on Indian Self-Government. Ottawa, ON: Queen's Printer for Canada. (E 92 C33a 1983)


Negotiating Yukon First Nation Self-government by David Roddick. Ottawa, ON: Carleton University. (E 78 Y8 R633 1995)


A Quiet Evolution: The Emergence of Indigenous-Local Intergovernmental Partnerships in Canada by Christopher Alcantara and Jen Nelles. Toronto, ON: University of Toronto Press. (E 92 A53 2016)


JUSTICE - BOOKS


An Annotated Bibliography of Aboriginal-Controlled Justice Programs in Canada by Jim Harding and Bruce Spence. Regina, SK: Prairie Justice Research, University of Regina. (E 98 C87 H274 1991)


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**Bridging the Cultural Divide: A Report on Aboriginal People and Criminal Justice in Canada.**
Ottawa, ON: Royal Commission on Aboriginal Peoples. (E 78 C2 B758 1995)


**Building Community Justice Partnerships: Community Peacemaking Circles** by Barry Stuart.
Ottawa, ON: Department of Justice, Aboriginal Justice Section. (HV 9279 S783 1997)


**Criminal Injustice: Racism in the Criminal Justice System** edited by Robynne Neugebauer. Toronto, ON: Canadian Scholars' Press. (HV 9960 C2 C755 2000)


**Cross Cultural Issues in the Justice System: The Case of Aboriginal People in Canada** by Thérèse Lajeunesse. Honolulu, HI: University of Hawaii. (E 98 C87 L234 1991)

**Dancing With a Ghost: Exploring Indian Reality** by Rupert Ross. Markham, ON: Octopus Books. (KE 7722 C75 R6 1992)

**Developing & Evaluating Justice Projects in Aboriginal Communities: A review of the literature**
by Don Clairmont and Rick Linden. Ottawa, ON: Solicitor General Canada. (E 98 C87 C523 1998)

**Dying from Improvement: Inquests and Inquiries into Indigenous Deaths in Custody** by Sherene H. Razack. Toronto, ON: University of Toronto Press. (E 78 B9 R39 2015)

**Evaluation of the Native Courtworker and Counselling Association of British Columbia: a Synopsis** by Frederick Zemans. Vancouver, BC: Native Courtworker and Counselling Association of British Columbia. (KEB 529.5 C6 Z45 1976)

**Evaluation of the Native Courtworkers' Association of British Columbia** by Frederick Zemans with the assistance of Ronni Richards, and James Nichol. Vancouver, BC: Native Courtworker and Counselling Association of British Columbia. (KEB 529.5 C6 Z4 1975)
An Examination of Healing Lodges for Federal Offenders in Canada by Shelly Trevethan, Nicole Crutcher, and Christopher Rastin. Ottawa, Ont.: Correctional Services of Canada, Research Branch. (HV 9507 T7 2002)

http://publications.gc.ca/pub?id=380400&sl=0

Explorations in Prairie Justice Research edited by Dorothy Hepworth. Regina, SK: Canadian Plains Research Center, University of Regina. (HV 6809 P7 E95 1979)


Indians and the Criminal Justice System: A Brief Presented to the National Conference on Native Peoples and the Criminal Justice System. Ottawa, ON: The National Indian Brotherhood. (E 98 C87 I532 1975)


Law and Order for Canada's Indigenous People by Paul Havemann ... [et al.]. Ottawa, ON: Programs Branch, Ministry of the Solicitor General. (KE 7709 L39 1985)


http://publications.gc.ca/pub?id=407856&sl=0

INDIGENOUS PEOPLE & THE JUSTICE SYSTEM

Moving Toward Justice: Legal Traditions and Aboriginal Justice edited by John D. Whyte.
Saskatoon, SK: Purich Pub. (KE 7708 M68 2008)

Native Alternative Dispute Resolution Systems: the Canadian Future in Light of the American Past
(KE 7709 R835 1993)


Native Criminal Justice: Research Issues and Data Sources by Wanda Jamieson and Carol LaPrairie.
Ottawa, ON: Solicitor General Canada. (E 98 C85 J345 1987)

Native Criminal Justice Research and Programs: An Inventory by Carol LaPrairie and Barbara Craig.
Ottawa, ON: Programs Branch, Ministry of the Solicitor General. (E 98 C87 L36 1984)


Native People and the Administration of Justice: An Overview: Working Paper prepared by Brian
Copley. Victoria, BC: B.C. Ministry of Attorney-General, Justice Planning Unit.
(E 98 C87 C665 1975)

Native People in the Administration of Justice in the Provincial Courts of Alberta. Edmonton, AB:
Alberta Board of Review, Provincial Courts. (E 78 A4 A62 1978)

Native Peoples and Justice: Reports on the National Conference and the Federal-Provincial
Conference on Native Peoples and the Criminal Justice System, Both Held in Edmonton,

Native Victims in Canada: Issues in Providing Effective Assistance by G.S. Clark and Associates.
Ottawa, ON: Solicitor General of Canada. (E 98 C87 N388 1986)

Natives & Criminal Justice Catalogue. Ottawa, ON: Solicitor General Canada, Ministry Library and
Reference Centre. (E 98 C87 N283 1990)

Obstruction of Justice: The Search for Truth on Canada’s Highway of Tears by Ray Michalko.
Markham, ON: Red Deer Press. (HV 6535 C32 B756 2016)

The Paradox of Reform: The Indigenization of Canada’s Criminal Justice System by Terry
Wotherspoon and Vic Satzewich. Regina, SK: University of Saskatchewan.
(E 98 C87 W684 1993)

Policing Indigenous Movements: Dissent and the Security State by Andrew Crosby and Jeffrey

Policy Paper: The Role of the Native Courtworker and Counselling Association of B.C.
Vancouver, BC: (KEB 529.5 C6 N3)

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S.107 and Other Alternative Justice Systems for Indian Reserves in B.C. by Gary Youngman. Vancouver, BC: The Department Of Indian Affairs. (E 98 C87 Y69 1978)

Sentencing Patterns and Sentencing Options Relating to Aboriginal Offenders by Scott Clark. Ottawa, ON: Department of Justice. (E 98 C87 C257 1990)


Understanding the Role of Healing in Aboriginal Communities by Marcia B. Krawll. Ottawa, ON: Corrections Branch, Solicitor General Canada. (E 78 C2 K72 1994)
INDIGENOUS PEOPLE & THE JUSTICE SYSTEM


Young Offenders Courtworker Program: A Program Review by Native Counselling Services of Alberta. Edmonton, AB: The Service. (E 98 J9 N271985)

Yukon Courtworker Services Report prepared by Mary Kane. Whitehorse, YT: Department of Justice. (E 98 C82 K26 1986)

**JUSTICE - DVDs**

**D354**  
**Circle of Justice** (DVD, 51 minutes)  
A film about going to prison to gain one's freedom. The stories of Aboriginal offenders unfold behind the walls of a federal penitentiary (Springhill Institution in Nova Scotia) as Robert, David and George struggle with issues of mercy and healing within a man-made institution designed to deter and punish. Gilbert Sanipass, a Mi’kmaq elder, brings his wisdom into the prison, and introduces members of the Native Brotherhood Association to their culture and traditions for the first time. Looks at the Kwikwexwelhp Healing Lodge on the West Coast as an example of an effective means of combining corrections with Aboriginal healing and culturally-based programming, to enable a more productive reintegration into society. Unfortunately, no such facilities exist yet in the Maritimes, but the Brothers have created their own sweat lodge. (Kinetic Video) (E 98 C87 C575 2004)

**D1043**  
**Incident at Oglala: The Leonard Peltier story** (DVD, 90 minutes)  
Examines the 1975 incident where armed FBI agents illegally entered the Pine Ridge Indian Reservation, resulting in the deaths of a Native American and two FBI agents. Explores the controversy and potential abuse of justice surrounding the case of Leonard Peltier, who was the sole person in the incident convicted of murder and sentenced to life in prison. (Amazon.ca) (E 98 C87 I53 2004)

**D1522**  
**Justice and Reconciliation** (DVD, 55 minutes)  
Dr. Joe Solanto invites us to examine policies and practices which often result in social harm rather than an enhanced cultural dialogue. Solanto reminds us that acknowledging diversity in culture and circumstance in Canadian aboriginal communities is not enough; we must thoroughly examine the assessment tools and models we use when we approach aboriginal communities so as to avoid unintentionally continuing oppressive practices. At a deeper level, he notes, our widely accepted understanding of rights and personhood is a backdrop against which aboriginal people and their cultural values are often misunderstood and oppressed. Solanto challenges us to abandon flawed and inadequate practices and models in favour of community building, which begins with non-aboriginals acknowledging the healing that they must engage in order to become true allies on the path toward reconciliation. (Heartspeak Productions) (HV 8688 S653 2012)
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D1980  Keepers of the Fire (DVD, 24 minutes)
Four elders--Dennis Thorne, Cecil Nepoose, Francis McAdam, and Elsie Paul--work with First Nations people who have been caught in the Canadian justice system. They help young people to regain their sense of spirituality and self-esteem through the wisdom of the sweat lodge, the sacred pipe, and the drum, presented in workshops and plays. The elders attempt to help with the issues of substance abuse, suicide and racism that plague Canada's First Nations people. (Great North Productions) (E 98 C87 K434 1993)

D1975  A Way of Seeing: The Judiciary and Native Culture (DVD, 26 minutes)
This program is addressed to B.C. judges to help foster clearer understanding of native people and culture. The goal of this training is that when a native person appears in a courtroom as victim, witness, or accused, a judge will understand that there are cultural reasons for native people's everyday behavior and courtroom conduct. (Western Judicial Education Centre) (E 98 C87 W287 1993)

TREATIES - BOOKS


Effective Negotiation by Indigenous Peoples: An Action Guide with Special Reference to North America by Russel Lawrence Barsh, Krisma Bastien, and in collaboration with Kevin Christmas... [et al.]. Geneva, CH: ILO. (JV 305 B277 1997)


INDIGENOUS PEOPLE & THE JUSTICE SYSTEM


The World is Our Witness: The Historic Journey of the Nisga’a into Canada by Tom Molloy. Calgary, AB: Fifth House Publishers. (KE 7749 N5 M64 2000)

TREATIES - DVDs

D030 Honour of the Crown (DVD, 47 minutes)
Francois Paulette has devoted more than 25 years of his life to resolving a battle that is over a century old. Senior negotiator for the Smith's Landing First Nation, Paulette is determined to see the Canadian government honour promises made to the Thebatthi (Chipewyan) people in an 1899 treaty. This documentary provides a glimpse into the struggle to reclaim nine tracts of land and $33 million in compensation. (National Film Board of Canada) (E 99 C59 H663 2001)

D1979 A New Journey--The Nisga’a Treaty (DVD, 18 minutes).
The Nisga’a People have been trying to negotiate with the federal and provincial governments of Canada for 125 years for the right to own their land and be full citizens of this country. They are finally being listened to. This video is an introduction to the Nisga’a Treaty with comments by David Suzuki, Jack Wisegerber, Chief Joe Gosnell, and others. (Nisga’a Treaty Implementation Project) (KE 7702.7 N484 1998)

D1976 Treaty Making in B.C. II (DVD, 17, 18 minutes)
Unfinished business (16:30 minutes): an outline of the historical relationship between the federal and provincial governments and the First Nations of B.C. Key questions (17:30 minutes): contains highlights from a two-hour forum held in 1995 to inform British Columbians about the current treaty-making process in B.C. It focuses on: the content of the negotiations, the concerns of people not involved in negotiations, the pace of negotiations, and the possible costs and anticipated benefits of the process. (British Columbia Treaty Commission) (KEB 529.5 T7 T745 1996)

TREATIES - GAMES

O023 First Nations Treaty Board Game (1 game board, 1 die, 5 game pieces, 69 game cards, place name maps, information booklet, game rules and final agreement)
The object of this game is to have fun and to learn about the British Columbia treaty process. The game begins with each player placing their game piece on the stage one square and the game is complete when one of the players is successful in reaching the inner circle area entitled Treaty. (Hul’qumi’num Treaty Group) (KEB 529.4 F576 2006)
Other related bibliographies:
Aboriginal Peoples
Minorities and Policing - Aboriginal Policing
Residential Schools
Restorative Justice

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