INDIGENOUS PEOPLE &
THE JUSTICE SYSTEM

A listing of materials available at the Justice Institute Library

GENERAL LAW - BOOKS


Aboriginal Law by Thomas Isaac. Toronto, ON: Carswell. (KE 7709 I823 2016)

Aboriginal Law Handbook by Olthuis Kleer Townshend, LLP. Toronto, ON: Thomson Reuters. (KE 7709.2 A263 2018)


Bill C-31, Equality or Disparity? The Effects of the New Indian Act on Native Women by Joan Holmes. Ottawa, ON: Canadian Advisory Council on the Status of Women. (E 98 W8 H65 1987)


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


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)


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

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


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 feather. (Distribution Access) (PN 1992.63 E45 2008)

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)


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)


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)


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) [http://publications.gc.ca/pub?id=309926&sl=0]

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) [http://publications.gc.ca/pub?id=309928&sl=0]


Private Sector Alternatives to Corrections: The Role of Native Counselling Services of Alberta. Edmonton, AB: The Service. (E 98 C75 P64 1981)
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http://publications.gc.ca/pub?id=297405&sl=0


http://publications.gc.ca/pub?id=309330&sl=0

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 Kwikwëxwelhp (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. (Chiaro 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


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)


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)


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


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 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)


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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)


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)

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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)


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


(KEB 529.5 C6 A73 1993)

(KE 7735 R687 1996)

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)

Strategic Planning Meeting on Crime and Justice Research in Indian Country, October 14-15, 1998,  
Portland, Oregon sponsored by the National Institute of Justice, the American Indian and Alaska  
Native Affairs Office and the Office of Juvenile Justice and Delinquency Prevention.  Washington,  

Telling It to the Judge: Taking Native History to Court by Arthur J. Ray.  Montreal, QC: McGill-  
Queen’s University Press.  (KE 7709 R39 2011)

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

Working with Aboriginal Child Victim Witnesses/Prepared for the Province of British Columbia  
Ministry of Attorney General, Community Justice Branch, Victim Services Division by  
General.  (KE 9335 W673 1996)

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)

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)


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)
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

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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