

NEWS PRESS RELEASE

RESTORATIVE JUSTICE AGREEMENT SIGNED BETWEEN FISHERIES AND OCEANS, THE PUBLIC PROSECUTION SERVICE AND THE MI'KMAQ CONFEDERACY OF P.E.I.

PEI – April 10, 2018

The Government of Canada is committed to working with the Mi'kmaq Confederacy of Prince Edward Island (MCPEI) to support Restorative Justice efforts.

Today, the MCPEI, the Lennox Island First Nation, the Abegweit First Nation, the Department of Fisheries and Oceans (DFO), and the Public Prosecution Service of Canada (PPSC) held a formal ceremony to sign a Restorative Justice agreement that adds *Fisheries Act* offences to the MCPEI's Indigenous Justice Program already in place on the Island. This is the first agreement of its kind in eastern Canada.

Restorative justice is an alternative to the traditional court system that allows Indigenous and other groups to use a process based on holistic community values. It is an approach that personalizes the offence by having victims and offenders mediate a restitution agreement – one that often involves the community. This approach considers crime and wrongdoing to be an offence against an individual or community.

Under the agreement, members of Lennox Island First Nation or Abegweit First Nation, including those of Mi'kmaq heritage permanently residing on one of the First Nation reserves on P.E.I., may be eligible under predetermined criteria to have their case diverted from the traditional court system so long as they accept responsibility for the act that forms the basis of the offence and comply with the provisions of the alternative measures devised by the program. Cases that could be diverted include any offences under the *Fisheries Act* where the Crown elects to proceed summarily and other offences on the joint recommendation of the Officer and the Justice Director, with the written consent of the Chief Federal Prosecutor.

The DFO National Chief Enforcement Program is currently working on the development of a National Action Plan for restorative justice to become a standard enforcement tool for all regions.

Quotes

"The Government of Canada is working with Indigenous communities across the country to explore new ways to advance their rights and self-determination. This Memorandum of Understanding with the Mi'kmaq Confederacy of Prince Edward Island is a step forward for our Government, through the Department of Fisheries, Oceans and the Canadian Coast Guard. It is the first signed agreement of its kind in eastern Canada, and I hope we will see many more like it."

–The Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and the Canadian Coast Guard

"We are very pleased to be part of today's announcement that will allow members of the Mi'kmaq community to be part of a process based on traditional restorative justice practices for fishery offences. This is an important step in building relations with the Department of Fisheries and Oceans by supporting and developing a restorative justice protocol that will see Mi'kmaq people rehabilitate through reconciliation with the community."

- Chief Brian Francis, Abegweit First Nation, Co-Chair Mi'kmaq Confederacy Board of Directors

"We have seen firsthand through the Mi'kmaq Confederacy's Indigenous Justice Program the positive impact on our communities through restorative justice with respect to Criminal Code offences. It was a natural progression to extend the approach of community healing and rehabilitation to offences related to the fishery. As with Criminal Code offences, it is important to recognize that this approach does not provide the offender with a free pass; rather it is a comprehensive process aimed at healing and reconciliation."

- Chief Matilda Ramjattan, Lennox Island First Nation, Co-Chair Mi'kmaq Confederacy Board of Directors

- 30 -

Quick Facts

- This agreement includes the Lennox Island First Nation, Abegweit First Nation and the Mi'kmaq Confederacy of PEI.
- An Implementation Working Group has been established consisting of key MCPEI advisors and area and regional DFO staff.
- Members of the Implementation Working Group will be preparing a formal plan now that all parties have signed off on the protocol, around the following parameters: enforcement protocols and procedures; education, training and outreach processes; caseload, funding and uptake outside the communities.
- This agreement takes effect as of its signing.

Contacts

Cynthia Shannon
Communications
Department of Fisheries and Oceans – Gulf Region
506-851-6095
cynthia.shannon@dfo-mpo.gc.ca

Don MacKenzie
Executive Director
Mi'kmaq Confederacy of PEI
902-626-2882
dmackenzie@mcpei.ca