



JUSTICE IN ABORIGINAL COMMUNITIES

SENTENCING
ALTERNATIVES



ROSS GORDON GREEN



Justice In Aboriginal Communities Sentencing Alternatives

Jennifer A. Hamilton



Justice In Aboriginal Communities Sentencing Alternatives:

Justice in Aboriginal Communities Ross Gordon Green, 1998-08-01 Combining qualitative research personal experience and scholarly literature Ross Green looks at the evolution of the Canadian criminal justice system and the values upon which it is based against the Aboriginal concepts of justice Using his personal experiences as a defence lawyer case studies of several communities as well as interviews with judges prosecutors community leaders and participants in sentencing circles sentencing panels and mediation committees Green approaches the criminal justice system from multiple angles Against this backdrop he analyzes the successes of and challenges to the innovative sentencing approaches currently evolving in Aboriginal communities

Aboriginal People and Other Canadians D. N. Collins, 2001 Discusses a wide variety of issues in Native studies including social exclusion marginalization and identity justice equality and gender self help and empowerment in Aboriginal communities and in the cities and methodological and historiographical representations of social relationships

Indigenous Courts, Self-Determination and Criminal Justice Valmaine Toki, 2018-04-09 In New Zealand as well as in Australia Canada and other comparable jurisdictions Indigenous peoples comprise a significantly disproportionate percentage of the prison population For example Maori who comprise 15% of New Zealand's population make up 50% of its prisoners For Maori women the figure is 60% These statistics have moreover remained more or less the same for at least the past thirty years With New Zealand as its focus this book explores how the fact that Indigenous peoples are more likely than any other ethnic group to be apprehended arrested prosecuted convicted and incarcerated might be alleviated Taking seriously the rights to culture and to self determination contained in the Treaty of Waitangi in many comparable jurisdictions including Australia Canada the United States of America and also in the United Nations Declaration on the Rights of Indigenous Peoples the book make the case for an Indigenous court founded on Indigenous conceptions of proper conduct punishment and behavior More specifically the book draws on contemporary notions of therapeutic jurisprudence and restorative justice in order to argue that such a court would offer an effective way to ameliorate the disproportionate incarceration of Indigenous peoples

New Directions in Restorative Justice Elizabeth Elliott, Robert Gordon, 2013-06-17 This book addresses a number of key themes and developments in restorative justice and is based on papers originally presented at the 6th International Conference on Restorative Justice in Vancouver It is concerned with several new areas of practice within restorative justice with sections on restorative justice and youth aboriginal justice and restorative justice victimization and restorative justice and evaluating restorative justice Contributors to the book are drawn from leading experts in the field from the UK US Europe Canada Australia and New Zealand

Handbook of Restorative Justice Gerry Johnstone, Daniel Van Ness, 2013-01-11 This book provides a comprehensive and authoritative account and analysis of restorative justice one of the most rapidly growing phenomena in the field of criminology and justice studies This book aims to meet the need for a comprehensive reliable and accessible overview of the subject It draws together leading authorities on

the subject from around the world in order to elucidate and discuss the key concepts and principles of restorative justice explain how the campaign for restorative justice arose and developed into the influential social movement it is today describe the variety of restorative justice practices explain how they have developed in various places and contexts and critically examine their rationales and effects identify and examine key tensions and issues within the restorative justice movement brings a variety of disciplinary and interdisciplinary perspectives to bear upon the understanding and assessment of restorative justice The Handbook of Restorative Justice is essential reading for students and practitioners in the field

Criminal Justice Eleanor Hannon Judah, 2013-04-03 There are nearly two million inmates in America today Are there better alternatives to incarceration Criminal Justice Retribution vs Restoration presents new answers and unconventional suggestions addressing America's overcrowded prisons and jails high recidivism rates and weakened family and community relationships with ex prisoners Experts in the field discuss the benefits and failures of America's criminal justice system at various times in history and today then explore possibilities to improve on that system This groundbreaking book introduces encouraging therapeutic approaches to criminal justice that include treatment rehabilitation and the direct involvement the victims the families and the communities Criminal Justice looks at America's over reliance on punishment and retribution as the means of responding to prevalent social problems and examines the justice system's tendency to incarcerate rather than treat minority mentally ill poor and drug dependent offenders The authors who are all active in some field of criminal justice argue for a restorative model of correction that is more humane to both offenders and victims This model opens up dialogue between offenders and their victims families and communities by promoting hallmark programs including victim offender mediation conferencing peacemaking circles restitution and community projects and services Criminal Justice includes such intriguing topics as the social costs and moral economy of incarceration drug policy should drug users be incarcerated or rehabilitated the potential of restorative justice a first hand account from a prison inmate restorative justice and faith communities the practice and efficacy of restorative justice the path from fury to forgiveness the emotions of the mother of a murdered child strategies for creating safe and just communities women in prison their special needs both during incarceration and after re entry social work and criminal justice how they work together grassroots advocacy for criminal justice reform a look back over the last 30 years by the founders of CURE Citizens United for Rehabilitation of Errants This book's foundation rests on the Biblical concepts of restoration healing forgiveness reconciliation and responsibility Criminal Justice Retribution vs Restoration is an eye opening look at the negative effects of our current system of blame and punishment and offers hope for better more humane methods in the future This holistic empowering and strengths based perspective offers insight and suggestions that are valuable for students social workers policymakers and criminal justice professionals

Restorative Justice and Violence Against Women James Ptacek, 2009-11-16 Controversial and forward thinking this volume presents a much needed analysis of restorative justice practices in cases of violence against women

Advocates community activists and scholars will find the theoretical perspectives and vivid case descriptions presented here to be invaluable tools for creating new ways for abused women to find justice

Reconstructing Restorative Justice Philosophy Theo Gavrielides, Vasso Artinopoulou, 2016-04-08 This book takes bold steps in forming much needed philosophical foundations for restorative justice through deconstructing and reconstructing various models of thinking It challenges current debates through the consideration and integration of various disciplines such as law criminology philosophy and human rights into restorative justice theory resulting in the development of new and stimulating arguments Topics covered include the close relationship and convergence of restorative justice and human rights some of the challenges of engagement with human rights the need for the recognition of the teachings of restorative justice at both the theoretical and the applied level the Aristotelian theory on restorative justice the role of restorative justice in schools and in police practice and a discussion of the humanistic African philosophy of Ubuntu With international contributions from various disciplines and through the use of value based research methods the book deconstructs existing concepts and suggests a new conceptual model for restorative justice This unique book will be of interest to academics researchers policy makers and practitioners

Horizons North Sue Matheson, 2014-07-18 A frontier place Canada's North is an interface in which competing educational historical and cultural paradigms collide intersect and coalesce The unique nature of this Northern mosaic rests upon the shared experience of social disorientation and culture shock A collection of fourteen timely essays that investigate the experience of Canadian culture above the 53rd Parallel Horizons North is at once academic and personal analytic and discursive offering insights on the subject of cultural cringe and social transition to critics scholars students and any others interested in Aboriginal and Northern studies The efficacy of Aboriginal systems of justice challenges of pedagogy in the North and problems of identity created by Canada's colonial past are just three of the important issues investigated in this volume

Contemporary Issues in Law Enforcement and Policing Andrew Millie, Dilip K. Das, 2008-05-28 Rising terrorism and advances in technology along with new organizational strategies and investigative techniques have stretched the traditional role of the police officer Calls for strong intelligence driven paramilitary policing juxtaposed with a demand for softer community policing leave officers under increased pressure to be tough and

The Canadian Criminal Justice System Nick Larsen, 1995 The administration of justice is an area of social policy that defies attempts to achieve a balance between order and the protection of the public and respect for individual rights The media contain daily accounts of the failure of the criminal justice system to repress crime It is within this social and legal context that this work is situated In addition to including a range of articles in the standard areas of policing courts and corrections recent articles deal with such controversial issues as aboriginal justice the recruitment of visible minorities by Canadian police forces and the role of women in the Canadian criminal justice system The collection concludes with a critical assessment of the retributive model that currently serves as the philosophical underpinnings of the Canadian criminal justice system

Social Justice Loretta

Capeheart, Dragan Milovanovic, 2020-05-15 Drawing on contemporary issues ranging from globalization and neoliberalism to the environment this essential textbook ideal for course use encourages readers to question the limits of the law in its present state in order to develop fairer systems at the local national and global levels **A People's Dream** Dan Russell, 2011-11-01 In this provocative and passionate book Dan Russell outlines the history of Aboriginal self government in Canada He compares it to that of the United States where for over 150 years tribes have practised self government domestic dependent nationhood Russell provides specific examples of how those institutions of government operate and eloquently explains from an Aboriginal perspective what his people hope to achieve through self governing authority After describing rights theory Russell locates Aboriginal self government as a cultural right and illustrates how the entitlements of Aboriginal women an Aboriginal ethic and collective rights which are protected by self governance may conflict with the Canadian Charter of Rights *The Naturally Good Man* Rod E. Keays, 2013-03-13 Men inherit definitions about manhood but many of these definitions no longer fit A society that was once based on power assumptions and stereotypes is changing Few people take time to learn about the history of male oppression the foundations of male masculinity and the evolution of the modern man Join author Rod E Keays as he examines these important topics and more including why boys and men accept certain roles why men bully each other why its important to deal with emotions and why its so hard for men to talk about sexuality Keays explores his own experiences coping with the twists and turns that come with being a man One thing he learns early on is that most men dont talk about their emotional highs and lows As someone who likes to talk openly and frankly he feels isolated but he continues living life on his terms Discover what good men have been doing for thousands of years and how mens groups can help men achieve their goals The world may have its share of problems but *The Naturally Good Man* continues to contribute to society *Restorative Justice Today* Katherine S. van Wormer, Lorenn Walker, 2012-08-17 *Restorative Justice Today* Applications of Restorative Interventions takes a hard look at the issues and concepts surrounding restorative justice and current restorative practices used in a broad range of areas today In a time when the cost of prisons and jails is on the rise resulting in more offenders being kept out of the community this timely and contemporary book exposes readers to a range of restorative practices that can be implemented The authors renowned experts in the area of restorative justice provide information not found in other restorative justice texts **Sovereignty Matters** Joanne Barker, 2005-12-01 *Sovereignty Matters* investigates the multiple perspectives that exist within indigenous communities regarding the significance of sovereignty as a category of intellectual political and cultural work Much scholarship to date has treated sovereignty in geographical and political matters solely in terms of relationships between indigenous groups and their colonial states or with a bias toward American contexts This groundbreaking anthology of essays by indigenous peoples from the Americas and the Pacific offers multiple perspectives on the significance of sovereignty Indigeneity in the Courtroom Jennifer A. Hamilton, 2008-11-14 This book takes a novel approach to the question of how law shapes the

contemporary lives of indigenous peoples in North America by examining property disputes the use of indigenous justice in mainstream courts and the use of genetic technologies to prove or disprove indigenous identities

Decolonising Justice for Aboriginal youth with Fetal Alcohol Spectrum Disorders Harry Blagg, Tamara Tulich, Robyn Williams, Raewyn Mutch, Suzie Edward May, Dorothy Badry, Michelle Stewart, 2020-12-29 This book reflects multidisciplinary and cross jurisdictional analysis of issues surrounding Fetal Alcohol Spectrum Disorders FASD and the criminal justice system and the impact on Aboriginal children young people and their families This book provides the first comprehensive and multidisciplinary account of FASD and its implications for the criminal justice system from prevalence and diagnosis to sentencing and culturally secure training for custodial officers Situated within a decolonising approach the authors explore the potential for increased diversion into Aboriginal community managed on country programmes enabled through innovation at the point of first contact with the police and non adversarial needs focussed courts Bringing together advanced thinking in criminology Aboriginal justice issues law paediatrics social work and Indigenous mental health and well being the book is grounded in research undertaken in Australia Canada and New Zealand The authors argue for the radical recalibration of both theory and practice around diversion intervention and the role of courts to significantly lower rates of incarceration that Aboriginal communities and families are best placed to construct the social and cultural scaffolding around vulnerable youth that could prevent damaging contact with the mainstream justice system and that early diagnosis and assessment of FASD may make a crucial difference to the life chances of Aboriginal youth and their families Exploring how far from providing solutions to FASD the mainstream criminal justice system increases the likelihood of adverse outcomes for children with FASD and their families this innovative book will be of great value to researchers and students worldwide interested in criminal and social justice criminology youth justice social work and education

Developing Restorative Justice Jurisprudence Tony Foley, 2016-04-22 What are the requirements for a just response to criminal wrongdoing Drawing on comparative and empirical analysis of existing models of global practice this book offers an approach aimed at restricting the current limitations of criminal justice process and addressing the current deficiencies Putting restoration squarely alongside other aims of justice responses the author argues that only when restorative questions are taken into account can institutional responses be truly said to be just Using the three primary jurisdictions of Australia New Zealand and Canada the book presents the leading examples of restorative justice practices incorporated in mainstream criminal justice systems from around the world In conclusion the work provides a fresh insight into how today s criminal law might develop in order to bring restoration directly into the mix for tomorrow This book will be of interest to undergraduates postgraduate researchers and lecturers as well as lawyers who work in the field of criminal law criminologists social scientists and philosophers interested in ideas of wrongdoing and criminal justice responses to criminal offending

Hidden in Plain Sight Daniel J. K. Beavon, Cora Jane Voyageur, David Newhouse, 2005-01-01 The history of Aboriginal

people in Canada taught in schools and depicted in the media tends to focus on Aboriginal displacement from native lands and the consequent social and cultural disruptions they have endured Collectively they are portrayed as passive victims of European colonization and government policy and even when well intentioned these depictions are demeaning and do little to truly represent the role Aboriginal peoples have played in Canadian life Hidden in Plain Sight adds another dimension to the story showing the extraordinary contributions Aboriginal peoples have made and continue to make to the Canadian experience From treaties to contemporary arts and literatures Aboriginal peoples have helped to define Canada and have worked to secure a place of their own making in Canadian culture For this volume editors David R Newhouse Cora J Voyageur and Daniel J K Beavon have brought together leading scholars and other impassioned voices and together they give full treatment to the Aboriginal contribution to Canada s intellectual political economic social historic and cultural landscapes Included are profiles of several leading figures such as actor Chief Dan George artist Norval Morrisseau author Tomson Highway activist Anna Mae Pictou Aquash and politician Phil Fontaine among others Canada simply would not be what it is today without these contributions The first of two volumes Hidden in Plain Sight is key to understanding and appreciating Canadian society and will be essential reading for generations to come

Embracing the Song of Expression: An Mental Symphony within **Justice In Aboriginal Communities Sentencing Alternatives**

In a world consumed by monitors and the ceaseless chatter of immediate interaction, the melodic splendor and psychological symphony created by the written word often disappear in to the background, eclipsed by the relentless noise and disruptions that permeate our lives. However, situated within the pages of **Justice In Aboriginal Communities Sentencing Alternatives** a stunning fictional prize brimming with natural emotions, lies an immersive symphony waiting to be embraced. Crafted by an elegant musician of language, this charming masterpiece conducts readers on an emotional trip, well unraveling the hidden tunes and profound affect resonating within each carefully crafted phrase. Within the depths of the touching assessment, we can examine the book is central harmonies, analyze its enthralling writing type, and surrender ourselves to the profound resonance that echoes in the depths of readers souls.

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