

What Are First Nations/Indigenous Courts?

If you identify as Indigenous, you may be able to go to one of BC's First Nations/Indigenous Courts for sentencing. The terms "Aboriginal" and "Indigenous" mean the same thing and include status and non-status, First Nations, Métis, and Inuit.

First Nations/Indigenous Courts are criminal sentencing courts for Indigenous people who plead guilty or are found guilty. Their goal is to restore balance and create pathways for healing by including **Indigenous knowledge and traditions, restorative justice practices**, and **Elders** in the court process.

You must accept that you're responsible for your actions. Then the judge looks at:

- the harm you caused to the victim(s),
- your background,
- your strengths and resilience,
- your needs now, and
- how a healing plan can be made for you and your community.

How do I get into these courts?

You or your lawyer can call **duty counsel** at First Nations/Indigenous Court, at the number below, to ask if your case can be transferred to this court, and what's best for you. They can answer your questions and tell you about the court's requirements. You can then decide if you want to request a transfer of your case to First Nations/Indigenous Court.

604-601-6074 (Greater Vancouver)
1-877-601-6066 (elsewhere in BC)

Where do I find them?

First Nations/Indigenous Courts are in Duncan, Kamloops, Merritt, Hazelton, New Westminster, North Vancouver, Prince George, and Williams Lake. There may be more locations in the future.

Court is usually held once a month at each location.

For a map of all First Nations/Indigenous Courts in BC, and more information about who can help you, see: aboriginal.legalaid.bc.ca.



Your First Nations/ Indigenous Court team

You'll work with a team of people to come up with a healing plan. Your team includes:

- Elders,
- your lawyer (or duty counsel if you don't have a lawyer),
- the judge, and
- **Crown counsel** (government lawyer).

Your team can also have:

- Indigenous community members,
- social workers,
- Native courtworkers,
- probation officers, or
- victim services workers.

You can bring family, friends, community members, Elders, and other support people to First Nations/Indigenous Court. They'll have a chance to speak in court, if they want.

What's duty counsel?

Duty counsel are lawyers at First Nations/Indigenous Courts and other courts. They explain how the court works and give free legal advice to people who don't have a lawyer. They can help you understand the process in First Nations/Indigenous Courts.



What's a healing plan?

A **healing plan** may help you, your community, and the victim(s) of your crime move on. You'll work on the issues that got you into trouble with the law in the first place. You might do this by using **Indigenous knowledge and traditions** or **restorative justice**.

Healing plan: may include sweats, a healing circle, community service, or counselling to help you heal. You'll get advice and support from First Nations/Indigenous Elders who carry traditional knowledge, are committed to your success, and are willing to share their knowledge and

approach. As part of your plan, regular reviews after your sentencing are required. This allows the Elders, judge, and lawyers to check on your progress and support you.

Indigenous knowledge and traditions: cultural practices and legal traditions your Indigenous community uses to solve matters. They are different in each community, but they all aim to restore balance and repair harm.

Restorative justice: an approach that tries to repair harm done, but may not be based in Indigenous culture.