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Teslin Tlingit Council Justice Council & Peacemaker Court

To promote **“Ha Kus Teyea”** (the way we live)
the Tlingit way through love, respect,
integrity and honour of all living things.



Introduction

The goal of the Teslin Tlingit Council is to have a healthy community by resolving disputes in a respectful and confidential way and ensure that our future generations are safe.


“Using our values, our beliefs and our principles to resolve disputes and to promote healing.”

– Justice Council

The Teslin Tlingit Council (TTC) signed an Administration of Justice Agreement with the governments of Canada and Yukon on February 21, 2011. The Teslin TLINGIT General Council enacted the *Peacemaker Court and Justice Council Act* on November 24, 2011 resulting in the establishment of the Teslin Tlingit Peacemaker Court and clarifying the Teslin Tlingit Justice Council's responsibilities as they relate to the Peacemaker Court.

“We had our own laws a long time ago. It was very strict laws...we used to show respect to each other, now it's like we don't know each other. We need to help one another and don't point fingers.”

– Dakhl'awèdí Clan Leader, Doug Smarch Sr.



The Justice Council is established by the Teslin Tlingit Constitution. The Teslin Tlingit *Peacemaker Court and Justice Council Act* outlines the Justice Council's authorities and responsibilities as they relate to the appointment of Peacemakers, disciplining the Peacemakers and reporting back to the Teslin General Council. The Peacemaker Court is an important foundation for Teslin Tlingit to administer its own laws and govern their Citizens by Teslin Tlingit principles and values.

Each of the five Clans appoints a representative to the Justice Council. The Justice Council is responsible to exercise its authorities and responsibilities in an impartial manner and remain arms length from the Executive Council and General Council. Original Justice Council members were appointed in 2012. In April 2014, the Justice Council appointed the Chief Peacemaker.

The Teslin Tlingit Peacemaker Court is based on “Ha Kus Teyea” which is to uphold the Tlingit customary approaches where possible, and apply the principles of respect, love, harmony, honesty, trust and accountability.



“What is Justice?
It is our way of living for
each individual. Our justice
system is our way of life
(Ha Kus Teyea). We are proud
People. Tlingit Law was truth
and honesty. We need to have
that back again. We also need
to love and understand
one another.”

– Respected Dakhl'awèdí Elder,
Pearl Keenan



Justice Council

The role of the Justice Council is to:

- Appoint Peacemakers;
- Establish Peacemakers remuneration and benefits;
- Consider and determine any complaints concerning a Peacemaker;
- Make recommendations, where appropriate, to the Chief Peacemaker for improvements to the Court or to the General Council for improvements to the Teslin Tlingit Justice system.

The Justice Council represents Teslin Tlingit and is not to operate as representatives of respective Clans. It is important for the Justice Council exercise its authorities and responsibilities in accordance with the principles of unity and fairness.

Teslin Tlingit Justice Council:

- One representative from Ishkìtàn – Frog
- One representative from Kùkhittàn – Raven
- One representative from Yanyèdí – Wolf
- One representative from Dèshitàn – Split Tail Beaver
- One representative from Dakhl'awèdí – Eagle

“Education begins at home. We have to respect others and ourselves. We have to pass this on to our children and young people.”

– Ishkìtàn Clan Leader, Sam Johnston



Peacemaker Court

The Teslin Tlingit Peacemaker Court is available to persons, Tlingit or non-Tlingit, who may find themselves in a conflict or in violation of a Teslin Tlingit law.

The Teslin Tlingit Peacemaker Court is established to provide two types of court services. The Peacemaker Court provides mediation services otherwise referred to as Stage 1 court process. In the future, the Peacemaker Court will provide adjudication type court services, otherwise referred to as Stage 2 court process, when the Peacemakers are qualified to hear evidence and conduct trials. These types of court services will allow for the adjudication of Teslin Tlingit laws.

The Peacemaker Court consists of a Chief Peacemaker, Alternate Chief Peacemaker and Associate Peacemakers.

All Teslin Tlingit Citizens and Teslin community residents can request mediation from the Peacemaker Court as long as both parties agree to the process and outcome.

Stage 1 of the Peacemaker Court process is mediation. Anyone, a Tlingit Citizen or not, involved in a dispute can access the Peacemaker Court as long as both parties agree to the mediation process.

The Peacemaker Court is responsible to examine each case in an efficient manner. The Peacemaker Court is responsible to hear each case in accordance with the Teslin Tlingit Constitution, *Peacemaker Court Act*, and its own rules and ensure that any conflicts are managed to ensure public confidence in its decisions.

Teslin Tlingit Citizens charged under a Teslin Tlingit law will be required to have their matters heard





“We have to be careful what you say. We are always holding each other’s hand no matter what we are going through.”

– (Spoken in Tlingit) Yanyeidi Clan Leader, Matt Thom

before the Peacemaker Court. Whereas non-Tlingit may elect to have a sentence under a Teslin Tlingit law heard before the Yukon Territorial Court.

Peacemakers

Peacemakers are required to be Teslin Tlingit Citizens and have knowledge of Tlingit traditions and values. The Teslin Tlingit Justice Council in consultation with the Clans appoint the Peacemakers.

The Chief Peacemaker is required to be a resident within Teslin Tlingit traditional territory. However, Associate Peacemakers, because they may not be full time appointments but rather appointments on particular cases, may have greater flexibility to reside outside of the Teslin Tlingit traditional territory. It is assumed that Associate Peacemakers should be resident within the Yukon.

More Info & Contact

For more information or to apply to the Peacemaker Court contact:

Gord Reed, Chief Peacemaker

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For more information

Visit the Department of Justice on the Teslin Tlingit Council website at:

www.ttc-teslin.com/justice-home.html



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