

FALL | DAGWAAGAN NEWSLETTER 2023

NISHNAWBE-ASKI LEGAL SERVICES CORPORATION



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ACCESS COURT INFORMATION

Visit our website --> www.nanlegal.on.ca

Click the highlighted links for Advance Court Zoom connections and Northern Duty Council Calendar.

>> NALSC Advance Court - Virtual Zoom Connection

>> NALSC Northern Duty Council Calendar

****UPDATED FREQUENTLY****

National Day of Truth and Reconciliation

NAN Legal Staff on September 30, 2023



On September 30th, our Executive Director Irene Linklater gave a speech at the Bora Laskin Law School in Thunder Bay.



Nishnawbe-Aski Legal Services Corporation welcomes new Director of Legal Services, Renzo Caron

Renzo Caron joined us as our new Director of Legal Services in our Thunder Bay office on Monday October 2, 2023.



I am a member of the Sagamok Anishnawbek First Nation and called to the Bars of British Columbia (1996) and Alberta (2002). Prior to law, I studied social work and worked for over two years in northeastern BC as a financial assistance worker with the Province of BC. My background includes senior positions with Indigenous organizations at the Band and Tribal Council levels and with the Assembly of First Nations' national office and Alberta regional office. As VP of a new division of Legal Aid BC, I was responsible for Indigenous services and initiatives including the successful expansion of seven new Parents Legal Centres. From the spring of 2020 to the end of 2022, I worked with the BC First Nations Justice Council as Provincial Director, Indigenous Justice Centres and Director, Legal Aid Services respectively.



As you will see from Renzo's Bio, he comes to us with many years of professional experience working in indigenous justice and legal services senior positions, we're excited to have him on board.



Are you from NAN Community?
Do you need to apply for Legal Aid?

**Call NALSC for more information on our
Legal Aid Program**

Toll Free: 1- 800- 465- 5581

Phone: (807) 622-1413

Fax: (807) 344- 6904

www.nanlegal.on.ca

Hours of Operation: 9am– 5pm Eastern

Services available in Ojibway, Cree, Oji-Cree & English
COLLECT CALLS ACCEPTED



Nishnawbe-Aski Legal Services Corporation

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DUTY COUNSEL

NALSC Legal Aid provides Duty Counsel on the day before Court, called "Advance Day."

Duty Counsel is available on Court day, to assist the people who appear in court without a Lawyer.

Duty Counsel also assists people in the Community by providing Summary Legal Advice.

Duty Counsel services include:

- Summary Legal Advice without a fee
- Tell you about your rights going through Court
- Assistance with Legal, Government forms
- Make appropriate referrals
- Help you apply for Legal Aid

For further assistance please contact a Community Legal Worker

Toll-Free: 1-800-465-5581

Tel: (807) 622-1413

Fax: (807) 622-3024

website: www.nanlegal.on.ca



LEGAL AID TRAINING

Legal Aid visited Toronto from August 27 - 31, 2023.

They had two presentations on their first day from Shaké Sarkhanian, Legal Counsel & Theresa M. McGee, Vice-Chair and Indigenous Services Lead from Tribunals Ontario. This presentation detailed the new Indigenous Services that Tribunals Ontario offers. The second presenter Sobika Sadacharam, Counsel from Family Responsibility Office - Legal Services Branch explained the process of referrals to FRO.

They visited and observed the Drug Treatment Court at the Ontario Court of Justice Toronto on their second day, some of the staff were able to take a tour of the Gladue Court Room. The Drug Treatment Court process was very encouraging to witness, this type of court would benefit other locations.



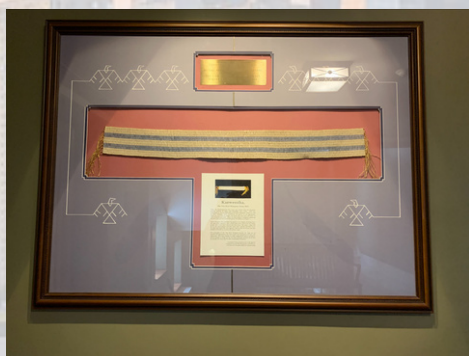
Gladue Court Room



LEGAL AID TRAINING

On the last day of training, Legal Aid staff toured the Ontario Court of Appeal, in Osgood Hall.

The building has most of the original architect, it was a very *appealing* building.



Some of the Legal Aid staff catching a Blue Jays game on their down time!



Guns and Firearms

Firearms Act and Criminal Offences

What is a Firearms?

Anything, designed to be used as a weapon, has a barrel and something is shot out by force of an explosion or other combustion.



What is a weapon?

Anything designed to be used or intended for use to cause injury or death, and/ or used to threaten or intimidate

What is Ammunition?

Parts of weapons/firearms such as cartridge magazines. Ammunition is included within Weapons and Firearms offences.

Potential Gun Offences

Distribution of Guns and Ammunition from one person to another | Possession for a dangerous purpose | Carry concealed weapon | Unauthorized possession in a motor vehicle or unauthorized place | Stealing a Firearm, and robbery to steal a Firearm | Unauthorized sale | Unsafe storage | Unauthorized import/ export | Make automatic firearm | Fail to report lost, stolen or found firearm | Tamper with serial numbers | False statements to a firearms officer

Firearms Act Info.

Securing the proper License is strictly regulated. To purchase a Firearm or Ammunition

- You must be 18 years of age
- You must possess a License
- Properly store and Secure Guns and Ammunition

Treaty Rights

A License to have guns is NECESSARY and not something that is a Treaty Right. The Criminal Code creates a **privilege** to have guns for those who qualify to have a license. Similar to having a Driver's License, regulated under the Highway Traffic Act

Criminal Offence

It is a criminal offence to provide ammunition or firearms to anyone, who does not possess the proper License to have Guns and/ or Ammunition.

The Law states that knowingly possessing a Gun or Ammunition you may get no more than 2 years in custody, less one day, or a fine of no more than \$5000.00.

Unauthorized possession is knowledge and control of a gun or ammunition without the proper license.

Prosecutors

- Prosecutors will aggressively pursue weapons and gun charges of any sort.
- Offence includes the sale or providing guns and ammunition to people who do not have a proper license
- Weapons trafficking/sale/distribution to people who do not have a license, the penalty ranges from 3 to 10 years custody.

Nishnawbe Aski Legal Services Corporation | www.nanlegal.on.ca
Toll Free: 1- 800- 465- 1413



HARVESTING OR HUNTING, TRAPPING, FISHING OUTSIDE YOUR TERRITORY? KNOW YOUR RIGHTS

NISHNAWBE-ASKI LEGAL
SERVICES CORPORATION
Toll Free: 1-800-465-5581
Tel: (807) 622-1413
Fax: (807) 622-3024

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YOU HAVE ABORIGINAL, TREATY & CHARTER RIGHTS

What are my hunting, trapping and fishing rights?

- You have the right to hunt, trap and fish for personal, community and ceremonial purposes on your traditional territory without a license.
- Hunting and fishing rights are community-specific. Make sure your practice has a historical significance to your community.

What can get me in trouble?

- Unsafe hunting practices.
- Commercial sale or trade of fish and wildlife.
- Hunting on visibly occupied or private land.
- The fish or wildlife is at risk or endangered.

Who can stop me?

- Conservation Officers from the Ministry of Natural Resources and Forestry

What are my responsibilities?

- You must provide proof of your rights by showing your status card.
- You must show the fish, wildlife, or other item as requested by the officer.

What are my rights if I am stopped?

- If you are stopped for an inspection, you may leave and not answer questions if you are NOT being detained or arrested.
- If you are being detained or arrested, you have the right to know why, the right to speak with a Lawyer AND the right to stay silent.

If you have been charged and/or your property has been seized, contact our office if you are a band member from a NAN First Nation. Your rights are extremely valuable and you must do all you can to protect them.

You can make a complaint against a Conservation Officer by:

Telephone: 1-855-497-7445

E-mail: howarewedoin@ontario.ca

Online form: ontario.ca/form/make-complaint-or-compliment-conservation-officer

To speak to a Lawyer, call Nishnawbe-Aski Legal Services at 1-800-465-5581



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YOU HAVE SHIPMAN RIGHTS

What are Shipman Rights?

- Shipman Rights allow you to hunt, fish, trap, and harvest outside of your home community.
- You may share the wildlife harvesting rights of another community by "Sheltering Under" or "Borrowing" their treaty rights.
- The community whose land you are hunting, fishing, trapping or harvesting on must have a tradition of granting permission to people from other First Nations to use their resources.

How do I exercise my rights?

- You must get a written letter of permission from the Chief of the community where you wish to harvest. The letter must include:
 - (1) Your name;
 - (2) The species and quantity of fish or game authorized;
 - (3) The geographical area where permission is granted;
 - (4) The timeframe in which it may be harvested; and
 - (5) The Chief's signature.
- You must carry the letter with you and produce it to a Conservation Officer at their request, along with any other identifying document.

YOU MAY ALSO HAVE MESHAKE RIGHTS

What is Meshake?

- In Ontario, if you are married or in a common law relationship with a member of a different community or treaty, and your relationship is accepted by the community, then you have the right to hunt, trap or fish on their territory through "kinship".

What are the restrictions?

- The community whose lands you want to hunt, trap or fish on, must have a tradition of sharing harvests between families.

To speak to a lawyer, call Nishnawbe-Aski Legal Services at 1-800-465-5581

Cheers to 30 years!

In October, Heather Baillie celebrated her 30th work anniversary with Nishnawbe-Aski Legal Services Corporation.

Heather has been with Legal Aid Services for her entire work career with NAN Legal, she currently holds the position of Legal Aid Manager.

We thank Heather for her continued service and dedication to NAN Legal.

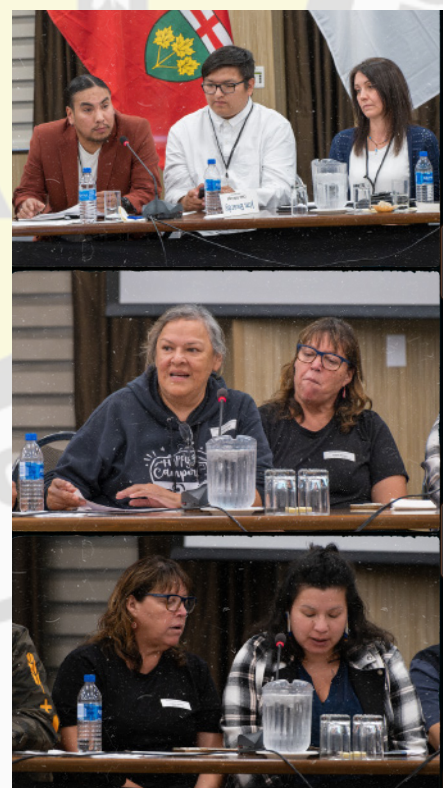


Annual General Meeting

September 12, 13, 14, 2023

In partnership with Nishnawbe Aski Police (NAP's), and Nishnawbe Aski Nation (NAN), NALSC held our Annual General Meeting on September 12, 13, 14 at Victoria Inn in Thunder Bay, ON.

The Agenda was filled with Presentations and Resolutions to be passed by Chiefs and Board of Directors. Programs from each organization set up information booths and give-away tables for attendees and general public.



Commemorating 150 years of Treaty #3 in Red Lake

Nishnawbe-Aski Legal Services Corporation (NAN Legal) contributed toward an event in Red Lake which commemorated the 150th anniversary of the signing of Treaty #3. Red Lake, as per the municipality's Land Acknowledgement statement, is situated in Treaty #3 traditional territory. "We, the Municipality of Red Lake acknowledge that our foundation and the spaces in which we live and maintain are on the lands of the Anishinaapek of Red Lake; the traditional lands of Lac Seul and Wabauskang First Nations, and Treaty 3 territory. As we are all Treaty people, we will continue to cherish the reciprocity of all our relationships on these sacred Lands and Waters."

In its effort to implement the relevant Calls to Action of the Truth and Reconciliation Commission of Canada, the municipality of Red Lake established a Truth and Reconciliation Committee (RL TRC). As part of the RL TRC's mandate to, "provide education to public servants on the history of ... treaties ...", it was decided that Anishinaabekwe lawyer, Sara Mainville, would be invited to share a presentation in Red Lake regarding the 150th anniversary of the signing of Treaty #3. Sara agreed to do 3 presentations in Red Lake. The first would be for high school students, the second for community members of Red Lake and a third presentation was geared specifically toward Indigenous members of Treaties 3, 5 and 9 living in the Red Lake area.



Red Lake-based Gladue Writer, Leslie King, sits on the RL TRC and advocated for a sponsorship role of the event by NAN Legal. NAN Legal agreed to contribute toward the cost of the third presentation. The third presentation was special in that local Elder Kaaren Dannenmann opened and closed the event with ceremony and prayer, the Red Lake Women's Drum Group performed two drum songs, and a lunch of soup and bannock (both baked and fried) was available after the presentation (sponsored by Kinross Gold Corporation). The owners (Mike and Michelle Hyslop Tolley) of the local grocery store, Balmertown Food Fair, also had snacks and water available for all three presentations.

Sara shared her vast knowledge regarding the signing of Treaty #3 and from all accounts, everyone left with new knowledge about the signing of Treaty 3, which occurred 150 years ago, on October 3, 1873. NAN Legal was thrilled to play its part in commemorating the 150th anniversary of the signing of Treaty #3 by helping to sponsor Sara's informative and important visit to Red Lake. We are all Treaty people and as such, all have responsibilities to ensure we are educated about treaties and that Treaty obligations and promises are both implemented and honoured. Ahaaw. Miikwech.

Submitted by Leslie King, Red Lake-based Gladue Writer

“Love is Love” in Red Lake

Red Lake-based Gladue Writer, Leslie King, volunteered with Red Lake Pride when they hosted the 2023 “Love is Love” Pride Festival in Red Lake and Ear Falls (thus NAN Legal’s logo on the event poster). The Festival consisted of family-friendly activities which occurred over 3 days; August 18 – 20, 2023.

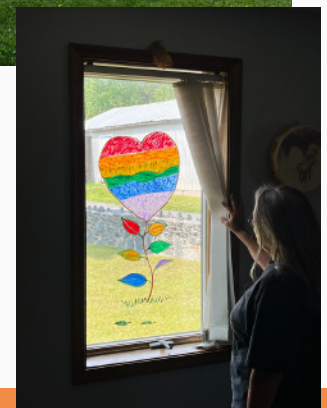
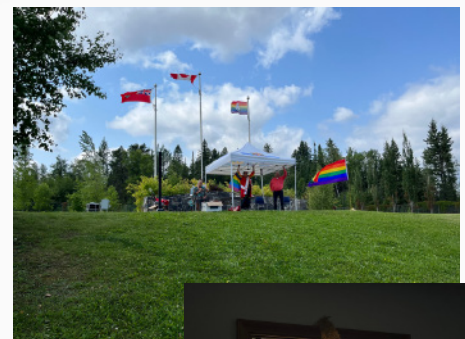
The Friday night meet and greet (August 18/’23) was an intimate affair, hosted by the Red Lake Regional Heritage Centre (museum) in their beautifully appointed space. A delicious array of finger foods and desserts were available, as well as a number of different drink options. An interactive quiz prompted participants to converse about different historical Pride-related events/turning points in this country’s history. The quiz was therefore educational and the quizmaster (and event Guest Speaker), Teddy Syrette (Ozhawa Anung Kwe/Yellow Star Woman), also made sure the audience was entertained as well. We were thrilled that Teddy could join us again this year as he is very knowledgeable about Pride and is full of bubbly conversation.

Saturday, August 19, 2023, was the day of the annual Pride Walk around the Phil Vinet Centennial Park in Red Lake. The walk was preceded by announcements and speeches, including an opening address by the event’s Elder, Kaaren Dannenmann, who had previously accepted tobacco when asked to be the event’s Elder. It was a very windy day, which was good for flag flying but not so good for inadequately secured tents and wigs! (Just kidding about the wigs.) Crafting, face painting and henna tattooing were among the events that took place in the park during the afternoon. Many attendees simply enjoyed the opportunity to socialize outdoors during that beautiful August afternoon. Later that evening a candlelight vigil was held; however, due to the high winds, the outdoor movie was cancelled.

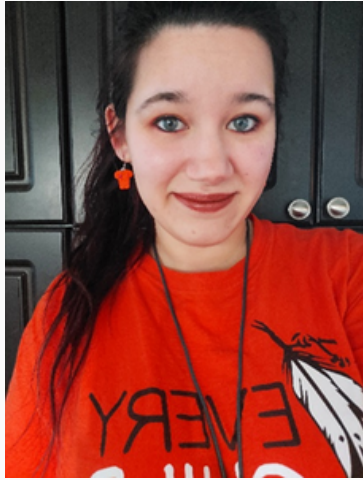
Sunday, August 20, 2023, was essentially a repeat of Saturday’s events, except that the Festival was set up beside the beach in Ear Falls. Waterfront fun! Leslie was the MC for the Ear Falls event.

It was encouraging, this year, to see the Red Lake Pride Festival events expand to our neighbouring community, Ear Falls. I sure hope Pride events in your community were well attended and supported this past summer. Please remember, “Love is Love.”

Submitted by Leslie King, Red Lake-based Gladue Writer



Biographies



Hi, my name is Naomi Fletcher. I recently joined the Nishnawbe-Aski Legal Services team as a Youth Intervention Worker, located in Timmins Ontario. I work with Indigenous youth between the ages 12-17 years old. I will be developing the local program in order to work towards preventative measures for future youth conflicts. I work with youth who are in conflict with the law (restorative justice), as well as youth who are not but want to turn their life around. In this program, youth will gain a better understanding for the underlying cause to their behavior/actions, make amends with their community if harm has been done, develop new skills/hobbies, connect with elders, participate in group activities such as camping, boating and cultural events, and more! I look forward to this journey ahead and getting to know everybody. Meegwetch!



Boozhoo! Jay Caron ndishnikaaz zhaaganashimong.
Biigtigong Nishnaabeg doonji, Thunder Bay doonjiba. Mkwaa doodem.

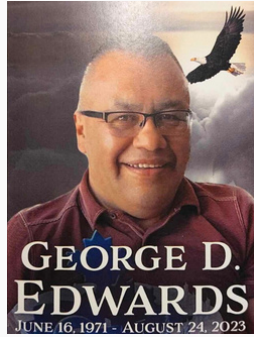
My name is Jay Caron. I am a member of Biigtigong Nishnaabeg, and I live in Thunder Bay. I am of the Bear Clan. I am delighted to join Nishnawbe-Aski Legal Services as a new Talking Together Facilitator. I attended the Community Worker Program at George Brown College in Toronto, during which I did student placements at Council Fire Native Cultural Centre and Aboriginal Legal Services. The latter of which was working with the Giiwedini Anang program, which is quite similar to “Talking Together.” It was there I was first welcomed into the exciting world of talking circles, restorative justice, and our collective efforts to keep our families and communities whether they belong—together.



I have also worked at Aboriginal Legal Services as an assistant to Dorothy Peters, the knowledge keeper at Aboriginal Legal Services and a pillar of the indigenous community in Toronto. I was also briefly the Kizhaay Anishinaabe Niin Program Worker at the Thunder Bay Indigenous Friendship Centre, and as a Cultural Worker Assistant with Fort William First Nation.

Miigwech for reading! I hope, wherever you are, you’re having a wonderful day.

Nishnawbe-Aski Legal Service Corporation mourns the passing of George Edwards



George Edwards was an integral part of our NAN Legal community, and it is with great sadness that we announce his unexpected passing on August 24, 2023. There are no right words to express our sorrow, but we wish to share a moment of appreciation for a joyful life taken too soon.

After a 10-year career as a Nishnawbe Aski Police Services officer, George joined NAN Legal as one of the original three Gladue writers when the program began in 2014. Originally from Fort Albany First Nation, George was passionate about ensuring that our members receive access to justice and worked to address the overrepresentation of Indigenous people in the criminal justice system and promoted pathways to healing. George was promoted to team lead and eventually became the Gladue manager in 2020, overseeing a team of 12 Gladue writers and caseworkers across our region. George was also instrumental in establishing and managing our Bail Bed program, set up in Timmins.

George was a family man and spoke often of his wife, children and grandchildren. We're proud and all the better for having had him as part of our work family. He will be missed, and we will do our best to carry on his fervor, kindness, and compassion.

Mona wiskach nika Wani kis Kisinin kaki epichi kisay Waha tisiyan – We will never forget your kindness

For inquiries and information on our Gladue Program, please contact Lenny Carpenter, Interim Acting Gladue Manager, at lcarpenter@nanlegal.on.ca.

NOTICE OF OFFICE CLOSURE

All NALSC Offices in Sioux Lookout, Timmins and Kenora will be CLOSED November 13, 14, 15, 16, 17.

**Thunder Bay Office will be CLOSED
November 14, 15, 16 for in-person services.**

**Call 1-807-622-1413 or Toll Free 1-800-465-5581
Voicemail messages will be checked daily,
Mail can be put in the mail slot.**

We apologize for any inconvenience this may cause.

Miigwetch!

