

“An Evaluation of the Implementation and the Efficacy of the Marshall Inquiry Recommendations”

This report highlighted four priority areas for policy revisions in the areas of Family Law, policing, Indigenous customary law and Indigenous access to the Canadian justice system. This research has resulted in curricular changes in law school, and a Nova Scotia Aboriginal justice strategy.

New processes, procedures and protocols emerging from the research are being implemented by Victims' Services, the Assembly of Nova Scotia Chiefs, the RCMP, the Nova Scotia Barrister's Society, Nova Scotia Legal Aid and the Justice System. Practitioners are participating in cultural safety training, treaty and Aboriginal rights knowledge enhancement and Indigenous community outreach practices based on the research outcomes. The impacts of this research will lead to improved access to justice for Aboriginal peoples in Nova Scotia and will address problems of discrimination.

The research has resulted in a comprehensive framework for utilizing customary law processes, and provides mechanisms for legal and cultural education and training to both Indigenous and non-Indigenous communities and service providers. This framework enables coordinated crime prevention strategies and facilitates successful interventions in culturally relevant ways. Reducing Indigenous encounters with the legal system and improving family and community healing generates greater opportunities for economic development and improved health outcomes, thus reducing costs of incarceration.

The Marshall Inquiry Review symposium brought together approximately 100 federal and provincial officials, Mi'kmaq Chiefs, police officers, representatives from a number of Nova Scotia agencies and institutions, many of them senior representatives. The participants actively engaged in my research findings and collectively identified forty-one common issues regarding Indigenous justice, Aboriginal legal services, kinship and family law and community policing which will inform federal, provincial and community cultural training and service provision strategies.

I presented the outcomes to: Nova Scotia Legal Aid annual assembly of 100 lawyers, the RCMP Aboriginal Perceptions Training Course to 40 RCMP and Department of Natural Resource Officers, 50 law students at Dalhousie University, the Marshall Symposium to over 100 high level federal, provincial and Mi'kmaq officials and at the annual general meeting of the Mi'kmaq-Nova Scotia-Canada Tripartite Forum working committees including: culture and heritage, education, economic development, health, social, sport and recreation and justice to include in their work plans.