



HOUSE OF ASSEMBLY
Newfoundland and Labrador

GERRY ROGERS, M.H.A.
District of St. John's Centre

Honourable Andrew Parsons
Minister of Justice and Public Safety

June 6, 2017

Dear Minister Parsons,

Re: The detainment of Beatrice Hunter

I am writing today to express my deep concern regarding the detainment of Beatrice Hunter, an Inuk woman who is currently being housed at Her Majesty's Penitentiary, over a thousand kilometers from her home, although she has not committed nor been found guilty of a violent offence. She has been removed from her community, her family and her supports.

My concern extends as well to the issues raised by Indigenous governments of Labrador. I quote a statement released by the Nunatsiavut government on June 2:

"In a letter dated April 11, 2017, President Lampe called on Premier Dwight Ball to give consideration to requesting Nalcor Energy to drop all criminal and civil actions against the Labrador Land Protectors for events leading up to and on October 26, 2016 at or near the Muskrat Falls site.

'Many of these people feel they have done nothing wrong, but were simply taking action to protect their health, culture and way of life, and, as a result, have been branded criminals. This is very unfortunate and will, without a doubt, add to the growing discontent people have towards Nalcor and the Government of Newfoundland and Labrador,' the President wrote."

In a statement from NunatuKavut President Todd Russell, he addresses how the Justice system is failing Indigenous peoples, particularly as it relates to the Muskrat Falls project. He says:

"We recognize there are others in similar situations as Beatrice with charges against them, some of whom are Southern Inuit. Clearly the justice system is flawed. It has not responded appropriately or fairly to those who have demonstrated their objections to the Muskrat Falls project and been charged as a consequence. There is little or no indication the justice system has respected nor taken into account the Indigenous perspective and issues central to this situation. In so doing, the system has inflicted undue harm on individuals, families and communities.

"Today, we challenge the justice system to do better and find culturally appropriate alternatives and solutions. We challenge the justice system to respond in a manner wherein Inuit and other Indigenous peoples can have some measure of comfort that justice is indeed being done and is seen to be done fairly and justly. The system of justice that so many of our people find themselves embroiled in must find a better way."

These are important, and, I would contend, urgent issues that the government of the province must address.

The protests we see in Labrador these past several months are undoubtedly a result of how both the previous and current governments and our own Crown Corporation Nalcor have not adequately addressed specific issues raised by the Environmental Assessment Panel and by the people living in the area of Muskrat Falls. The objections of the people in that region must be given a fair hearing.

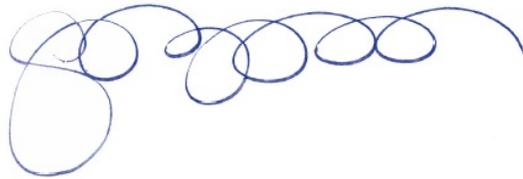
I am fully aware that it is inappropriate for the Minister of Justice and the Attorney General or the Premier to intervene in a prosecution in a criminal matter. However there are overriding justice principles and processes that must be reviewed to more justly address the issues of protest and civil disobedience in our province and culturally appropriate approaches to justice systems by Indigenous peoples. I refer you to the Special Report of the Centre for International Governance Innovation **"UNDRIP Implementation Braiding International, Domestic and Indigenous Laws"** that was released May 31. I direct you specifically to the Chapter entitled *"Braiding the Incommensurable: Indigenous Legal Traditions and the Duty to Consult."*

The Truth and Reconciliation Commission calls on governments to commit to “eliminating the overrepresentation of Aboriginal people in custody,” and to “provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.”

I urge you to swiftly address these issues and start the consultative process with Indigenous governments and communities to review our justice system in light of the above issues.

I also ask that you ensure the well-being of Beatrice Hunter and ensure she is afforded all rights and privileges to which she is entitled while in detainment, while also exploring and finding alternatives to removing her so far from her community.

Sincerely,



Gerry Rogers MHA
Justice Critic
NDP Caucus

Cc Premier Dwight Ball
Minister of Intergovernmental and Indigenous Affairs
Minister of Labrador Affairs