



Tsi Nahò:ten Karihwanákere Nó:nen'k

PRESS RELEASE

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Amendments announced for MCK's 'Disciplinary Measures Regulations' Complaints Procedure

For Immediate Release

(Kahnawake – 26, Onerahtókha/April 2016) The Mohawk Council of Kahnawà:ke (MCK) would like inform the community that amendments have been made to the *Mohawk Council of Kahnawà:ke Disciplinary Measures Regulations ('Regulations')*, as it had become clear that the process did not meet the needs of either the community or Chief & Council when a complaint is filed against a Council Chief.

The previous process had long been problematic, as Chief & Council were called upon to make the final determination on disciplinary action to be imposed on a fellow Chief should a complaint be found to have validity.

In order to overcome some of these shortfalls, the Kahnawà:ke Justice Commission has been mandated to appoint an Ombudsperson and an Alternate Ombudsperson, who will conduct an inquiry into any complaint against a Chief and determine if it is frivolous, vexatious, politically motivated or clearly without merit.

In short the new process operates as follows:

Upon receipt of a complaint, the Ombudsperson will conduct the above-mentioned inquiry. If the complaint is approved then mediation will be offered to the complainant and the Chief. Should mediation be refused or be unsuccessful, the Ombudsperson will then refer the complaint to arbitration for adjudication of the issues. The Arbitrator will conduct an impartial hearing and render a decision on the merits of the complaint.

If the Arbitrator finds that the complaint is well founded he/she shall impose the sanction requested by the complainant or, if the Arbitrator believes that such a sanction would be too severe given the evidence, the Arbitrator may impose a lesser sanction.

The amendments to the *Regulations* were passed by Mohawk Council Executive Directive at the duly convened Council meeting on 18, Onerahtókha/April 2016 and are now in effect. Please note that the new *Regulations* will be brought back for review before the end of the term in 2018. Complaints can now be dropped off at the Court of Kahnawake.