

K'ómoks First Nation Appoints Dr. Marion Buller as First Justice of the Peace – A Historic Milestone in First Nation Land Governance

K'ómoks, BC – December 4, 2024/KFN/LAB/RC – K'ómoks First Nation has announced the appointment of Dr. Marion Buller as the Nation's first Justice of the Peace. This groundbreaking achievement is historic, as K'ómoks is the first land code First Nation in Canada to appoint a Justice of the Peace. The appointment is a powerful expression of self-determination and a cornerstone in K'ómoks First Nation's justice process, which prioritizes cultural appropriateness, accessibility and community safety.

The K'ómoks Justice Process was created out of necessity to fill the gaps in federal and provincial enforcement support. K'ómoks First Nation is surrounded by a large urban centre, made up of the various communities of the Comox Valley. Despite this proximity, K'ómoks does not have access to the same level of enforcement support as its municipal neighbours. RCMP services are bound by the scope of the *RCMP Act*, which protects the laws of Canada, the provinces, and municipalities with contracts for policing. However, the *RCMP Act* does not acknowledge First Nations laws. This gap leaves First Nation communities vulnerable, as criminal activity can seek refuge on reserve lands.

To protect their people and lands, K'ómoks First Nation has taken the lead in bridging this enforcement gap, ensuring accessibility to justice, and aligning traditional practices like restorative justice and healing with the Canadian legal system. While current barriers to support by the Canadian legal system and policing bodies can make enforcing First Nation laws difficult, the K'ómoks First Nation Justice Process is implementing an innovative solution that can serve as a model for other First Nations across Canada who are strengthening their enforcement systems.

The K'ómoks Justice Process utilizes the legal authorities provided by the *K'ómoks First Nation Land Code*, established in 2016, which replaces over 30% of the *Indian Act* with K'ómoks' own laws. The land code was tested in 2018, when K'ómoks won a precedent-setting trespass case (*see *K'ómoks First Nation v. Thordarson and Sorbie*), with the British Columbia Provincial Court upholding K'ómoks' legal authority to make and enforce its laws. The appointment of the Justice of the Peace, a powerful expression of self-governance and self-determination, furthers the administration of justice related to K'ómoks law enforcement.

As Justice of the Peace, Dr. Marion Buller, a Mistawasis Nêhiyawak Cree Nation member, brings nearly 40 years of legal expertise to this pivotal role. Dr. Buller has shattered barriers throughout her career, becoming the first First Nation woman appointed as a provincial court judge in B.C. She also played a crucial role in establishing B.C.'s First Nation and First Nation Family Courts, each a first in the province. After serving 22 years as a judge, she became Chief Commissioner of the National Inquiry into Missing and Murdered Indigenous Women and Girls. Her commitment to defending First Nation rights and legal systems will help guide K'ómoks First Nation as they develop and strengthen their justice process.

Quotes

"I am very pleased that Marion Buller has agreed to become the Justice of the Peace for K'ómoks First Nation. Marion is one of the most accomplished Indigenous legal experts and is a dedicated advocate for advancing Indigenous law and decolonization in the legal system. Marion's choice to work with K'ómoks First Nation is a clear sign of good things to come by addressing the legal gap for enforcement of our laws on reserve."

Elected Chief Ken Price
K'ómoks First Nation

"The appointment of Dr. Marion Buller as our first Justice of the Peace is a historic step in our journey toward self-determination. This important milestone strengthens our ability to protect our people and our lands while integrating our traditions into a fair and accountable justice process. It reflects our Nation's commitment to building a legacy of empowerment for generations to come."

Elected Councillor Coral Mackay
K'ómoks First Nation

I will act as an independent change-maker for K'ómoks First Nation (KFN) self-government. My role as Justice of the Peace will enable the transparent application of K'ómoks First Nation's laws in their own ways. As a long-time advocate for decolonization, I have taken on this role as an opportunity to support KFN's goals of self-determination and community safety. I am excited to learn KFN's approaches to justice and am honoured to assist in the culturally appropriate implementation of those laws.

Dr. Marion Buller
Justice of the Peace, K'ómoks First Nation

"We celebrate the news that Dr. Marion Buller is working with K'ómoks First Nation as their Justice of the Peace. K'ómoks is the first ever to appoint a Justice of the Peace in Canada in accordance with land code authority. Marion's hard work and her commitment to finding Indigenous legal solutions is truly admirable. This appointment will advance the decolonization of First Nations land laws, benefitting the people of K'ómoks and many other First Nations across the country."

Chief Robert Louie
Chairman of the Lands Advisory Board

"The Resource Centre is honoured that Dr. Marion Buller has accepted the appointment as Justice of the Peace and will work to enforce K'ómoks First Nation land laws. Her dedication to upholding First Nation legal authorities is a guiding light for First Nations, legal advocates and scholars across the Nation."

Austin Bear

Chair of the First Nations Land Management Resource Centre

About the K'ómoks First Nation:

K'ómoks First Nation is the government of the K'ómoks people of Vancouver Island, British Columbia. For thousands of years, the K'ómoks people occupied the shoreline of eastern Vancouver Island in an area they refer to as "the land of plenty." The people called K'ómoks today referred to themselves as Sahtloot, Sasitla, Ieeksun and Puntledge. Their traditional territory stretches from Kelsey Bay in the north to Hornby and Denman Island in the south, including the watershed and estuary of the Puntledge River.

About the First Nation Lands Advisory Board and First Nations Land Management Resource Centre:

The [Lands Advisory Board](#) supports First Nations choosing to resume jurisdiction over their reserve lands, environment and natural resources through the [Framework Agreement on First Nation Land Management](#) (Framework Agreement). The Framework Agreement recognizes First Nations' inherent rights to govern their reserve lands without federal interference.

The [First Nations Land Management Resource Centre](#) provides technical and professional support to First Nation signatories as they progress through the developmental and operational phases of Framework Agreement implementation.

Quick facts:

- The [Framework Agreement on First Nation Land Management](#) is a First Nation-led, drafted and negotiated government-to-government agreement, signed by its original 13 First Nation signatories and the federal government in 1996.
- As of December 1, 2024, there are 252 First Nations involved in the Framework Agreement.
- K'ómoks First Nation became a signatory to the Framework Agreement in 2014. K'ómoks members voted to approve their land code on September 12, 2016. The K'ómoks First Nation Land Code came into effect on November 30, 2016.

Associated links:

www.komoks.ca/laws

[K'ómoks First Nation v. Thordarson and Sorbie](#)

[K'ómoks First Nation successfully prosecutes under land code](#)

[Lands Advisory Board • First Nations Land Management Resource Centre](#)

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