

DAY 1: MARCH 22, 2023

GLADUE CONFERENCE:
11 YEARS AFTER THE IPEELEE DECISION

Double Tree by Hilton, 1255 Jeanne-Mance Street, Montreal
Meeting rooms: SOPRANO A-B-C

8:30 – 8:45 Welcoming & Opening

8:45 – 10:30 Choice of workshops

A. Culturally-appropriate trauma repair practices for Indigenous people (SOPRANO A-B)

PRESENTER: Dr. Alanaise Onischin Ferguson, Psychologist & Associate Professor of Indigenous studies, University of British Columbia

This workshop will share ideas from Indigenous cultural leaders and eminent trauma repair practitioners. It will focus on factors that facilitate healing intergenerational trauma among Indigenous peoples as well as ways to promote these in your practices.

- What is considered an evidence-based trauma intervention?
- Culturally-based trauma interventions
- Meaningful ways to engage Indigenous clients in trauma repair and healing

B. Trauma and Resilience; understanding the impact of Adverse Childhood Experiences (SOPRANO C)

PRESENTER: Beverly Cook, Family nurse practitioner and Tribal Chief, Akwesasne

The speaker will give insight into how childhood trauma effects individual's overall health and development across their lifespan. She'll describe how these experiences manifest in children, their care givers and in ourselves, in particular. She'll also discuss how understanding this path of adversity and how embracing our culture and identity can lead one back to resilience and wholeness.

10:30 – 10:45 Health break

10:45 – 12:00 Choice of workshops

A. The Indigenous perspective in Gladue Report: Increasing the possibility of meaningful and effective sentences (SOPRANO A-B)

PRESENTERS: Marie-Andrée Denis-Boileau, LLB, JD, LLM
Lyne St-Louis, Gladue writer/trainer, Taïga Vision

In this workshop, we will discuss the importance of the Indigenous perspective and its meaning in a Gladue report. We will also look at the multiple ways to gather and present this detailed information to support alternative options which may be more effective than jail.

B. Overcoming obstacles faced during the Gladue report intervention and writing. (SOPRANO C)

PRESENTERS: Sharon McBride, Gladue Writer & Coordinator, SPAQ
Jacy Jacobs, Gladue Writer, Akwesasne Community Justice Program

Gladue writers often face a variety of obstacles in their work: logistics, case and offence-related, related to the people interviewed, culturally related, related to the sensitivity of the information disclosed, and more. In this workshop, with the guidance of two experienced writers and facilitators, Gladue writers will exchange best practices to overcome such obstacles and barriers.

12:00 – 13:15 Lunch

13:15 – 15:00 Gladue reports at the sentencing stage: Benefits and limits from the perspective of judicial actors (SOPRANO A-B)

PRESENTERS: Judge (TBC)
Me Sarah Plamondon (defense lawyer)
Me Catherine Perron (defense lawyer)
Me Eric Theriault (DPCP)
Me Marie-Josée Barry-Gosselin (DPCP)

Judge(s), Crown attorneys and defence lawyers from different judicial districts will discuss the impacts and benefits of the Gladue report, as well as their limits and certain constraints interveners may have. Possible areas of improvement to increase the potential of reports, and/or additional elements that could be useful to the court within or aside from Gladue reports will also be discussed.

15:00 – 15:15 Health break

15:15 – 16:45 Choice of workshops

A. Vicarious trauma & self-care (SOPRANO C)

PRESENTER: Pamela Gabriel-Ferland, Social worker and therapist, Kanesatake

Gladue writers often hear and write about stories of trauma. They support individuals who share these stories. Anyone who engages empathetically with survivors of traumatic incidents can be at risk of vicarious trauma. In this workshop, the presenter will address:

- What is vicarious trauma?
- How to recognize it and prevent it
- The importance of self-care, balance and connection

B. Continuum of care post-Gladue report (SOPRANO A-B)

PRESENTERS: Madison White, Gladue Writer, Akwesasne Community Justice Program
Brittney Skidders, Gladue Aftercare Worker, Akwesasne Community Justice Program
Jonel Beauvais and the Seven Dancers Coalition

In this workshop, the Akwesasne Community Justice Program will share a “transfer of care to care” approach that they have established following a Gladue report as a continuum of care. Jonel Beauvais and members of the Seven Dancers Coalition will also present the Welcome Home Ceremony, which is performed for community members reintegrating into the community after incarceration.

DAY 2: MARCH 23, 2023

GLADUE CONFERENCE:
11 YEARS AFTER THE IPEELEE DECISION

Double Tree by Hilton, 1255 Jeanne-Mance Street, Montreal
Meeting rooms: SOPRANO A-B-C

8:30 – 8:45 Opening & Introduction (previously recorded): Honorable Michelle O’Bonsawin

8:45 – 10:15 11 years since R.v. Ipeelee: What has changed & what has not in the criminal justice system (SOPRANO A-B)

PRESENTER: Jonathan Rudin, LLB, LLM, Special Project Director, Aboriginal Legal Services in Toronto

On March 23, 2012, the Supreme Court of Canada released its decision in *R.v. Ipeelee*. The decision forcefully reiterated the Court’s decision 13 years earlier in *Gladue*. *Ipeelee* led to a rapid expansion of the use of Gladue reports in some provinces and territories. Mr. Rudin will discuss how the decision also led to the Gladue principles being applied to many areas of the law outside of sentencing but on the other hand, how not all attempts to expand the reach of *Gladue* and *Ipeelee* have been successful – for example, the recent decision of the Supreme Court in *Sharma*.

10:15 – 10:30 Health break

10:30 – 12:00 Choice of workshops

A. Recognizing & responding to the intergenerational trauma carried by Indigenous people (SOPRANO A-B)

PRESENTER: Dr. Alanaise Onischin Ferguson, Psychologist & Associate professor of Indigenous studies, University of British Columbia

Current practices with Indigenous clients who are accused, victims, or witnesses occur at the interface of intergenerational trauma as a health and criminal justice issue. This workshop will be focusing on factors that facilitate healing among Indigenous peoples as well as ways to promote these in your practices. The objective is to provide legal practitioners and other workers with evidence-informed skills that contribute to trauma-informed practices with Indigenous clients. In this session, the presenter will address:

- How to recognize core issues underlying addiction and mental illness that relate to the experience of historical trauma in Indigenous communities
- How cultural loss affects Indigenous peoples’ health and well-being
- How to adapt our practices with Indigenous clients

B. Adverse childhood experiences (ACES), addictive behaviours & the victim-offender overlap (SOPRANO C)

PRESENTER: Daniel Jones, MSt in Applied Criminology, Associate Chair of the Justice Studies Program, NorQuest College

This session will provide an understanding of the impact of trauma and victimization on the offending population referred to as the Justice Client. This session will also address how traumatizing offences create trauma for those who offend. This data is gathered from 800 interviews with both federally and provincially incarcerated men and women, providing the basis for trauma-informed justice and compassion from justice actors.

12:00 – 13:15 Lunch

13:15 – 15:00 The duty to scrutinize: Assessing the effectiveness of sentences for Indigenous persons (SOPRANO A-B)

PRESENTERS: Benjamin Ralston, BA, JD, LLM-Assistant prof., College of Law, U of Saskatchewan
Me Marie-André Denis Boileau, LLB, JD, LLM
Lyne St-Louis, Director, Taiga Vision

Improving the effectiveness of sentences imposed upon Indigenous individuals is a key goal of the Gladue analysis. This is directly linked to the obligation to examine the types of sentencing procedures and sanctions which may be appropriate for Indigenous offenders due to their particular Indigenous heritage or connection. However, the Supreme Court did not provide any practical guidance as to how to assess the effectiveness of specific sentencing practices.

Gladue principles require consistent judicial scrutiny of sentencing proposals with an eye to their likely effectiveness. To fulfill this obligation, sentencing judges require detailed information to assess the prospects and limits of community-based sentences and imprisonment alike. In this presentation, we will suggest concrete ways and types of information which are essential to assess the effectiveness of a sentence.

15:00 – 15:15 Health break

15:15 – 16:45 Choice of workshops

A. Cultural sensitivity and cultural safety (SOPRANO C)

PRESENTERS: Jonel Beauvais, Co-Creator of the Welcome Home Circle, Akwesasne
Sharon McBride, Gladue Writer & Coordinator, SPAQ

This workshop will present the importance of creating a safe space for Indigenous clients in the justice system (accused, victims, witnesses, families) in all stages of the judicial process. It will also address ways to increase cultural safety and discuss barriers that may arise when working with an Indigenous person within the justice system, as well as how to overcome these barriers.

B. Impacts of Gladue reports beyond the sentencing process (SOPRANO A-B)

PRESENTERS: Brittney Skidders, Gladue writer and after-care worker, ACJP
Wynoma Petiquay, Gladue Writer, Para-Judicial Worker, Atikamekw Justice, CNA
Nicolas Lamesse, Gladue Client
Patricia George, Gladue Writer, Whapmagoostui

Although the Gladue report's immediate goal is to help the court craft and determine a fit, effective and individualized sentence for an Indigenous offender, quite often the report goes beyond impacting the sentence. It equally has an important impact on the accused, the victim(s), their families and community. Gladue writers and others will discuss how the process leading to a Gladue report is for many the beginning of a journey and how it offers the possibility of continuity and connection.

16h45 Closing of conference