

MEMBER STATEMENT—JULIE GREEN, MLA YELLOWKNIFE CENTRE

GLADUE REPORTS

March 7, 2019

MS. GREEN: Mahsi, Mr. Speaker. Our neighbours in Yukon are piloting a new approach to the overrepresentation of Indigenous people in jails. The Department of Justice there is funding a three-year pilot program to train people to write what are called Gladue reports. A Gladue report provides detailed information about the offender's background, including any time spent in residential schools or in the care of child welfare, family and community history, as well as struggles with mental health and addictions. The reports are named after a Supreme Court of Canada decision given 20 years ago, which asked judges to consider these issues when sentencing Indigenous offenders.

A Gladue report is described as one tool in a toolkit for judges to consider when sentencing the offender. The intention is to encourage judges to consider restorative approaches to sentencing, other than jail time. During the first year of Yukon's pilot program, Gladue writers have produced 37 reports for use in the courts.

Mr. Speaker, what is new here is that the Yukon has formalized production of the reports. Instead of someone doing them off the side of their desk, there is now a roster of trained staff available for the task. Further, the reports have been standardized so that the same kind of information is available to the courts.

Mr. Speaker, there are some important pieces to the Yukon pilot project. First, it is collaborative. It includes both the Yukon Legal Services Society and the Council of Yukon First Nations. Second, there has been a focus on training Indigenous people as report writers because of their innate understanding of the context of the accused. Third, the cost of the pilot project is \$530,000 over three years. This is a reasonable investment, considering the cost of jailing offenders.

Mr. Speaker, there is no equivalent to the Gladue reports in the Northwest Territories. Pre-sentence reports are written by probation officers and focus on risk and risk management. In short, they serve a different purpose.

Mr. Speaker, we are facing the same overrepresentation of Indigenous people in the justice system as the Yukon is. While it is too early to tell the difference that the pilot program is making, it is providing essential information to the courts with which they can provide restorative justice. I will have questions for the Minister of Justice. Mahsi.