

GLADUE REPORTS: Production and Delivery in Select Canadian Programs

What is A Gladue Report?

Gladue reports help judges to make more informed decisions about whether jail is really the best option in an Indigenous person's case. A Gladue report provides the judge with information about an Indigenous person's unique situation. It also gives information about reasonable alternatives to jail like restorative justice programs. The Supreme Court of Canada has told judges that in an Indigenous person's case they must consider regular sentencing principles and then also...



Residential Schools



Loss of cultural identity



Displacement & Dispossession



Child Welfare System

Among other things, a Gladue report describes how these factors effected the person who the judge is considering.

Why Do We Need Gladue Reports?

In Canada, Indigenous persons are disproportionately incarcerated. They make up only 5% of the population,



but almost 40% of the prison population.



When judges do consider Gladue factors, they are less likely to rely on prison as part of a person's sentence. This increases use of conditional sentences and can improve access to...



Drug treatment programs



Healing circles



Supportive housing



Mental health supports

Select Gladue Report Production Services in Canada

Who can qualify to receive Gladue report services?



All Indigenous persons qualify for Gladue report services

Qualifying criteria are not uniform across the jurisdiction

Services may be limited by additional qualifying criteria

How much funding is available for the production of Gladue Reports?



No funding caps limit the number of reports that can be produced each year

Sources and funding are not uniform across the jurisdiction

Funding caps limit the number of reports that can be produced each year

Who may order or request Gladue report services for a case?



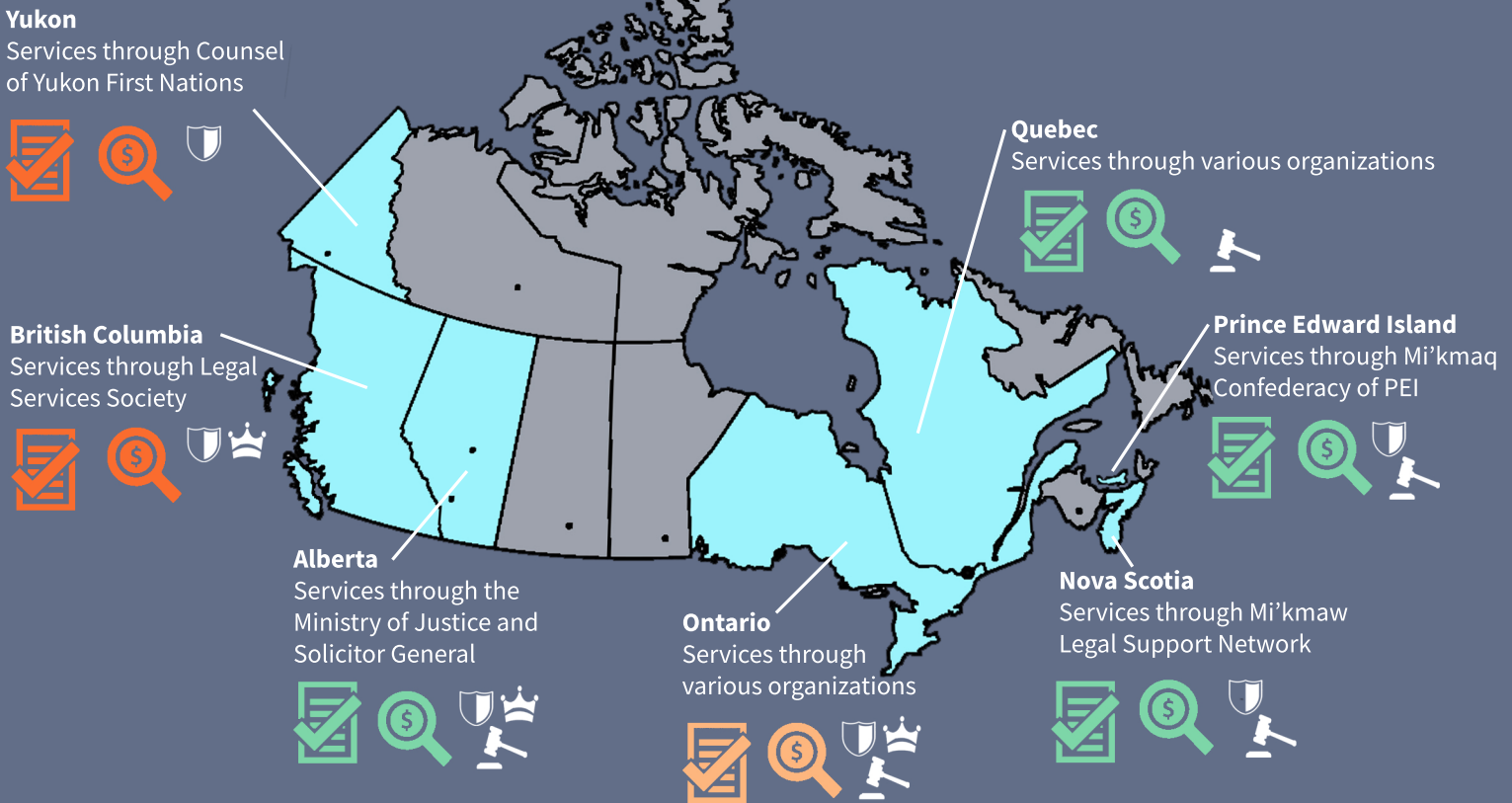
Judge



Defence*



Crown Counsel



To find out more about the importance and availability of Gladue report writing services across Canada

please visit www.icclr.org/Gladue and read the full report:

Production and Delivery of Gladue Pre-sentence Reports: A Review of Selected Canadian Programs

This study was completed by the International Centre for Criminal Law Reform (ICCLR). ICCLR is a member of the United Nations Crime Prevention and Criminal Justice Programme Network. The study was funded by the Law Foundation of British Columbia and conducted in collaboration with the Ministry of the Attorney General of BC and the Legal Services Society.

* In some jurisdictions Gladue reports are requested by either Defence Counsel or self-represented individuals. However, in every jurisdiction it is an Indigenous person's right to have the Gladue factors considered.



www.icclr.org