

Gladue report disbursement

LEGAL SERVICES SOCIETY PILOT PROJECT

Gladue report disbursement pilot project

Tariff lawyers can now request a Gladue report as an expert report disbursement for bail, sentencing, and appeals. Once a disbursement has been approved, LSS will assign an LSS-certified writer from its roster. Report writers usually require a minimum of eight weeks to complete the work. LSS prioritizes cases based on clients' situations.

Details on how to request a Gladue report and the criteria for approval are available on the LSS website at www.legalaid.bc.ca (click Lawyers — Practice resources — Gladue report disbursement pilot). If you have any questions, email Pamela Shields, Manager, Aboriginal Services, at Pamela.Shields@lss.bc.ca

The pilot project runs from **July 2011** to **December 2012**. LSS is evaluating the project during this time. If you receive a Gladue report disbursement, the LSS evaluations coordinator may contact you to discuss the effectiveness of the reports.

Gladue

Clients who self-identify as Aboriginal have rights under section 718.2(e) of the *Criminal Code*, often called Gladue rights. Gladue refers to the special consideration judges must give Aboriginal people when setting bail or during sentencing. Gladue applies to all Aboriginal people: status or non-status Indians, First Nations, Metis, or Inuit, and to those who live both on or off reserve.

In order to apply Gladue, the judge needs to understand your client's circumstances. To help the judge, you can provide him or her with a Gladue report, which provides the court with comprehensive information on the defendant, his or her community, and a plan that includes viable alternatives to prison. LSS is now funding the writing of Gladue reports as part of a pilot project.

More information on Gladue and Gladue reports is available on the LSS website at www.legalaid.bc.ca (click Aboriginal — Aboriginal legal rights).



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