

RENEWAL

BUILDING CAPACITY FOR A MULTI-JURIDICAL FUTURE

MAIN PROGRAMME

THE INDIGENOUS BAR ASSOCIATION
35TH ANNUAL CONFERENCE

OCTOBER 12 - 14, 2023
CASINO RAMA RESORT



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MESSAGE FROM THE IBA PRESIDENT



Tansi kakiyaw kitisanihk ekwa nitotemak,

I am deeply honored to address you as the President of the Indigenous Bar Association in Canada (the “IBA”). As we gather at the Rama First Nation this year, I want to emphasize a critical aspect of exercising the right to self-determination and protecting and advancing the rights of Indigenous peoples in Canada – the imperative to build capacity within our respective communities and organizations, including within the IBA.

Capacity building is at the heart of our ability to drive lasting change and secure a brighter future for Indigenous peoples across Canada. It is a commitment to empowerment, resilience, and self-determination, and it is central to the IBA’s vision for stronger, more vibrant Indigenous nations.

Over the years, we have made significant strides in building the IBA up to serve as a voice for Indigenous people working with and for Indigenous peoples in Canada. Our members have assumed roles as key decision-makers across the country, while creating supports and networks to ensure that any progress within our communities honours and furthers our languages and cultural heritage. Our ability to address the pressing issues facing our communities, whether in the areas of justice reform, economic development, education, child and family services or critical infrastructure, hinges on our capacity to mobilize resources, develop leadership and strengthen our networks.

In the coming year, we will continue to place a strong emphasis on capacity building within the IBA. We will work to expand educational opportunities, provide training and undertake research, and create mentorship opportunities within the IBA. We will foster collaboration with partners who share our commitment to the advancement of Indigenous interests in Canada.

Since the inception of the IBA, the selfless and generous donations of time, resources and shared efforts of the IBA’s members have enabled the IBA to deliver on its goals and vision. I am ceaselessly amazed and inspired by our members’ accomplishments, and am humbled by the hard work that awaits us.

I pray and hope that we can continue to build a resilient, flourishing, respectful and collaborative community within the IBA to effectively promote and support the growth and prosperity of Indigenous nations in Canada.

Kinanaskomitinanaw.

Ekosi,

Drew Lafond



THERE'S ANOTHER WAY TO GET WHERE YOU'RE GOING.

Location matters. To navigate the challenges and leverage the opportunities that exist within this market, you need a team well positioned to deliver.

For legal proficiency where you need it, look to us.

Look west.

MLT AIKINS

WESTERN CANADA'S LAW FIRM

MLT Aikins provides a full spectrum of legal services for Indigenous communities and organizations across Western Canada. We are proud to have offices in the territories of Treaty Nos. 1, 4, 6 and 7, and in the traditional, ancestral and unceded territory of the Coast Salish peoples on the west coast and the Dakota peoples on the prairies, and within the homelands of the Métis in the province of Manitoba, Saskatchewan and Alberta.

We are dedicated to the Indigenous communities and organizations that we serve, assisting with specific claims, policy development and advocacy work to advance the unique legal rights of Indigenous peoples in Canada. In doing so, we strive to implement the Calls to Action of the Truth and Reconciliation Commission, including the adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples by federal, provincial, territorial and municipal governments as the framework for reconciliation, and the Calls for Justice set out in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

[Learn more about our work at \[mltaikins.com/industry-groups/indigenous\]\(https://mltaikins.com/industry-groups/indigenous\)](https://mltaikins.com/industry-groups/indigenous)

INDIGENOUS BAR ASSOCIATION BOARD OF GOVERNORS

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2022-2023

THURSDAY OCTOBER 12

CPD PROGRAM DAY - AGENDA

8:00 - 9:00

BREAKFAST

9:00 - 9:30

OPENING REMARKS & PRAYER

SILVERNIGHTINGALE BALLROOM

Welcome and opening prayer by **Chief Ted Williams**, *Chippewas of Rama First Nation*

Opening remarks by **Drew Lafond**, *IBA President*,

Laura Sharp, *IBA Treasurer*,

Samantha Craig-Curnow, *IBA Secretary*

9:30 - 12:00

CPD SEMINAR #1 - LEGAL ETHICS & PROFESSIONALISM

SILVERNIGHTINGALE BALLROOM

Kathleen Lickers, *IPC, Barrister & Solicitor*

Candice Metallic, *IPC, Metallic Law, Barrister & Solicitor*

Moderated by **Laura Sharp**, *IBA Treasurer*

The issue of provincial legislation operating as a bar to Indigenous people seeking recourse to the courts when enforcing Constitutionally recognized rights is a substantive issue wholly related to Canada's efforts toward reconciliation. Lawyer education that substantively explores this issue - including the Federal Court's consideration of the matter and the application of their guidelines - will also be informed by hearing the submissions of the parties during the live webcast of the SCC's hearing *Jim Shot Both Sides*. The ensuing discussion will examine the guidelines and whether further reform is necessary.

Self-study materials will be provided in advance by email. Please review in advance.

12:00 - 1:00

LUNCH

1:00 - 2:30

CPD SEMINAR #2 ABORIGINAL LAW UPDATE ANISHINAABE BALLROOM

Laura Sharp, *Associate, Nahwegahbow Corbiere*

Rheana Worme, *Associate,
Semaganis Worme Legal*

Aboriginal law practitioners will focus on recent developments in caselaw and legislation affecting Indigenous peoples, governments and industry. We will discuss emerging issues and trends and explore practical approaches to addressing this ever evolving and complex area of law.

CPD SEMINAR #3

ANISHINAABE GOVERNANCE: WAMPUM, THE COVENANT CHAIN & MATERIAL CULTURAL OBJECTS SILVERNIGHTINGALE BALLROOM

Julie Williams, *Consultant, Author & Researcher,
Chippewas of Rama First Nation*

Moderated by **Samantha Craig-Curnow**,
IBA Secretary, Chippewas of Rama First Nation

Julie Williams will discuss her work developing her community-based research project, *Gimaag of Mnjikaning*. The project seeks to make discussions of First Nations governance accessible. Through historical research the work identifies different aspects of the Chippewa Tri-Council traditional governance from the Treaties at Niagara through to the mid 1800s. Using the Five Pillars of Effective Governance by the Centre for First Nations Governance, governance is examined and understood historically through Wampum, Councils, Leadership Roles, Clans and the Clan System. The intention is to understand the past in order to inspire discussion and revitalization for the present and future.

THURSDAY OCTOBER 12

CPD PROGRAM DAY - AGENDA

2:30 - 2:45

BREAK

2:45 - 4:00

CPD SEMINAR #4

REGULATORY FRAMEWORKS FOR INDIGENOUS COMMUNITIES WITH RESPECT TO MAJOR PROJECTS ANISHINAABE BALLROOM

Jesse McCormick, *SVP of Research, Innovation and Legal Affairs, First Nations Major Projects Coalition*

Kyle Vermette, *Co-Chair, Indigenous Advisory Committee to the Impact Assessment Agency of Canada*

Grant Christoff, *General Counsel & Director, Strategic Opportunities, First Nations Financial Management Board*

Moderated by **Karen Restoule**, *VP, Crestview Strategy*

This presentation considers regulatory frameworks for major projects and infrastructure in Canada as well as how these can be leveraged by Indigenous communities as part of advancing recognition and respect for Indigenous laws, governance, knowledge and traditions. Panellists will examine tools and opportunities available under the *Impact Assessment Act*, including the *Impact Assessment Co-Administration Agreement Regulations* (forthcoming), the *Impact Assessment Act* reference decision from the Supreme Court of Canada (forthcoming) as well as opportunities for First Nations to establish regulatory frameworks for the assessment and management of major project infrastructure in Canada.

CPD SEMINAR #5

RESTOULE v. CANADA: A FIRESIDE CHAT ON THE INCLUSION OF ANISHINAABE LAWS, PROTOCOLS & PERSPECTIVES IN COLONIAL COURTS SILVERNIGHTINGALE BALLROOM

Duke Peltier, *Trustee, Robinson Huron Treaty Litigation Fund & Former Chief of Wiikwemikoong Unceded Territory*

Moderated by **Daniel McCoy**,
Associate, Nahwegahbow Corbiere

Daniel McCoy and Duke Peltier will engage in a fireside chat to discuss including Anishinaabe laws, protocols and perspectives in the context of the *Restoule v. Canada* case. Duke will discuss setting the stage early in the litigation process for including Anishinaabe laws throughout the litigation, culminating in Treaty Renewal with our Treaty partners – Canada and Ontario. The Anishinaabe perspective and Anishinaabe laws and protocols have been central to the Restoule litigation and in reaching an Agreement-in-Principle on past compensation. Duke will share his experiences on placing Anishinaabe laws, perspectives, and protocols at the forefront of colonial legal processes.

4:00 - 4:15

CLOSE FOR THE DAY

7:00 - 9:00

MLT AIKINS PRESENTS the 35th Annual IBA PRESIDENT'S RECEPTION

See you at

Couchiching Building at Giiwedin Ki
7098 Rama Road, Washago, ON. L0K 1L0

Buses will run between Casino Rama and Giiwedin Ki from 6:30 until 9:30 p.m

THURSDAY OCTOBER 12

CPD PROGRAM DAY - PANELISTS & HOSTS

OPENING REMARKS & PRAYER



CHIEF TED WILLIAMS

Chief Ted Williams is Ojibway from the Chippewas of Rama First Nation, a proud husband of 44 years and father of two. From humble beginnings, Ted's early aspirations to make a difference led him to become a council member at age 25 and two years later became the youngest elected Chief of the Chippewas of Rama First Nation. He has held a successful career in real estate, and chaired the successful development of Casino Rama. Upon opening, he climbed the corporate ladder to become Vice President of Corporate Affairs and Human Resources at Casino Rama. Ted has been an entrepreneur for over 13 years as a consultant, guest speaker, and retail business partner. He is also a skilled chainsaw artist whose popular wooden bears can be found across the region. In recent years, Ted made his return back into politics as Councillor for Rama First Nation during which he sat on various committees including the Ontario Parole Board. Once again, as Chief of Rama First Nation, Ted brings his wealth of experience in many areas to his role serving the community.

LEGAL ETHICS & PROFESSIONALISM



KATHLEEN LICKERS

Kathleen Lickers, a Seneca of Six Nations of the Grand River. She is widely recognized for her work in Indigenous law and has considerable knowledge in Aboriginal law and specific claims. Prior to establishing her own law practice, Kathleen was Commission Counsel to the Indian Specific Claims Commission and was directly responsible for over 60 public inquiries being advanced by First Nations across Canada. In private practice Kathleen continues to focus her attention on issues of shared concern between First Nations and various levels of government, not isolated to outstanding specific claims. She has served as Co-Counsel to the Chiefs of Ontario for the Ipperwash Inquiry; Chair of the Intergovernmental Forum; External Advisor to the Assembly of First Nations and the Office of the Auditor General of Canada. In 2018, she received the Law Society Medal, and has been designated as Indigenous Peoples' Counsel.



CANDICE METALLIC

Candice Metallic, IPC, is a citizen of the Listuguj Mi'gmaq Nation. She devotes her practice to the protection and assertion of Indigenous rights. She currently focuses on assisting First Nations in developing governance and economic capacity; preparing and negotiating the resolution of land claims and natural resource / revenue sharing agreements; and the implementation of Treaties. Candice was honoured in May 2021 with the Law Society Medal from the Law Society of Ontario and was recognized for being a true champion who has devoted her career to law reform and the advancement of legal and social justice for Indigenous Peoples. Her leadership and groundbreaking work have been transformative in advancing Indigenous rights in Canada.

ABORIGINAL LAW UPDATE



LAURA SHARP

Laura Sharp, IBA Treasurer, is Mohawk from Six Nations and from the bear clan. She received her JD from Osgoode Hall Law School, and her BA (hons) from Western University. Laura is an associate with Nahwegahbow Corbiere and specializes in Aboriginal Law with a focus on litigation and negotiations for First Nations regarding Aboriginal and Treaty rights. She is called to the bar in Ontario.

THURSDAY OCTOBER 12

CPD PROGRAM DAY - PANELISTS & HOSTS

ABORIGINAL LAW UPDATE (...CONTINUED)



RHEANA WORME

Rheana Worme is an Associate at Semaganis Worme. She is a proud member of Kawacatoose First Nation. She graduated from Edwards School of Business with a Commerce degree in marketing in 2017 and received her Juris Doctor degree from the University of Saskatchewan's College of Law in 2020. During law school, Rheana completed an intensive clinical law program at Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC) in 2020, which gave her the opportunity to work in a community-driven, client-centred poverty law clinic for one semester. Throughout her time as a student, Rheana served as the Indigenous Law Students' Association (ILSA) President for two years. She focuses her practice in the areas of Residential Real Estate, Criminal Law, Non-Profit and Corporate Law, and Mediation.

ANISHINAABE GOVERNANCE: WAMPUM, COVENANT CHAIN & MATERIAL CULTURAL OBJECTS



JULIE WILLIAMS

Julie is Ojibwakwe of the Maashkinoozhe (Muskellunge) Fish clan of Rama First Nation. As an enthusiastic lifelong learner her education approach has been to balance formal euro-centric academic learning with Indigenous learning on the land, in ceremony and storytelling. Educated as a Historian at Carleton University, University College Dublin and University of Oxford, she returned to Canada in 2014 to take up work directly in service to First Nations. As a Senior Policy Analyst at the Assembly of First Nations (AFN), she and her team facilitated national policy changes to First Nations K-12 policy and funding. In 2018, Julie led national post-secondary education advocacy that resulted in a budget investment of \$320M for First Nations post-secondary students. Since leaving the AFN Julie has been focused on supporting First Nations to reconstitute their traditional governance systems. She is involved in two significant projects including: the Social Sciences and Humanities Research Council (SSHRC) funded, Rebuilding First Nations Governance Project at Carleton University, and a historical research project on the traditional and historical governance of Rama First Nation, for publication late 2023.

REGULATORY FRAMEWORKS FOR INDIGENOUS COMMUNITIES



JESSE MCCORMICK

Jesse is the Senior VP, Research, Innovation and Legal Affairs for the First Nations Major Projects Coalition, a non-political and business focussed coalition of over 140 First Nations organizations from across Canada. Jesse previously served as the Director of Policy and Indigenous Relations for the Minister of Environment and Climate Change and the Director of Rights Implementation for the Minister of Justice and Attorney General of Canada. In those roles, he contributed to the establishment of Indigenous Protected and Conserved Areas, the reform of Canada's environmental assessment processes and the passage of federal legislation to implement the Declaration on the Rights of Indigenous Peoples. Jesse has also served at the Office of the United Nations High Commissioner for Human Rights as a Senior Indigenous Fellow and as a law clerk at the Federal Court of Canada. He holds degrees from the University of Guelph, the University of Ottawa and the Harvard Law School. As a proud citizen of Canada, the Anishinabek Nation and the Oneida Nation (Wolf Clan), Jesse is committed to the achievement of reconciliation through the implementation of rights, treaties and responsibilities.

THURSDAY OCTOBER 12

CPD PROGRAM DAY - PANELISTS & HOSTS

REGULATORY FRAMEWORKS FOR INDIGENOUS COMMUNITIES (...CONTINUED)



KYLE VERMETTE

Kyle Vermette (he/him) is a Métis Nation lawyer and negotiator from Regina, Saskatchewan, and is Special Advisor to The Firelight Group. He previously advised the Métis National Council and Manitoba Metis Federation on national and international issues relating to climate change, biodiversity, and the environment, and has represented the Métis Nation under the United Nations Framework Convention on Climate Change, the United Nations Convention on Biological Diversity, and the 2023 United Nations Water Conference. He is the Co-Chair of the Indigenous Advisory Committee for the Impact Assessment Agency of Canada and was formerly in-house counsel for the Water Security Agency (Saskatchewan).



GRANT CHRISTOFF

Grant is a member of Sauteau First Nations, part of Treaty 8 in the northeastern portion of B.C. As the FMB's General Counsel he is responsible for providing governance and legal advice to the First Nations Financial Management Board. Prior to joining FMB in 2021, he served for six years as legal counsel with the First Nations Health Authority and on a contract basis with his own community. Before that, he practiced public law for over 20 years, within the federal Department of Justice. He finished his public service career as the Director of the Aboriginal Law Section, accountable for all litigation and advisory services in the B.C. region. Grant also sits as a Director on the boards of a not for profit and crown corporation. He is a graduate of and previously an adjunct professor at the University of Victoria Law School.



KAREN RESTOULE

Karen Restoule is Vice President with Crestview Strategy, bringing a specialty in strategy, engagement, and crisis management and offering clients expertise in community, stakeholder, and Indigenous engagement, transformative leadership, change management, and policy development. Previously, Karen led Ontario's administrative justice system at Tribunals Ontario. Responsible for leadership and oversight of its 19 constituent tribunals, she led key transformations at the Ontario Parole Board, Human Rights Tribunal Ontario, and the Landlord and Tenant Board. Karen serves on a number advisory and governance boards including TC Energy, Prospectors and Developers Association of Canada, Ontario's Judicial Appointments Advisory Committee, and others. She serves on juries for Canadian policy awards The Donner Prize and The Hunter Prize and is a contributing writer at thehub.ca. Karen is Ojibwe from Dokis First Nation.

RESTOULE v CANADA: A FIRESIDE CHAT



DUKE PELTIER

Duke is a proud Anishinaabe citizen of Wiikwemkoong Unceded Territory and a natural leader with over 25 years of concurrent service to both the public and private sectors. Honoured with serving his community as its elected Chief, he oversaw all aspects of community development and public policy initiatives at Wiikwemkoong.

He currently has the role of Trustee of the Robinson-Huron Treaty Litigation Fund. His demonstrated skills in Nonprofit Organizations, Coaching, Government, Program Evaluation, Public Policy and Conflict Resolution have seen him continue building relationships throughout Canada and the United States.



DANIEL MCCOY

Daniel is Anishinaabe from Batchewana First Nation. Daniel received his J.D. from Osgoode Hall Law School in 2018 and was called to the Ontario Bar in 2019. Daniel's practice is focused on document management and advocating for First Nations in Aboriginal Treaty and Rights litigation. While at Osgoode, Daniel served as the Co-Chair of the Osgoode Indigenous Students' Association and was the recipient of the Dean's Gold Key Award for his leadership in Indigenous issues. Prior to joining Nahwegahbow Corbiere, Daniel practiced at a Toronto based law firm advising Indigenous clients primarily on child welfare and employment matters before commencing his own solo practice advising First Nations on a variety of civil litigation and governance matters.

THURSDAY OCTOBER 12

THE PRESIDENT'S RECEPTION

MLT AIKINS PRESENTS the 35th Annual IBA PRESIDENT'S RECEPTION

and celebration of Anne Chalmers, IBA Administrative Assistant,
for her lasting contributions to the IBA

Couchiching Building at Giiwedini Ki

7098 Rama Road, Washago, ON. L0K 1L0

Buses will run between Casino Rama and Giiwedini Ki from 6:30 until 9:30 p.m.



ADVOCATES FOR INDIGENOUS SOVEREIGNTY AND PROSPERITY



Our central philosophy is that there will be no real justice until Indigenous peoples have control over their own fates and futures, including their lands and economic and political decision-making.

For clients who want to use Canadian law as a means to help achieve this goal, we bring to bear our extensive experience working for Indigenous communities and our deep commitment to justice to achieve success – however you define it.

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FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - AGENDA

8:00 - 9:00

BREAKFAST

9:00 - 9:30

OPENING REMARKS & PRAYER

SILVERNIGHTINGALE BALLROOM

Opening prayer by **Nookomis Stephanie Williams Sandy**, *Chippewas of Rama First Nation*
Welcoming address by **Lori Mishibinijima**, *Master of Ceremonies*

9:30 - 10:45

PLENARY - THE POWLEY DECISION AT 20 YEARS

SILVERNIGHTINGALE BALLROOM

Jean Teillet, *IPC, Senior Counsel, Pape Salter Teillet*
Jason Madden, *Managing Partner, Pape Salter Teillet*
Mitch Case, *Metis Nation of Ontario, Regional Councilor for the historic Sault Ste. Marie Métis Community*
Moderated by **Zac Thiffault**, *IBA Member-at-Large; Legal Counsel, Metis Nation of Ontario*

A panel discussion with Métis lawyers and community leadership about the Supreme Court of Canada's landmark Métis right decision in *R v. Powley* twenty years after its release, specifically about the implications *Powley* has had within Métis communities from Ontario-westward and the evolution of Métis law.

10:45 - 11:00

BREAK

11:00 - 12:30

BREAKOUT SESSION #1 WORKPLACE INVESTIGATIONS: INDIGENOUS CONTEXTS & CONSIDERATIONS SILVERNIGHTINGALE BALLROOM

Katherine Hensel, *Partner, Fogler Rubinoff LLP*
Akosua Matthews, *Associate, Kastner Lam LLP*
Leslie Anne St. Amour, *Associate, Durant Barristers*

Moderated by **Alexandria Winterburn**, *IBA Vice President; Partner, Pape Salter Teillet*

A discussion about the unique considerations and best practices when engaging in workplace investigations involving Indigenous people and organizations, including how to respond to Indigenous identity issues and requests for Indigenous views and practices to inform the process.

BREAKOUT SESSION #2

GLADUE PRINCIPLES: INDIGENOUS PERSPECTIVES & GREY AREAS ANISHINAABE BALLROOM

Hadley Friedland, *Professor, University of Alberta*
Koren Lightning, *Legal Director, Wahkohtowin Law and Governance Lodge*
Benjamin Ralston, *Professor, University of Saskatchewan*

Moderator and Presenter **Tamara Pearl**, *IBA Member-at-Large; Professor, University of Alberta*

The *Gladue* Principles requires the Canadian state law sentencing process to go forward in accordance with the Indigenous (Aboriginal) perspective (*R v Gladue*, para 74), which is "short-hand expression for Indigenous peoples' laws, practices, customs and traditions, and collective perspectives" (B.Ralston). This panel will discuss how research units that have developed in response to the TRC's CTA #50 are well placed to further the Indigenous perspective, especially in the grey areas of *Gladue* principles, such as issues of Indigenous identity, the expansion of the *Gladue* framework, Indigenous courts, etc.

LUNCH

12:30 - 1:30

Keynote by **Bill Lomax**, *President & CEO, First Nations Bank of Canada*

Indigenous Nations and peoples north and south of the Medicine Line, the Canadian-U.S. border, have had varying degrees of success in gaining access to economic opportunities with major entities, such as federal governments and large entrenched industries. This keynote explores differences in approaches Indigenous Nations and communities have taken on the procurement front and what opportunities are ahead for Indigenous entrepreneurs and leaders in Canada.

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - AGENDA

1:30 - 3:00

BREAKOUT SESSION #3

MINING ISSUES

SILVERNIGHTINGALE BALLROOM

Nadir Andre, Partner, Borden Ladner Gervais LLP

Moderated by **Alain Bartleman**,
Associate, Nahwegahbow Corbiere

This session will provide information related to issues in mining law as it relates to Aboriginal peoples of Canada. It will include an overview of recent developments in caselaw, statute, and negotiated instruments with provincial, territorial and federal governments.

BREAKOUT SESSION #4

INDIGENOUS RELATIONSHIP ETHICS: NEGOTIATING IN A GOOD WAY

ANISHINAABE A BALLROOM

Peter Pomart, Researcher, Doctoral Candidate,
University of Manitoba

Moderated by **Samantha Craig-Curnow**,
IBA Secretary, Chippewas of Rama First Nation

Group discussion with workshop attendees about the role of free, prior and informed consent in building Indigenous business relationships with proponents. As a qualitative researcher, Pomart aims to provide an Indigenous rights-affirming approach to understanding engagement with Indigenous peoples affected by resource development projects.

**Note: this workshop will be recorded and participants may be required to sign a consent form in order to attend.*

3:00 - 3:15

BREAK

3:15 - 4:30

BREAKOUT SESSION #5

CREATION OF FIRST NATIONS COURTS & ENFORCEMENT OF LAWS FOR MODERN TREATY NATIONS IN BRITISH COLUMBIA

ANISHINAABE A BALLROOM

Mark L. Stevenson, IPC, Aboriginal Law

Mark Smith, General Counsel and Director of Process,
BC Treaty Commission

Moderated by **Drew Lafond**, IBA President;
Partner, MLT Aikins

Presentation and about the work involved in creating a First Nations court and processes for the enforcement of Indigenous laws, including a case study of how this work is being advanced for modern treaty First Nations in British Columbia.

BREAKOUT SESSION #6

INDIGENOUS JUDICIAL ADVICE

SILVERNIGHTINGALE BALLROOM

Justice Evelyn Baxter, Ontario Court of Justice, Kenora

Justice Catherine Rhinelander, Superior Court of
Justice of Ontario, Toronto

Justice Jodie-Lynn Waddilove, Ontario Court of
Justice, Central East Region

Moderated by **Laura Sharp**, IBA Treasurer

Practical and incisive advice from sitting, Indigenous judges of common legal issues that come from the point of view of the bench. Participants will gain practical knowledge and perspectives on topics such as ethical advocacy, addressing access to justice issues and de-escalating conflicts.

4:30 - 4:45

CLOSE FOR THE DAY

6:15 - 10:00

NAHWEGAHBOW CORBIERE PRESENTS the 35th Annual IBA GALA DINNER

Cocktail reception begins in Anishinaabe Hall at 6:15pm
Banquet doors open at 7:00pm

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - PANELISTS & HOSTS

OPENING REMARKS & PRAYER



NOOKOMIS STEPHANIE WILLIAMS SANDY

Nookomis Stephanie Williams Sandy is from Chippewas of Rama First Nation, known as Mnjikaning. Her spirit name is Nemki Benshi Kwe and she is from the Fish clan. Stephanie is a retired Child Welfare Worker of 35 years, though the workers are now called Child Well Being Advocates. She was also a supervisor and served as acting manager through the years. Presently, she is a Nookomis at Georgian College, Orillia, as the visiting Elder and a member of two Advisory committees at the College. Nookomis Sandy is the mother of 5 children, 9 grandchildren, and 3 great grandchildren. She is Nookomis to her family and to her community. "It is a pleasure and honour to be here at this conference. Miigwech."

PLENARY - THE POWLEY DECISION AT 20 YEARS



JEAN TEILLET

Ms. Teillet is an author, women's rights advocate, and Indigenous rights lawyer. She currently sits as the Indigenous Bar Association's appointee on the Independent Advisory Board for Supreme Court of Canada Judicial Appointments. Ms Teillet is the author of a 2022 report on Indigenous Identity Fraud. She has appeared at the Supreme Court of Canada twelve times in Indigenous rights cases. Ms. Teillet's popular history, *The North-West is Our Mother: The Story of Louis Riel's People, the Métis Nation* was one of the Globe & Mail's top 100 books of 2019 and won the Carol Shield's and Manitoba Day awards. She is the author of Métis Law in Canada and has written for academic journals, the Globe & Mail and Macleans. A frequent public speaker throughout Canada and internationally, Jean has been awarded the highest honour of her people, the Order of the Métis Nation. The Indigenous Bar Association has awarded Jean it's highest honour, Indigenous Peoples Counsel. She is a member of the Manitoba Métis Federation and is the great grandniece of Louis Riel.



JASON MADDEN

Jason Madden is co-managing partner in the law firm Pape Salter Teillet LLP. Jason is a graduate of Osgoode Hall Law School and is called to the bar in Ontario, Alberta, the Yukon and the Northwest Territories. His practice focuses on litigation and negotiations related to Indigenous lands, rights and self-governments, including the negotiation and implementation of modern-day treaties. Jason is recognized as being at the forefront of the development of Métis rights law in Canada. He has appeared before the Supreme Court of Canada in all of the cases dealing with Métis issues over the last 20 years (Powley, Manitoba Métis, Daniels) and has acted as counsel in Métis rights cases from Ontario westward. For his work, Jason is recognized as a leading practitioner in Canadian Aboriginal law by Lexpert (Most Frequently Recommended), Chambers & Partners (Tier 1) and Best Lawyers and as one of the 25 Most Influential Lawyers in Canada by Canadian Lawyer magazine. Jason is Métis and a descendant of the 'Halfbreeds of Rainy River and Rainy Lake' who collectively signed an adhesion to Treaty No. 3 in 1875.



MITCH CASE

Mitch Case is a proud Métis citizen from the Historic Sault Ste. Marie Métis Community. Mitch is a community-based historian focusing on the history of Ontario Métis communities, especially those around the Great Lakes. In June 2020, Mitch was elected to serve as the Region 4 Councillor on the Provisional Council of the Métis Nation of Ontario. Mitch was elected on a platform of advancing Métis Self-Government, improving communication, advancing Métis culture and most importantly, advancing the historic claims of Métis community in the Sault Ste Marie, Superior East, Huron North Shore area. Mitch has served as a Youth Representative at the local and regional levels and was elected President of the Métis Nation of Ontario Youth Council (MNOYC) in 2012 and re-elected in 2016. As President of the MNOYC, Mitch was a member of the Provisional Council of the Métis Nation of Ontario. In 2022, Mitch was appointed by the Government of Canada to serve on the Transitional Committee of the National Council for Reconciliation.



ZAC THIFFAULT

Zac Thiffault is Métis from the Georgian Bay Métis Community and is a citizen of the Métis Nation of Ontario. He received his JD and his B.Soc.Sc (hons) from uOttawa. Zac is Legal Counsel to the Métis Nation of Ontario, advising on a wide range of topics including self-government, Métis rights, and internal governance. Zac is called to the bar in Ontario.

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - PANELISTS & HOSTS

WORKPLACE INVESTIGATIONS: INDIGENOUS CONTEXTS & CONSIDERATIONS



KATHERINE HENSEL

Katherine is a citizen of the Secwepemc (Shuswap) Nation. Katherine has built a diverse practice providing advice and acting in disputes concerning the assertion of inherent jurisdiction and other Indigenous and treaty rights, the duty to consult, commercial matters, public inquiries (including as Assistant Commission Counsel to Ontario's Ipperwash Inquiry, and counsel to a number of parties at Canada's Missing and Murdered Women's Inquiry), coroners' inquests, employment law and workplace investigations, child welfare matters, and select criminal cases.

Katherine is the recipient of a number of awards for her innovative and passionate advocacy for human rights and the advancement of social justice, including the *Minaake Award for Human Rights and Advocacy* from the Native Women's Resource Centre and the *Arleen Goss Young Advocates Award* from the Advocates Society.



LESLIE ANNE ST. AMOUR

Leslie Anne St. Amour (she/her) was born and raised in eastern Ontario, primarily the Ottawa Valley and Kingston areas. She is a member of the Bonnechere Algonquin First Nation and has mixed Algonquin and settler heritage. Leslie Anne practices Indigenous and Aboriginal law, sports law, and workplace investigations at Durant Barristers. She currently sits on the Board of Aboriginal Legal Services and the Algonquin Wildlife Research Station.



AKOSUA MATTHEWS

Akosua is a senior associate at Kastner Lam LLP. She leads the firm's state accountability work including civil litigation, human rights claims & coroner's inquests, in addition to a growing workplace investigations practice. In 2018, Akosua was selected as one of the Top 25 Most Influential Canadian Lawyers, for her representation of the political territorial organization Nishnawbe Aski Nation ("NAN") in the Indigenous child welfare proceedings before the Canadian Human Rights Tribunal. Akosua holds an MPhil in Comparative Social Policy from the University of Oxford, where she attended on a Rhodes Scholarship, and is a graduate of the Faculty of Law, University of Toronto. Akosua is originally from Winnipeg and is Red River Métis. Akosua is the recent past-Chair of Toronto's Regent Park Community Health Centre Board and the incoming Chair of the Board for the YMCA of the Greater Toronto Area.



ALEXANDRIA WINTERBURN

Alexandria (Ajay) is Mohawk and Abenaki and from the turtle clan. She received her JD from the University of Toronto, and her BA (hons) from the University of Alberta. Alexandria is a Partner with Pape Salter Teillet LLP and specializes in Indigenous rights and Aboriginal law with a focus on issues including the duty to consult, negotiation and implementation of modern treaties and governance agreements, and partnerships between industry and Indigenous peoples. She is called to the bar in Ontario and Manitoba. Alexandria is currently Vice President of the IBA.

GLADUE PRINCIPLES: INDIGENOUS PERSPECTIVES & GRAY AREAS



HADLEY FRIEDLAND

Hadley Friedland is an Associate Professor at the University of Alberta's Faculty of Law. Her research focuses on Indigenous law, Aboriginal law, Family law and Child Welfare law, Criminal Justice, Therapeutic jurisprudence and Community-led research. Dr. Friedland helped establish the Indigenous Law Research Unit [ILRU] at the University of Victoria and was its first Research Director. She has had the honour of working with Indigenous communities across Canada to identify and articulate their own laws. While she has published numerous academic articles she is most passionate about collaboratively producing accessible Indigenous legal resources for Indigenous communities and legal professionals. She is author of the book, *The Wetiko (Windigo) Legal Principles: Cree and Anishinabek Responses to Violence and Victimization*, University of Toronto Press, 2018.

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - PANELISTS & HOSTS

GLADUE PRINCIPLES: INDIGENOUS PERSPECTIVES & GRAY AREAS (...CONTINUED)



KOREN LIGHTNING

Koren Lightning, Blue Thunderbird Woman, is Cree from Samson Cree Nation. She is the Legal Director of Wahkohtowin Law and Governance Lodge. She is a Board Member for First Nations Caring Society, Acting Commissioner for Alberta Utilities Commission and Board Member for Peace Hills Insurance. Koren is a Board Member for LEAF, Women's Legal Education and Action Fund. She was President of the Indigenous Bar Association for 6 years. Koren graduated from Law School in 2007 at the University of Alberta. She was called to the bar in February 2009 and had the honour of having her Bar Call in her First Nation Community, Samson Cree Nation. Koren received her Master of Laws in 2018 from Osgoode Hall Law School, York University, her concentration was Alternative Dispute Resolution. Koren's work focuses on working with Indigenous clients and supporting the revitalization of Indigenous Laws. Koren advises in the areas of Indigenous Governance, Indigenous Child Welfare, Indian Act matters.



BENJAMIN RALSTON

Benjamin Ralston is an assistant professor at the University of Saskatchewan College of Law. He has also taught law courses for the University of Saskatchewan's Kanawayihetaytan Askiy program for First Nations land managers, its Nunavut Law Program based in Iqaluit, and the graduate program of its School of Environment and Sustainability. He is currently completing his PhD dissertation at the University of Saskatchewan. Benjamin has authored several academic articles on legal topics, including in relation to the Gladue principles. So far he is the author of one monograph, *The Gladue Principles: A Guide to the Jurisprudence* (2021), and a co-author of *Aboriginal Tenure in the Constitution of Canada, 2nd Edition* (2022). Outside of legal academia, Benjamin has also practised law, primarily working as a litigator in the areas of administrative law, Aboriginal law, and environmental law. He was first called to the British Columbia bar in 2011 and he later joined the Law Society of Saskatchewan in 2015 where he currently maintains active status as a law professor member.



TAMARA PEARL

Tamara (Baldhead) Pearl is a Nēhiyaw iskwew (Plains-Cree woman) from One Arrow First Nation in Treaty 6 territory and the traditional homeland of the Métis. She is an Assistant Professor at the Faculty of Law, University of Alberta and a PhD in Law candidate at the University of Ottawa. Her research focuses on "anti-dominance" training which challenges the dominance dynamics of the settler colonial framework imposed upon Indigenous Peoples. Professor Pearl aims to contribute to training legal practitioners using anti-dominance to respectfully engage with Indigenous legal traditions and communities while using Treaty relationships as a guide. Her goal is to help train law students and other legal professionals, to not only better our communities but to bridge them by using the Nēhiyawak or Plains Cree concept: *māmawī wīchitowin* ("working together, helping one another"). Professor Pearl is a Research Fellow for the Wahkohtowin Law and Governance Lodge and serves as the Academic Representative board member for the Indigenous Bar Association.

MINING ISSUES



NADIR ANDRE

Nadir is a member of the Matimekush-Lac John First Nation and has sound experience in Indigenous law. Nadir is actively involved in certain comprehensive and specific land claim negotiations in Québec, Ontario and Manitoba. He also specializes in matters connected with natural resource development involving Indigenous communities and businesses.



ALAIN BARTLEMAN

Alain is a member of the Chippewas of Mnjikaning (Rama) First Nation. Alain studied law at the Institut des Etudes Politiques de Paris, the University of Geneva, as well as McGill University. Alain works at Nahwegahbow Corbiere, where his practice is limited to acting for First Nation individuals, communities and organizations. Prior to working at Nahwegahbow, Corbiere, Alain worked for a large corporate and regulatory litigation firm in Paris, France, an Ontario-based First Nation, as well as a boutique Toronto-based law firm specialized in criminal and regulatory litigation. Alain is bilingual English/French. Alain volunteers in his spare time and enjoys spending time on the land.

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - PANELISTS & HOSTS

INDIGENOUS RELATIONSHIP ETHICS: NEGOTIATING IN A GOOD WAY



PETER POMART

Peter Pomart is a doctoral candidate at the University of Manitoba's I.H. Asper School of Business and is a member of the Mathias Colomb First Nation (also known as Pukatawagan) in Treaty 6 territory. He began a 15-year career providing services to Indigenous students at the University of Manitoba in 2007 and obtained his MBA in 2018. Later that year, he began his doctoral studies while balancing academic responsibilities with fatherhood and Director role for the Indigenous Business program at Asper.

His research interests are focused on restoring an Indigenous rights centered approach to negotiations between industry and Indigenous peoples affected by resource development projects. He and his partner (Brenda Gunn) are proud parents to one child who started kindergarten this September.



SAMANTHA CRAIG-CURNOW

Samantha Craig-Curnow is Anishinaabe-Kwe from the Chippewas of Rama First Nation. She is from the Marten clan and is a mother, an auntie, a sister, a daughter, and a wife. Samantha graduated from Seneca College in 2012 with a Law Clerk diploma, from York University in 2014 with an Honours Bachelor of Art in political science and in 2019 from Osgoode Hall Law School with her juris doctorate. She was called to the bar in November of 2020 and has practiced since as Associate General Counsel for her First Nation. Samantha is passionate about her work which involves the opportunity not only to guide her community toward sound legal decisions, but also allows her to be involved in the reinvigoration of Anishinaabe law, governance and justice. As in-house counsel for a First Nation, Samantha's practice includes a wide range of subjects from contract law to employment, environmental, health, education, and even estates law. In addition to her work in her community, Samantha has strong ties with her alma mater as Co-Chair of Seneca College's Indigenous Education Council, she serves as a member of the College's Board of Governors, and with the youth in her community through her facilitation of the Indigenous Youth Justice Program.

CREATION OF COURTS & ENFORCEMENT OF LAWS FOR MODERN TREATY NATIONS



MARK L. STEVENSON

Mark L. Stevenson is a lawyer whose family originates from the historic Métis community at Lac Ste. Anne, Alberta. Mark has a Victoria based law practice and works mostly with First Nations and Métis organizations. His practice involves all aspects of treaty negotiations including: Self-government (law making, the establishment of courts and enforcement of nation laws); Lands and Natural Resources; and Fiscal Relations. Mark also provides advice on Constitutional Law, Economic Development, and various Indian Act matters. Mark is currently the Chief Negotiator for the K'omoks First Nation and legal counsel for Kitselas, Kitsumkalum and Metlakatla who are all in the final stages of treaty negotiations in British Columbia. Mark is also a part of the Robinson Huron Treaty negotiating team for the annuities claim. Mark is a recipient of the Indspire (National Aboriginal Achievement Award) in Law and Justice and the Indigenous Peoples Counsel (IPC) designation for services provided to the Indigenous community "with honour and integrity".



MARK SMITH

Mark is General Counsel and Director of Process for the B.C. Treaty Commission. Mark provides legal, political, and strategic policy advice on the protection and recognition of Aboriginal title and rights. Mark leads complex facilitations on treaty negotiations, and intergovernmental initiatives to improve the processes to achieve reconciliation amongst governments and Indigenous Nations. He is dedicated to Indigenous rights recognition, governance-building and inter-nation dispute resolution processes. Mark has been a key contributor to the Treaty Commission's international work reinforcing the importance of the UN Declaration on the Rights of Indigenous Peoples to negotiations between state and Indigenous Nations.



DREW LAFOND

Drew Lafond advises clients on matters related to economic development, gaming, housing, commercial leasing, corporate governance, structure and finance. Drew also assists Indigenous clients with asserting and exercising jurisdiction over core areas of governance, including land management, taxation, gaming and agriculture in Alberta, Saskatchewan, British Columbia and Yukon. Drew was raised in Treaty 6 territory on the Muskeg Lake Cree Nation reserve and is also of Secwepemc descent from the Simpcw First Nation in British Columbia. He has also served as President of the Indigenous Bar Association since 2019.

FRIDAY OCTOBER 13

MAIN CONFERENCE DAY ONE - PANELISTS & HOSTS

LUNCH ADDRESS



BILL LOMAX

Bill Lomax is the President and CEO of the First Nations Bank of Canada (FNBC) and a member of the Gitksan Nation. Bill grew up in Terrace, B.C. before heading south to spend 22 years working on Wall Street and in Private equity in the United States. As a graduate of UBC's law school and obtaining his MBA at Columbia University, Mr. Lomax began his career as a lawyer facilitating land claim negotiations for the British Columbia Treaty Commission. He later worked for the U.S. Federal Department of Justice before entering the investment sector in the United States, working for firms such as Merrill Lynch and Goldman Sachs.

Lomax believes the First Nations Bank of Canada will be a catalyst to create economic growth that is inclusive and sustainable in Indigenous Nations and communities. His deep experience in the US will serve him well. He worked with Native American Tribes across the US and was entrusted with over \$5B in Indigenous investment and banking assets over the course of his career.

INDIGENOUS JUDICIAL ADVICE



JUSTICE EVELYN BAXTER

Justice Evelyn Baxter is Anishnawbe-kwe from Northern Ontario and is a member of the Marten Falls First Nation in Treaty #9. She was appointed to the Ontario Court of Justice in 2019. Prior to the bench, she spent 10 years in Toronto and primarily practiced criminal law. Justice Baxter also worked in legal and political advisory positions with, and for, Nishnawbe Aski Nation for over 25 years. She also forged a legacy at the national level as an adjudicator with the Indian Residential Schools Independent Assessment Process. Most recently, Justice Baxter served as an adjudicator for the Ontario Criminal Injuries Compensation Board and as Chair of the Mercury Disability Board. She has been a keynote speaker at various conferences and organizations, including the United Nations.



JUSTICE CATHERINE RHINELANDER

Justice Catherine Rhinelander is a member of the Yellowknives Dene First Nation in Treaty #8 territory and the daughter of a residential school survivor. She obtained her Bachelor of Laws from Dalhousie University and was called to the Ontario bar in 1993. Before her appointment to the bench, she was an assistant Crown attorney at the criminal law division of the Ministry of the Attorney General of Ontario in Toronto. She began her legal career as a defence counsel with a criminal law firm in Toronto. She went on to establish her practice in 1996. Rhinelander joined the Ontario Ministry of the Attorney General a year later, where she was initially assigned to the guns and gangs unit. Her work involved complex prosecutions of cases that relied heavily on intercepted private communications. She was part of a team representing Ontario at the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). She has also presided as a deputy judge in Small Claims Court.



JUSTICE JODIE-LYNN WADDILOVE

Jodie-Lynn Waddilove is an Anishnabe (Ojibway) and Lenni Lenape (Delaware) lawyer from the Munsee-Delaware Nation in southern Ontario. Her traditional name is "Giim-Mah-Myengun-Kwe" which means Head Chief Wolf Woman. She is a member of the wolf clan. Justice Waddilove served as Senior Legal Counsel to the Honourable Justice M.H. Tulloch at the Independent Street Checks Review and the Independent Police Oversight Review. She was Senior Legal Counsel with Ontario's Missing, Murdered Indigenous Women and Girls joint national inquiry team and Coroner's Counsel at Coroner's Inquests across the Province of Ontario. She has also provided legal counsel to the Ministry of the Attorney General and the Ministry of Community Safety and Correctional Services in areas including Indigenous legal issues, civil litigation, policing and law enforcement, and immigration and citizenship.



LAURA SHARP

Laura Sharp, IBA Treasurer, is Mohawk from Six Nations and from the bear clan. She received her JD from Osgoode Hall Law School, and her BA (hons) from Western University. Laura is an associate with Nahwegahbow Corbiere and specializes in Aboriginal Law with a focus on litigation and negotiations for First Nations regarding Aboriginal and Treaty rights. She is called to the bar in Ontario.

FRIDAY OCTOBER 13

ANNUAL GALA DINNER

NAHWEGAHBOW CORBIERE PRESENTS the 35th Annual GALA DINNER & AWARD OF IPC DESIGNATION

Cocktail reception begins in Anishinaabe Hall at 6:15pm. Banquet doors open at 7:00pm

The **Indigenous Peoples' Counsel** designation (IPC) is awarded each year to an Indigenous lawyer in recognition of outstanding achievements in the practice of law. In particular, the IPC award takes into account the manner in which the individual pursues the goals and objectives of the IBA and serves his or her community and the Creator with honour and integrity. The award is presented each year at this conference. This year's IPC will be awarded by current IPCs. This individual is someone of great honour and wholly worthy of this designation.

All current and future IPC members are gifted a lapel pin to recognize their induction and designation as an IPC. The IBA Board of Directors is grateful for the outstanding contributions that all IPCs have made to the organization and the Indigenous legal landscape. Thank you:

Candice Metallic, IPC
David Nahwegahbow, IPC
Delia Opekokew, IPC
Dianne G. Corbiere, IPC
Donald Worme, IPC
Eileen Sasakamoose, IPC
Harry Laforme, IPC
Helen Semaganis, IPC

J. Wilton Littlechild, IPC
James (Sakej) Youngblood-Henderson, IPC
Jean Teillet, IPC
Jeffery Hewitt, IPC
John Borrows, IPC
Leonard S. Mandamin, IPC
Kathleen N. Lickers, IPC
Kimberly Murray, IPC

Mark L. Stevenson, IPC
Mary Ellen Turpel-Lafond, IPC
Murray Sinclair, IPC
Paul L.A.H. Chartrand, IPC
Professor Darlene Johnson, IPC
Roberta Jamieson, IPC
Roger Jones, IPC
Valerie Napoleon, IPC

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SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - AGENDA

8:00 - 9:00

BREAKFAST

9:00 - 9:30

OPENING REMARKS & PRAYER

SILVERNIGHTINGALE BALLROOM

Opening prayer by **Nookomis Stephanie Williams Sandy**, *Chippewas of Rama First Nation*
Welcoming address by **Lori Mishibinijima**, *Master of Ceremonies*

9:30 - 10:30

KEYNOTE - ADVANCING JUSTICE RENEWAL & REFORM

SILVERNIGHTINGALE BALLROOM

Kory Wilson, *Chair, B.C. First Nations Justice Council*

Introduction by **Jocelyn Formsma**, *IBA Member-at-Large; Executive Director, NAFC*

10:30 - 10:45

BREAK

10:45 - 12:15

BREAKOUT SESSION #1

TRC CALL TO ACTION #28: ABORIGINAL PEOPLE & THE LAW SCHOOL ANISHINAABE A BALLROOM

Leo Baskatawang, *Assistant Professor, Faculty of Law,
University of Manitoba*

Daniel Diamond, *Assistant Professor, Faculty of Law,
University of Manitoba*

Marc Kruse, *Director of Indigenous Legal Learning and
Services, Faculty of Law, University of Manitoba*

Moderated by **Lori Mishibinijima**, *IBA Member-at-Large;
Program Manager, Indigenous & Reconciliation Initiatives,
Osgoode Hall Law School*

This panel will discuss the Truth and Reconciliation Commission's Call to Action #28. Presenters will discuss the importance of interpreting Call to Action #28 broadly and holistically, rather than as a mere box-ticking exercise. In addition, the presenters will discuss current initiatives at Robson Hall, and reflections on best practices and strategies for implementing Call to Action #28 at law schools in Canada. Finally, the panel will discuss institutional and structural barriers for the meaningful implementation of Call To Action #28 and the process of Indigenizing legal education, as well as pathways for overcoming these barriers.

BREAKOUT SESSION #2

WORKING WITH INDIGENOUS LAWS & LEGAL ORDERS: A DISCUSSION WITH THE UVIC INDIGENOUS LAW RESEARCH UNIT SILVERNIGHTINGALE BALLROOM

Tara Williamson, *Research Director, Indigenous Law
Research Unit, University of Victoria*

Jessica Asch, *Research Director, Indigenous Law
Research Unit, University of Victoria*

Moderated by **Alexandria Winterburn**,
IBA Vice President; Partner, Pape Salter Teillet

This panel will overview the content of Jessica Asch and Tara Williamson's forthcoming chapter on Legal Research and Writing for Indigenous Law with a focus on relationship building, identifying resources and sources of Indigenous law, engaging with and analyzing resources of Indigenous law, potential applications of Indigenous law, and critical considerations for the current and future practices of Indigenous law in community, the classroom, and beyond.

12:15 - 1:30

LUNCH

SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - AGENDA

1:30 - 2:30

BREAKOUT SESSION #3

**BUILDING INDIGENOUS LEGAL LODGES:
RESTORING ACCESS TO JUSTICE & PREVENTING
VIOLENCE AGAINST INDIGENOUS WOMEN,
GIRLS, TRANS & TWO-SPIRIT+**
ANISHINAABE A BALLROOM

Hadley Friedland, *Professor, University of Alberta*

Koren Lightning, *Legal Director, Wahkohtowin Law and
Governance Lodge*

Tamara Pearl, *IBA Member-at-Large; Professor, University
of Alberta*

Moderated by **Alexandria Winterburn**,
IBA Vice President; Partner, Pape Salter Teillet

Roundtable discussion with the Wahkohtowin Law and Governance Lodge about their work on building Indigenous legal lodges in close collaboration with community grassroots organizations, that have the specific focus on how to ensure space for Indigenous women, girls, trans, two-spirit + persons.

BREAKOUT SESSION #4

**FROM HUMAN RIGHTS TO CLASS ACTION:
AFN'S FIGHT FOR COMPENSATION
FOR OUR KIDS & FAMILIES**
SILVERNIGHTINGALE BALLROOM

Stuart Wuttke, *General Counsel, Assembly of First Nations*

Moderated by **Samantha Craig-Curnow**,
IBA Secretary, Chippewas of Rama First Nation

Assembly of First Nations' General Counsel, Stuart Wuttke, will discuss the long path to the 23.3 billion dollar class action settlement for First Nations children, youth and families who Canada discriminated against in its approaches to First Nations child and family services and Jordan's Principle. Mr. Wuttke will reflect on the political will and legal strategies used to make this historic settlement a reality.

2:30 - 2:45

BREAK

2:45 - 3:45

BREAKOUT SESSION #5

**ADVANCING RECONCILIATION & RENEWING
RELATIONSHIPS THROUGH MODERN TREATIES**
SILVERNIGHTINGALE BALLROOM

Celeste Haldane, *Chief Commissioner,
BC Treaty Commission*

Mark Smith, *General Counsel and Director of Process,
BC Treaty Commission*

Moderated by **Alexandria Winterburn**,
IBA Vice President; Partner, Pape Salter Teillet

Presentation by the British Columbia Treaty Commission about their work on advancing reconciliation and renewing relationships through the negotiations of modern treaties in British Columbia. Panellists will touch on how new advancements in the law such as UNDRIP have created unique opportunities for renewal.

BREAKOUT SESSION #6

**THE HISTORY OF THE
INDIGENOUS BAR ASSOCIATION IN CANADA**
ANISHINAABE A BALLROOM

Brian Calliou, *Assistant Professor, Faculty of Law, University
of Calgary*

Canada's legal profession historically excluded Indigenous persons and other persons of colour, along with women, from entering the legal profession. Indigenous lawyers' numbers have steadily increased since the 1970s - over time they recognized the divergence between their advocacy and legal pursuits and that of the mainstream legal culture. Documenting how and why the Indigenous Bar Association (IBA) was established as a separate breakaway group from the Canadian Bar Association (CBA), I explore how the IBA has helped develop Indigenous legal culture and influenced new Indigenous lawyers.

3:45 - 4:00

CLOSING REMARKS

4:00 - 5:30

IBA ANNUAL GENERAL MEETING

SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - PANELISTS & HOSTS

OPENING REMARKS & PRAYER



NOOKOMIS STEPHANIE WILLIAMS SANDY

Nookomis Stephanie Williams Sandy is from Chippewas of Rama First Nation, known as Mnjikaning. Her spirit name is Nemki Benshi Kwe and she is from the Fish clan. Stephanie is a retired Child Welfare Worker of 35 years, though the workers are now called Child Well Being Advocates. She was also a supervisor and served as acting manager through the years. Presently, she is a Nookomis at Georgian College, Orillia, as the visiting Elder and a member of two Advisory committees at the College. Nookomis Sandy is the mother of 5 children, 9 grandchildren, and 3 great grandchildren. She is Nookomis to her family and to her community. "It is a pleasure and honour to be here at this conference. Miigwech."

ADVANCING JUSTICE RENEWAL & REFORM



KORY WILSON

Kory Wilson (Kwakwaka'wakw), BSc. JD, is the Executive Director of Indigenous Initiatives and Partnerships for British Columbia Institute of Technology. She is Chair of the BC First Nations Justice Council. She is Chair of the World Federation of Colleges and Polytechnics Indigenous Affinity Group. Kory has over 20 years of experience in post-secondary education, community development, and legal profession. Good governance is a specialty and a passion. She serves on several boards from Pearson College, BC Women's Foundation, Downie Wenjack Fund and Future Skills Canada. A sought-after speaker and strategist on advancing and 'truth-telling' about the past and moving forward towards Reconciliation. Education and access to knowledge are key as when people know better, they do better. Diversity is a reality, but inclusion is a choice. Bold and courageous conversations are needed to ensure systemic change. We can and must do better - Canada can and must do better. Together we are stronger.

TRC CALL TO ACTION #28: ABORIGINAL PEOPLE & THE LAW SCHOOL



MARC KRUSE

Marc Kruse, JD, is the Director of Indigenous Legal Learning and Services at Robson Hall. He is also an associate with Rees Dyck Rogala Law Offices, where he practices criminal defence representing youth and adult clients. His research interests focus on the relationship between philosophical ethics, political philosophy, and law, with special focus on the ways educational institutions can ameliorate or exacerbate legal problems. He has published work on the moral foundations of professional ethics, social justice education, and Indigenous educational ethics. Kruse completed his JD at the University of Manitoba and co-teaches Robson Hall's Indigenous Course Requirement course - Indigenous Methodologies and Perspectives. He is a member of Muscowpetung First Nation in Saskatchewan.



DANIEL DIAMOND

Daniel Diamond is a proud member of the Opaskwayak Cree Nation and a graduate of the University of Toronto J.D. and LL.M. programs. He served as Co-Editor in Chief of the Indigenous Law Journal and as Co-President of the Indigenous Law Students Association.

Professor Diamond's research areas include Indigenous legal traditions, Aboriginal law, legal theory, property law, and legal history. His research focuses on historic injustice and contemporary efforts at redress. His work synthesizes legal history, legal theory, and property law in analyses of Indigenous legal and political issues.



LEO BASKATAWANG

Leo Baskatawang is an Anishinaabe scholar from Lac Des Mille Lacs First Nation in Treaty #3 territory. He now lives in Winnipeg, where he is an Assistant Professor in the Faculty of Law at the University of Manitoba. Leo is the author of the recently published book, *Reclaiming Anishinaabe Law*.

SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - PANELISTS & HOSTS

TRC CALL TO ACTION #28: ABORIGINAL PEOPLE & THE LAW SCHOOL (...CONTINUED)



LORI MISHIBINIJIMA

Lori is Anishinaabe from Wiikwemkoong Unceded Territory in Ontario. She is currently the Manager of Indigenous Initiatives at Osgoode Hall Law School, where she supports the Indigenization of the school and curriculum. Lori was Legal Counsel with the Human Rights Legal Support Centre for 10 years, where she provided legal representation to individuals respecting matters of discrimination under the Ontario Human Rights Code. She also acted as coordinator and helped develop the HRLSC's Indigenous Service where she supported access to justice for Indigenous people. For the last sixteen years, she has been a member of the Community Council, a criminal diversion program at Aboriginal Legal Services. Lori has also served as the President of Native Men's Residence Board of Directors from 2011 to 2018. In 2016, she was the recipient of the Minaake Award in Advocacy and Human Rights for her contributions to the Toronto Indigenous community.

WORKING WITH INDIGENOUS LAWS & LEGAL ORDERS: DISCUSSION WITH UVIC ILRU



TARA WILLIAMSON

Tara Williamson is a member of the Opaskwayak Cree Nation and was raised in Gaabishkigamaag (Swan Lake, Manitoba). Tara also has close family ties to Beardy's-Okemasis in Saskatchewan and is an adopted member in the House of Dhadhiyasila of the Hañzaqv Nation. She holds degrees in social work, law, and Indigenous governance and has been a professor and/or instructor at Fleming College, Trent University, Toronto Metropolitan University/First Nations Technical Institute, the University of Winnipeg, and the University of Victoria. As an independent consultant, she has worked with and for Indigenous communities and organizations at the local, regional, provincial, and national level. Tara is also a Research Fellow with the Yellowhead Institute as well as a professional writer and musician.



JESSICA ASCH

Jessica Asch is a settler of Jewish and Irish ancestry who grew up in Treaty 6 Territory, which is where her parents settled in the 1970s. She has lived in unceded lək'əḡən Territory for over 25 years. Following law school at the University of Victoria, Jessica clerked at the Supreme Court of British Columbia and was called to the B.C. Bar in 2010. Jessica joined the Indigenous Law Research Unit (ILRU) in 2013 as an editor and researcher. She became Research Director in 2015 and Co-Research Director in 2021 (alongside Tara Williamson). At ILRU, Jessica leads collaborative research and public education projects on the revitalization and implementation of Indigenous law. She also teaches, writes, and presents on research, ethics, and ILRU's community-led practice.



ALEXANDRIA WINTERBURN

Alexandria (Ajay) is Mohawk and Abenaki and from the turtle clan. She received her JD from the University of Toronto, and her BA (hons) from the University of Alberta. Alexandria is a Partner with Pape Salter Teillet LLP and specializes in Indigenous rights and Aboriginal law with a focus on issues including the duty to consult, negotiation and implementation of modern treaties and governance agreements, and partnerships between industry and Indigenous peoples. She is called to the bar in Ontario and Manitoba. Alexandria is currently Vice President of the IBA.

BUILDING INDIGENOUS LEGAL LODGES: ACCESS TO JUSTICE & PREVENTING VIOLENCE



HADLEY FRIEDLAND

Hadley Friedland is an Associate Professor at the University of Alberta's Faculty of Law. Her research focuses on Indigenous law, Aboriginal law, Family law and Child Welfare law, Criminal Justice, Therapeutic jurisprudence and Community-led research. Dr. Friedland helped establish the Indigenous Law Research Unit [ILRU] at the University of Victoria and was its first Research Director. She has had the honour of working with Indigenous communities across Canada to identify and articulate their own laws. While she has published numerous academic articles she is most passionate about collaboratively producing accessible Indigenous legal resources for Indigenous communities and legal professionals. She is author of the book, *The Wetiko (Windigo) Legal Principles: Cree and Anishinabek Responses to Violence and Victimization*, University of Toronto Press, 2018.

SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - PANELISTS & HOSTS

BUILDING INDIGENOUS LEGAL LODGES (...CONTINUED)



KOREN LIGHTNING

Koren Lightning, Blue Thunderbird Woman, is Cree from Samson Cree Nation. She is the Legal Director of Wahkotowin Law and Governance Lodge. She is a Board Member for First Nations Caring Society, Acting Commissioner for Alberta Utilities Commission and Board Member for Peace Hills Insurance. Koren is a Board Member for LEAF, Women's Legal Education and Action Fund. She was President of the Indigenous Bar Association for 6 years. Koren graduated from Law School in 2007 at the University of Alberta. She was called to the bar in February 2009 and had the honour of having her Bar Call in her First Nation Community, Samson Cree Nation. Koren received her Master of Laws in 2018 from Osgoode Hall Law School, York University, her concentration was Alternative Dispute Resolution. Koren's work focuses on working with Indigenous clients and supporting the revitalization of Indigenous Laws. Koren advises in the areas of Indigenous Governance, Indigenous Child Welfare, Indian Act matters.



TAMARA PEARL

Tamara (Baldhead) Pearl is a Nēhiyaw iskwew (Plains-Cree woman) from One Arrow First Nation in Treaty 6 territory and the traditional homeland of the Métis. She is an Assistant Professor at the Faculty of Law, University of Alberta and a PhD in Law candidate at the University of Ottawa. Her research focuses on "anti-dominance" training which challenges the dominance dynamics of the settler colonial framework imposed upon Indigenous Peoples. Professor Pearl aims to contribute to training legal practitioners using anti-dominance to respectfully engage with Indigenous legal traditions and communities while using Treaty relationships as a guide. Her goal is to help train law students and other legal professionals, to not only better our communities but to bridge them by using the Nēhiyawak or Plains Cree concept: *māmawī wīchitowin* ("working together, helping one another"). Professor Pearl is a Research Fellow for the Wahkotowin Law and Governance Lodge and serves as the Academic Representative board member for the Indigenous Bar Association.



ALEXANDRIA WINTERBURN

Alexandria (Ajay) is Mohawk and Abenaki and from the turtle clan. She received her JD from the University of Toronto, and her BA (hons) from the University of Alberta. Alexandria is a Partner with Pape Salter Teillet LLP and specializes in Indigenous rights and Aboriginal law with a focus on issues including the duty to consult, negotiation and implementation of modern treaties and governance agreements, and partnerships between industry and Indigenous peoples. She is called to the bar in Ontario and Manitoba. Alexandria is currently Vice President of the IBA.

FROM HUMAN RIGHTS TO CLASS ACTION: AFN'S FIGHT FOR KIDS & FAMILIES



STUART WUTTKE

Stuart Wuttke is a leader in Indigenous rights and policy reform. He has been pivotal to the development of new legislation at the federal level which is rights based, such as the new child and family services legislation. As General Counsel at the Assembly of First Nations, Mr. Wuttke successfully advanced the largest ever class action settlements, including the ongoing implementation of the *Indian Residential Schools Settlement Agreement* (2006) and the more recent agreement in principle related to ending discrimination against Indigenous children and youth, and their families (2022). His profound expertise and involvement on the national stage in First Nations law has lent itself to the significant progress for First Nations and the advancement of reconciliation in Canada. Mr. Wuttke is a fierce yet humble advocate who is dedicated to public service and his compassionate nature shows through his impactful work. He also mentors and supports Indigenous and non-Indigenous lawyers in the legal professions to advocate and defend Indigenous rights and human rights.



SAMANTHA CRAIG-CURNOW

Samantha Craig-Curnow is Anishinaabe-Kwe from the Chippewas of Rama First Nation. She is from the Marten clan and is a mother, an auntie, a sister, a daughter, and a wife. Samantha graduated from Seneca College in 2012 with a Law Clerk diploma, from York University in 2014 with an Honours Bachelor of Art in political science and in 2019 from Osgoode Hall Law School with her juris doctorate. She was called to the bar in November of 2020 and has practiced since as Associate General Counsel for her First Nation. Samantha is passionate about her work which involves the opportunity not only to guide her community toward sound legal decisions, but also allows her to be involved in the reinvigoration of Anishinaabe law, governance and justice. As in-house counsel for a First Nation, Samantha's practice includes a wide range of subjects from contract law to employment, environmental, health, education, and even estates law.

SATURDAY OCTOBER 14

MAIN CONFERENCE DAY TWO - PANELISTS & HOSTS

ADVANCING RECONCILIATION & RENEWING RELATIONSHIPS (MODERN TREATIES)



CELESTE HALDANE

Celeste Haldane is serving her second term as Chief Commissioner and was first appointed in April 2017. Celeste is Musqueam (Coast Salish) and Metlakatla (Tsimshian) from the Sparrow and Haldane families, and has European ancestry. Celeste is a practising lawyer and was appointed King's Counsel in 2019. Drawing from over 25 years' of experience, her specializations are in Indigenous law, corporate governance, and she previously practiced criminal defense and civil litigation. She is an active member of both the Indigenous Bar Association and the Canadian Bar Association, and currently serves on the CBA Indigenous Advisory Group. She served as a Director of the Brain Canada Foundation and Legal Aid BC. Previously, she served on the Hamber Foundation, UBC Board of Governors, the Musqueam Capital Corporation, and the Indigenous Bar Association, and is an alumna of the Governor General's Canadian Leadership Conference. Celeste lives with her husband Conrad on Vancouver Island and is the proud mother of three, and grandmother of two.



MARK SMITH

Mark is General Counsel and Director of Process for the B.C. Treaty Commission. Mark provides legal, political, and strategic policy advice on the protection and recognition of Aboriginal title and rights. Mark leads complex facilitations on treaty negotiations, and intergovernmental initiatives to improve the processes to achieve reconciliation amongst governments and Indigenous Nations. He is dedicated to Indigenous rights recognition, governance-building and inter-nation dispute resolution processes. Mark has been a key contributor to the Treaty Commission's international work reinforcing the importance of the UN Declaration on the Rights of Indigenous Peoples to negotiations between state and Indigenous Nations.



ALEXANDRIA WINTERBURN

Alexandria (Ajay) is Mohawk and Abenaki and from the turtle clan. She received her JD from the University of Toronto, and her BA (hons) from the University of Alberta. Alexandria is a Partner with Pape Salter Teillet LLP and specializes in Indigenous rights and Aboriginal law with a focus on issues including the duty to consult, negotiation and implementation of modern treaties and governance agreements, and partnerships between industry and Indigenous peoples. She is called to the bar in Ontario and Manitoba. Alexandria is currently Vice President of the IBA.

THE HISTORY OF THE INDIGENOUS BAR ASSOCIATION IN CANADA



BRIAN CALLIOU

Brian received his BA (1991), LLB (1995), and LLM (2000) from the University of Alberta. Brian practiced law in Edmonton then Calgary for eight years before taking on a fulltime position as the Director of Indigenous Leadership training programs at the Banff Centre for Arts and Creativity (2003 - 2020), which helped build leadership, management and governance competencies of Indigenous leaders. He has published on Indigenous issues such as treaties, economic development, leadership, governance and management. He is currently a PhD student in law and society at the University of Victoria researching Indigenous lawyers in the Canadian legal profession and is teaching law at the University of Calgary Faculty of Law as an Assistant Professor. Brian is Cree and a member of the Sucker Creek First Nation in north central Alberta, in Treaty 8 territory. For his community work, Brian received a traditional Blackfoot name from a Siksika Elder - Apahto' Kii which means Pine as in pine tree.

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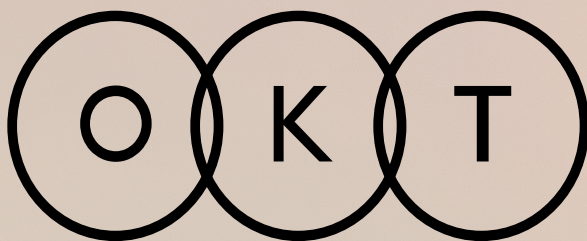
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VENDOR PROFILES

“We have brought some of the best vendors (small business owners) together for the 2023 Indigenous Bar Association Conference here in Rama First Nation. We were a resourceful First Nation and for many years traded our goods with others for survival, as we were along the trade route to the north and west. We continue this tradition today. Many of us do work that has been passed down, while others are self taught to bring back a tradition long forgotten. Some have experienced the practices of colonization - and the trauma this has caused - and use this means to connect to their community. Whatever our avenue, we bring our art/crafts to you with love and respect.”

Paul Shilling - Artist - Rama First Nation



“For me painting and writing are mediums for healing, for celebrating the spirit, and it is a gift. It is an opportunity to explore and understand myself, and my place and relationship within the circle of creation.”



Amber Scott - Rosewood Creations - Rama First Nation



“I started my beading journey during Covid in 2021. Rosewood Creations is more than just a business to me, it is part of my spiritual journey and my way to connect with my heritage. For me beadwork is a way to connect with my community, my culture, and traditions and something I can pass on.”



Kevin & Cathy Hennessy - Caribou Creations - Rama First Nation



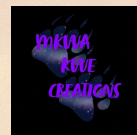
A husband and wife team that create natural body products. Kevin is a 60's Scoop Survivor who grew up without knowing where he was from. They created this little venture as a way to connect to his culture and people. Life has come full circle for Kevin as they have been able to move back home to Rama in 2023.



Marisa Snache - Mkwa Kwe Creations - Rama First Nation



A self-taught bead work artist, as she continues to learn, she also teaches her daughter this art. Marisa attends various markets throughout the summer, in support of her community. She also expresses her creative mind with creating beautiful dreamcatchers.



Brooke Morrow - Kigons Creations - Rama First Nation



Aaniin kina weya. Brooke Morrow nindijnikaz. Rama First Nation nindoonjiba. Nigikinioo'amaagankwe. Nijibihigekwe. Nimazinibihigekwe. Hello everyone! My name is Brooke Morrow (they/them). I am a queer student, artist and storyteller from Chippewa of Rama First Nation.



Patti Benson - Ribbon Skirts by Patti - Rama First Nation



A beautiful self taught creator of Ribbon Skirts. Specializes in adult sized Ribbon Skirts and Ribbon Shirts. She has just started to break into the vendor market arena with Powwow's and Indigenous events at the top of the list.



VENDOR PROFILES

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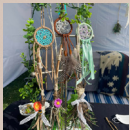
Nancy King - Chief Lady Bird - Artist - Rama First Nation



Chief Lady Bird is a Chippewa and Potawatomi artist, illustrator, educator and community activist from Rama First Nation and Moose Deer Point First Nation. Known for her collaborative murals, digital illustrations, children’s book illustrations, and contributions of Indigenous art to local spaces.



Amber Kennedy - Shamans Cove - Chippewas of the Thames First Nation



“I began making dreamcatchers with my mom as a child. When she would make dreamcatchers, her aura was always warm and happy! It healed her trauma and she was very proud of her work, as am I”. (In loving memory of Penny, a Residential School Survivor, June 3 2001)



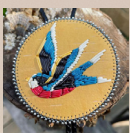
Fran & Jay Anderson - ALW Canada Inc. - Sebright, Ontario



We are a husband and wife team who create custom laser work on wood and leather. We design, create, hand-stitch and stain. We source the leather from a local supplier and we harvest the wood from our property. All leather and wood are 100% customizable.



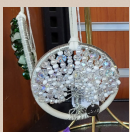
Dillon Bickell - Quillin' By Dillon - Rama First Nation



Dillon is a self taught Quill artist from Rama First Nation, as well as a counsellor for the First Nation. and a part of the Eagle clan. “In my community we only have a small number of active quillers, and I am proud and fortunate to be one of them”.

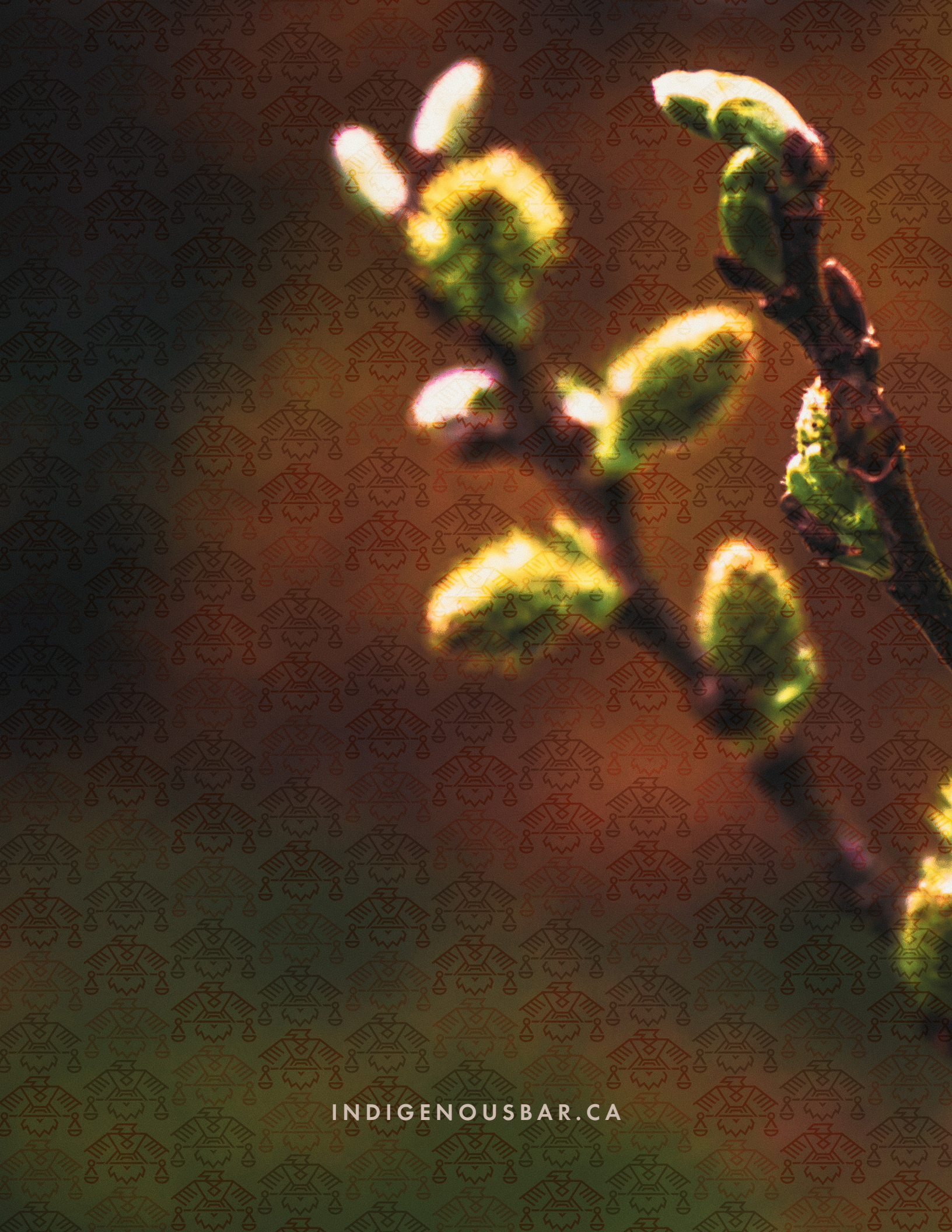


Karan Anderson - Rama First Nation



Juanita Bigelow - Orillia, Ontario





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