
ADR Saskatchewan & Conflict Resolution Saskatchewan Present:

Towards Reconciliation: Building intercultural capacity, anti-racism and inclusion in alternative dispute resolution

The conference will equip ADR practitioners and other third-party helpers with tools to create cultural appropriate spaces for Indigenous people by providing knowledge of Indigenous culture and alternative dispute systems that use traditional Indigenous practices to resolve conflict and promote intercultural dialogue. The conference will create an inclusive space with a goal of connecting Indigenous and non-Indigenous practitioners and conflict helpers. The Conference will be composed of three keynote speakers and a Saskatchewan debut of the drama and dialogue Reasonable Doubt with experiential learning threaded throughout the two-day sessions.

This conference looks to speak to the call to action #57 in the Truth and Reconciliation Commission “ We call upon federal, provincial , territorial and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights , Indigenous law, and Aboriginal-Crown relations . This will require skills -based training in intercultural competency, conflict resolution, human rights, and anti- racism.

Conference Goals:

1. To expand understanding and practice of reconciliation
2. Create an inclusive ADR profession for clients and practitioners
3. Build cultural competency and skills regarding traditional Indigenous practices to resolve conflict.
4. Build respectful partnerships between Indigenous and non-Indigenous communities

Conference Outcomes:

1. Demonstrated cultural competency in attendees and the ADR field
2. Stronger understanding and empathy of third-party conflict intervenors
3. Network opportunities between Indigenous and non-indigenous communities
4. Create opportunities for integration of Indigenous and non-Indigenous practitioners

Conference Speakers’ List and Bios:

Mercer, Ray & Co. :

We are a boutique bilingual consulting firm that assists organizations, government and communities in the development of positive, sustainable relations in support of economic and community development initiatives. At Mercer, Ray & Co., we believe that the ability to develop and nurture positive relationships between First Nations communities and organizations, while addressing potential conflicting interests, is

critical to the success of projects. Our approach to community engagement is grounded in respect. We respect and understand the rights of First Nations Peoples. We respect cultural differences. We understand and appreciate the ongoing impacts of colonialism and their influence on engagement and partnership.

Our experienced team has a long history working at the intersection of First Nations communities, governments and industry partners. We provide strategy development, community engagement and project-based support to leaders, organizations and teams who are looking to engage with First Nations Peoples, communities and businesses. Our goal is to help ensure that the billions of dollars' worth of potential economic and community development initiatives that have the potential to positively impact the lives of tens of thousands of people, are realized in respectful, mutually beneficial ways.

Project Team Profiles

Randi Ray, PhD, Flying Post First Nation Managing Partner, Mercer, Ray & Co. Giiwedín Noodin Kwe n' dzhinikaaz. Flying Post miinwa Red Rock miinwa, N'swakamok n'doonjibaa. Randi Ray is Anishinaabe from Flying Post First Nation. Randi grew up in Treaty 9 territory in Red Rock, a community 100km east of Thunder Bay, but has since gratefully settled in Robinson-Huron Treaty territory in the beautiful community of Hanmer. Using an Indigenous framework and Indigenous methodologies, Randi's Ph.D. at Nipissing University focuses on leadership development in First Nations. Professionally, Randi has supported a multitude of organizations across a wide range of sectors to be better partners to Indigenous people, organizations and communities, including serving as one of three Provincial Practice Leads in Ontario for Indigenous Cultural Safety, and having coordinated the creation of Canada's first Indigenous Cultural Safety research laboratory.

Chris Mercer, MBA Managing Partner, Mercer, Ray & Co. As a self-identified settler with significant experience working with and for First Nations, over 10 years of senior executive-level experience, and hundreds of successfully executed consulting projects, Chris brings a wealth of knowledge and expertise to the project. Chris has supported a wide range of organizations on a project basis, including dozens of organizational strategy, learning, and business development initiatives focusing on improving Indigenous relations. Some of the portfolios he had led throughout his (pre-consulting) career that continue to inform his perspective include; finance, strategic planning, government and community relations, Indigenous relations, client services, business development, and communications. Chris has his MBA from IMD, is fluently bilingual (E/F) and is the recipient of a Top 40 Under 40 award.*er*cer,

Indigenous Cultural Safety Facilitation Session Delivery date: Using Wise Practices, and an ADDIE approach to program design, the design and delivery of a customized, professionally facilitated three hour in-person education session focusing on the following learning outcomes:

- History in Canada including; residential schools; treaties and treaty rights; land claims; Indigenous government and leadership structures;
- Current Indigenous context in Canada (including TRC business calls to action, the duty to consult, land claims, UNDRIP legislation, self-government, cultural appropriation)
- Creating safe organizations (including inclusive recruitment, retention, policy design and development, intercultural communication, and allyship);
- Wise practices in community consultation and engagement

David Noganosh, Red Wolf Mediation:

Red Wolf Mediation was founded in 2012, it is the only Indigenous owned and operated Mediation Firm in Ontario. The Principal and Founder is David Noganosh. He is a Mediator, Negotiator and Trainer from the Anishinabek Nation, Wolf clan. He has been involved in Local, Regional and National politics for 20 years in various capacities and has recently been consulting with stakeholders across the country in advancing the Treaty Rights and Land Claims of First Nations.

David Noganosh brings a wealth of knowledge and wisdom as an Indigenous Mediator, Negotiator and Trainer from the Anishinabek Nation-Wolf Clan. In 2012 he was selected Commissioner for the Anishinabek Nation Tribunal and Commission. The Commission provides Adjudication, Mediation and Circle processes to 39 First Nations.

He has successfully mediated many complex, multi-party disputes across the Province of Ontario, using a hybrid approach of Indigenous Circle Processes and Teachings, and contemporary Mediation techniques. He is a frequent guest lecturer/speaker at many post-secondary institutions and is an expert in Indigenous approaches to conflict. He is pursuing a LLM in Dispute Resolution at Osgoode Hall Law School.

David also sits as an Advisory Member of the Diverse Dispute Resolution Institute of Canada.

Karen Snowshoe:

Ms. Snowshoe is a Lawyer, Arbitrator, Mediator and Educator.

Since 2009, Ms. Snowshoe has provided Adjudication services (claims of first instance and appeals) and Mediation services across Canada. Her clients have included the Indian Residential School Adjudication Secretariat, the Northwest Territories Human Rights Adjudication Panel, the Workers' Compensation Tribunal, the BC Human Rights Tribunal, Law Society of British Columbia Tribunal, governments (Provincial, Municipal and Indigenous), post-secondary institutions, unions, health authorities, social service agencies and non-profit organizations.

Ms. Snowshoe has chaired two Federal Land Claim Arbitration Panels and maintains membership in numerous professional organizations dedicated to the administration of justice. She is passionate about supporting early dispute resolution in a manner which is fair, timely, and trauma informed. To this end, Ms. Snowshoe has held over 150 hearings across Canada and written 100+ well-reasoned decisions involving claims of first instance and appeal.

Ms. Snowshoe is a leader in providing trauma-informed and culturally sensitive investigations. As senior counsel with the National Inquiry into Missing and Murdered Indigenous Women and Girls and Two-Spirited People (MMIWG2S). Ms. Snowshoe built, trained and led a national team of statement gatherers who conducted trauma-informed interviews across Canada.

Ms. Snowshoe is a highly sought-after educator in trauma-informed practice. Her customized workshops on Indigenous Reconciliation and Trauma Informed Practice have garnered widespread acclaim for inspiring participants to engage in reconciliation in a way that honours the humanity and dignity of all.

In 2018, Ms. Snowshoe was elected as a Bencher (Governor) of the Law Society of British Columbia. Having served two terms, Ms. Snowshoe brought a unique perspective to the governance of the Law

Society. She has made valuable contributions in the following areas: Access to Justice, Equity, Diversity & Inclusion, Credentials, Practice Standards, Truth & Reconciliation, Mental Health Task Force and the Disciplinary process. In 2021, Ms. Snowshoe wrote a dissenting decision in the Bronstein matter. This was precedent setting and historic dissent led the Law Society of British Columbia to strike a task force on Indigenous Engagement in Regulatory Matters. Ms. Snowshoe is the first-Indigenous woman to be elected as a Bencher in the Law Society's history.

Ms. Snowshoe has been a long-time resident on the traditional, ancestral, and unceded territories of the x̱w̱məθḵw̱əy̱əm (Musqueam), Sḵw̱x̱w̱ú7mesh (Squamish), and Seḻiḻw̱iṯuḻh (Tsleil-Waututh) Nations, today known as Vancouver. She also lived and worked in Canada's north (the Yukon and the Northwest Territories) for 14 years.

Ms. Snowshoe's presentation will focus on trauma informed practice. Greater knowledge of how trauma affects our brain function enables us to better meet our clients' (and employee) needs and respond constructively. Awareness of how working with employees, clients and those impacted by trauma can also affect us allows us to implement strategies for our own wellbeing. We will provide information for seeking support resources and will include regulating and grounding practices within the session to support well-being.

Topics include:

- Grounding ourselves and preparing for the session
- The prevalence of trauma and what it is
- Examples of situations that cause trauma – it can come from places we may not expect
- The physiology of trauma (i.e. what happens to the brain and body)
- How trauma can show up – especially when resolving conflict
- Strategies to heighten our awareness of those who may be triggered by trauma and practical tools to support them • Strategies to support ourselves
- Why investing time in developing a trauma-informed practice can be beneficial – for you, your clients and those you work with • What skill sets are important to be able to take a trauma-informed and culturally sensitive approach and what are our ethical responsibilities
- Resources to expand knowledge in this area Content Warning: In this session, we will directly explore definitions of trauma and share some examples of personal trauma, including child apprehension, domestic violence, and attendance at Indian Residential Schools, including direct and indirect impacts. This information may remind participants of their own experiences and elicit strong emotions. We encourage participants to engage in the workshop at a level they feel comfortable with, including leaving, seeking support, and re-joining as needed

Reasonable Doubt:

A documentary play – Joel Bernbaum - Playwright, Yvette Nolan - Director, Lancelot Knight - Music and Actor.

Reasonable Doubt is a documentary musical play created by Joel Bernbaum, Lancelot Knight, and Yvette Nolan. The events upon which Reasonable Doubt were based—the shooting death of Colten Boushie, a young Cree man, and the acquittal of white farmer Gerald Stanley—had already divided the province, and the creative team wanted to engender understanding and empathy, not further drive a wedge, between communities. Joel, Yvette, and Lancelot interviewed people, creating thousands of pages of transcripts, poured over the transcripts, and created a gripping play and musical work. They toiled painstakingly to

capture a kaleidoscope of views about this incident, this province, and our people. In the original run at Persephone Theatre in Saskatoon, performed to sold-out crowds, at least 100 people remained after each performance to shared reflections and experiences of the play. Now, Saskatchewan has the opportunity to experience the latest evolution of the Reasonable Doubt experience.

Agenda for the Two-day Event September 7 & 8, 2022

Day 1

- 8:30 Registration
- 9:00 Welcome, Introductions, and Opening Prayer of thanks
- 9:15 Session One: Karen Snowshoe
- 12:00 Lunch served by Wanuskewin Heritage Centre
- 1:00 Session two: Randy Ray and Chris Mercer
- 4:00 Wanuskewin cultural & environmental program

Day 2

- 8:30 Coffee
- 9:00 Session three: David Noganosh
- 12:00 Lunch served by Wanuskewin Heritage Centre
- 1:00 Reasonable Doubt – the Colten Boushie story re-told
- 2:00 Reasonable Doubt – breakouts
- 3:00 Wanuskewin programming
- 4:00 Closing prayer