



Aboriginal Justice Strategy

<http://legalaid.on.ca/AJS>

Legal Aid Ontario (LAO) is committed to improving legal aid services to Aboriginal peoples and communities across Ontario through its Aboriginal Justice Strategy (AJS).

The first five years of the AJS

In 2007, LAO commenced the development of the AJS, with a mandate to develop a three to five year plan to achieve measurable improvements in LAO's services to Aboriginal people. The plan was developed after consultation with over 250 individuals including:

- First Nation, Métis and Inuit peoples
- Aboriginal service agencies
- Aboriginal political organizations
- LAO and clinic staff
- private bar lawyers and
- federal and provincial government staff

From those consultations LAO released "[The Development of Legal Aid Ontario's Aboriginal Strategy](#)" paper, which set out the main priorities for the AJS:

1. Removing barriers to accessing justice
2. Addressing the lack of Aboriginal representation within LAO and its Advisory systems
3. Lack of Aboriginal legal representation or legal representation that is appropriately informed on the unique needs of Aboriginal clients
4. Improving services on legal issues specific to the Aboriginal community and addressing the role of LAO in participating in or supporting those processes specific to or driven by Aboriginal people

Based on these priorities, significant milestones have been achieved over the past five years including:

- Providing more than 500 LAO staff with intensive two-day Aboriginal cultural competency training.

- Hiring an Aboriginal lawyer to manage and lead the AJS.
- Ensuring there is Aboriginal representation on LAO's Board of Directors.
- Implementing a recruitment policy aimed at hiring more Aboriginal staff.
- Developing panel standards for representation of Aboriginal clients in criminal matters through the Gladue panel, which has a membership of 1,065 lawyers as of December 2013.
- Providing five extra hours on criminal certificates to allow counsel to prepare Gladue submissions at bail and sentencing.
- Providing on-going duty counsel services in Gladue court locations in Toronto, Brantford, London, and Sarnia.
- Forming partnerships with Aboriginal defence counsel to provide on-reserve legal advice services to First Nation community members.
- Providing continuing legal education for staff on legal issues pertaining to Aboriginal clients.

Since the launch of the AJS LAO provides ongoing funding for the following Aboriginal-led programs:

- Nishnawbe-Aski Legal Services Corporation (NALSC), which provides certificate and duty counsel services to Nishnawbe-Aski Nation clients.
 - The Ontario Federation of Indian Friendship Centres' Community Justice Program, which administers culturally-based pre- and post- charge diversion programs for Aboriginal youth, adults, and families who are in conflict with the law.
 - Aboriginal Legal Services of Toronto's Gladue caseworker program, which provides specialized reports on the life circumstances of an Aboriginal offender. These reports also contain recommendations that the court can consider in sentencing in light of the circumstances of the offender.
 - Community Legal Assistance Sarnia for their award-winning Baamsedaa (Let's Walk Together) program, which acknowledges the reality of mistrust and apprehension, and provides outreach and support so that those seeking justice can access it.
- Hamilton Community Legal Clinic's Aboriginal Justice outreach worker to provide outreach and support to the Aboriginal community in Hamilton dealing with the justice system.

The next five years of the AJS

LAO is committed to increasing the services it provides to Aboriginal clients and communities. Moving forward, LAO has developed four strategic priorities that will guide the next five years:

1. Improve and increase access to Gladue services for Aboriginal peoples and communities
2. Develop a localized model for delivering legal aid services that is responsive to the needs of Aboriginal individuals and communities
3. Improve relationships and increase LAO's understanding of the legal needs and unique circumstances of Aboriginal populations in Ontario and how to address them
4. Strengthen LAO's internal capacity to enhance services to Aboriginal clients and communities, and ensure sustainability of improvements

The goal of the renewed AJS is to expand important client services and increase LAO's ability to respond to local needs. LAO recognizes the importance of engaging with First Nation, Metis, and Inuit peoples and communities and welcomes feedback.

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