

# MANITOULIN LEGAL CLINIC

Aundeck-Omni-Kaning First Nation, 12A Hillside Road  
Little Current, Manitoulin Island, Ontario  
P0P 1K0

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September 4, 2019

Legal Aid Ontario  
Atrium on Bay  
40 Dundas St. West, Suite 200  
Toronto, ON M5G 2H1

**Attention: Mr. David Field  
President and CEO**

Dear Mr. Field:

Please accept the following as our written Submission dealing with the Legal Aid System Modernization Project.

We have carefully reviewed the Submission by the ACLCO dated August 2019 on the Legal Aid System Modernization Project Consultation and our Board and Staff unanimously support the principles set out in the ACLCO Submission and request that the fundamental characteristics of the existing Clinic model not be altered.

This Clinic has been operating continuously on the Aundeck Omni Kaning First Nation, on Manitoulin Island, since 1987, and has successfully served the people of the seven First Nations on Manitoulin Island as well as the non-Indigenous population for the past 32 years. We have established deep rooted relationships with the people and leaders of the respective communities and have often been called upon for advice and guidance and we have often been invited to attend as a participant in their various cultural and community events. These relationships built on trust are vitally important to allow us to effectively serve our First Nations clients. Our volunteer Board of Directors ensure that we remain responsive to community needs as they evolve over time. We understand the changing face of poverty in our communities and thus are able to shift our attention and energies when changes occur and new poverty law needs become apparent.

An example of our response to changing community needs occurred several years ago when our Board determined that there was a large number of elders who were passing away without having prepared a Will or Powers of Attorney. This was recognised as a significant problem for the families involved and their communities so our Board authorized us to deliver these services with the result that the incidence of elders dying intestate has been significantly reduced.

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The relationships we have built with our First Nation clients have also allowed us to be effective in implementing some of the recommendations made in the Truth and Reconciliation Committee Report. As a result of our relationships we have gained local knowledge of the impact of residential schools on our clients and their respective communities. We have been able to gain insight into how best to meet the special needs of our clients who have experienced trauma. Our paralegal has been participating in as many educational events on a local basis so as to better serve our clients. This is a continued learning process built on trust, which could never be effectively established without our local focus, local knowledge, independence, local linkages and local Board governance. Our Executive Director was given a pipe by a respected Elder years ago, which is of great significance in the Ojibway, Odawa and Potawatomi traditions.

We take pride in providing high quality legal services. As an example, a large part of the work our Executive Director does involves representing injured workers. Not only is his representation second to none, but he is one of a handful of lawyers that have been recognised as a Certified Specialist in Workplace Safety and Insurance Law by the Law Society of Ontario.

It is important to the many low income residents of this District that this Clinic be allowed to continue to provide poverty law services as otherwise the vast majority of our clients would be unable to assert their rights under the law. We need to be reminded of the words of Justice Rosalie Abella, who in 1983 wrote "to deny access to legal services is to deny at the outset access to the law. To deny access to the law is to deny justice, and to deny justice to some, is to threaten the integrity of all". It is important that these words be kept in mind when deciding the future of the Clinic system. We feel that the best way to move forward is to strengthen the existing Clinic system, and not change its fundamental characteristics.

Yours Sincerely

**The Manitoulin Legal Clinic**



Michael W. Shain  
Executive Director

cc. ACLCO