

**Legal Aid Ontario's  
Racialized Communities  
Strategy Action Plan  
Update for 2025**



LEGAL AID ONTARIO  

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# Table of contents

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Overview ..... 1

To work toward reducing barriers for racialized clients  
accessing LAO’s services, LAO committed to ..... 2

To enhance LAO’s services to racialized communities,  
LAO is committed to ..... 5

To combat systemic racism in the justice system, LAO has  
committed to ..... 8

Conclusion ..... 10

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# Overview

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Legal Aid Ontario's (LAO) Racialized Communities Strategy (RCS) and its Action Plan represent a comprehensive commitment to addressing systemic barriers faced by racialized communities in the justice system. The strategy responds to critical issues including the increasing racialization of poverty, higher rates of racialized children in care, anti-Black racism in the criminal justice system, and the overrepresentation of racialized people in custody.

In 2024, LAO advanced this commitment through several major initiatives to improve access to justice, including increased financial eligibility thresholds (FET), the creation of specialized bail support, and reformed compensation for legal aid work.

Key developments in the strategy include:

- 1. Enhanced Financial Eligibility:** A three-year plan to increase FET will enable more low-income Ontarians to access legal aid services. This expansion supports the province's goal to reduce criminal case backlogs while ensuring more equitable access to justice.
- 2. Specialized Bail Support:** New dedicated bail specialists now assist unrepresented individuals who require bail reviews, addressing a crucial gap in the justice system.
- 3. Tariff Reform:** Comprehensive changes to roster member compensation aim to support sustainable and quality legal representation for clients

In recent years, growing discussions on systemic inequities in justice systems—prompted by high-profile cases, public inquiries, and reports—have underscored the urgent need for meaningful reform in Canada.

While significant challenges remain, LAO recognizes this period of heightened awareness as an opportunity to deepen our commitment to change.

Through the ongoing implementation of the RCS Action Plan across all divisions, LAO is driving concrete improvements in access to justice. Each step forward strengthens our commitment to building a more equitable justice system for Ontario's racialized communities.

# To work toward reducing barriers for racialized clients accessing LAO's services, LAO committed to:

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## Developing a tool to help LAO make sure that our decisions do not unfairly affect racialized people

LAO has successfully implemented a comprehensive equity analysis system which incorporates Indigenous and racial equity impact assessments into all decision-making processes. These assessments evaluate potential impacts on Indigenous people, racialized individuals, people with disabilities, and others facing systemic barriers.

The organization has applied this assessment tool to all major initiatives in 2024, including the bail specialist pilot, tariff reform, and FET increases for duty counsel and criminal certificate services.

At the district level, LAO duty counsel identify cases where individuals denied certificates may face disproportionate treatment based on race. District Directors General then exercise discretion to grant certificates in appropriate cases, such as when racial profiling by police is alleged.

## Making sure that racialized people are proportionately represented among LAO's clients

Collecting information about the race of our clients is important. It helps LAO to identify and address potential barriers to accessing services that some communities may face. It also helps LAO to improve how we deliver services and to create the types of programs that certain racialized groups need.

When someone applies for a legal aid certificate and when individuals receive criminal duty counsel services, LAO asks individuals about their race, in the form of the race-based question (RBQ). LAO staff collect this information 85 percent of the time.

As an integral part of the annual planning process, LAO conducts a systematic and comprehensive analysis of the data we collect. This ongoing evaluation helps to

identify emerging trends, assess service effectiveness, and make informed decisions to continually improve programs and address potential barriers for clients.

LAO has delivered multiple training sessions to LAO staff and community legal clinics on the importance of collecting data on race as well as how to collect data on race.

In the last four years, LAO has expanded its collection of race-based data to include demographic information collected by LAO-funded community legal clinics.

LAO is identifying opportunities to improve client service while exploring ways to better support staff in delivering services. This includes reviewing strategic opportunities to further refine how the self-identification questions, including gender identification questions, are effectively integrated across all intake channels.

To help expand access to LAO services, LAO has been working with interested agencies on alternative intake options for clients who may face challenges with traditional service channels.

## **Finding out why clients are not using their child protection certificates, and working to fix the problem**

LAO has implemented multiple solutions to address certificate utilization. The organization has enhanced its “Find a Lawyer” tool to improve client access to roster lawyers and strengthened the Second Chair Program to attract and mentor new lawyers. LAO staff lawyers and legal aid workers now proactively assist certificate holders who have not yet secured representation, providing direct support in finding appropriate counsel.

LAO continues to analyze availability challenges of child protection lawyers across Ontario. This province-wide assessment will inform targeted solutions to address regional gaps in representation.

## **Translating information about LAO into more languages and making this information available to everyone**

LAO has a department dedicated to improving multilingual access to our services and communications. This department also centrally manages our contract for interpretation and translation services.

## **Making it easier for clients to access interpreters**

Clients have access to free interpretation in over 300 languages when they call LAO. Interpretation is also available for our in-person services, and at legal clinics. LAO works closely with our staff and with the interpretation services provider to make sure that access to interpreters is as seamless, efficient, and effective as possible.

LAO's website now includes a message in multiple languages about the availability of free interpretation for legal aid services.

LAO is working to streamline how interpretation services are offered and accessed.

Interpretation services are covered on LAO certificates. LAO has also increased the rate that it pays for interpretation services.

## **Helping clients more easily find out if lawyers can provide services in different languages**

LAO continues to look at ways to improve its "[Find A Lawyer](#)" tool.

In early 2024, LAO began collecting information about roster lawyers' capacity to provide legal aid services in multiple languages. LAO is working to make this information more easily available to clients in the "Find A Lawyer" tool. LAO is identifying ongoing improvements to produce more accurate lawyer lists based on specific unique client needs in relation to local lawyer capabilities and availabilities.

In July 2024, LAO implemented changes to the Legal Aid Services Rules to increase the compensation paid to roster lawyers to provide additional hours where the client requires the use of an interpreter.

# **To enhance LAO's services to racialized communities, LAO is committed to:**

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## **Working to make sure that the percentage of racialized people working in all levels of LAO is at least equal to the percentage of racialized people among low-income Ontarians**

In 2020, LAO administered its first diversity and demographic survey to learn more about the demographic composition of LAO's staff. This survey was completed by 66 percent of staff and establishes a baseline against which LAO can measure our progress. In January 2025, LAO launched another Inclusion, Diversity, Equity and Anti-racism survey for staff.

LAO strives to have its Board and the Boards of LAO-funded community legal clinics reflect the diversity of the communities we serve.

In addition, LAO's career postings now include a paragraph which outlines LAO's values and commitments in building a diverse workplace. Postings explicitly outline LAO's interest in recruiting individuals from historically underrepresented groups including Black and racialized people. Applicants to LAO are also asked to complete a demographic survey before they can submit a resume.

## **Supporting clinics and other service providers to better respond to the needs of low-income racialized people in Ontario**

LAO has strengthened its support for community legal clinics through comprehensive training programs on race-based data collection and anti-bias practices.

The Test Case Program has successfully supported clinic clients in precedent-setting cases that address fundamental issues affecting racialized communities.

LAO has established effective partnerships with service providers across Ontario, creating clear channels of communication to address systemic barriers.

## **Translating information about what clients should expect of LAO lawyers (into multiple languages)**

LAO has translated several key publications into multiple languages, ensuring that clients understand their rights and available services. A dedicated department oversees the translation of informational materials.

## **Working to make sure that LAO regularly receives positive feedback from clients about things like how easy it is to find a lawyer and the quality of services**

LAO has recently amended the client survey to allow respondents to provide their demographic information. LAO is working to increase the response rate from individuals belonging to historically marginalized communities, including members of Black and racialized communities.

LAO consistently updates its list of lawyers who accept legal aid work by location and area of law. LAO's Roster Management team also regularly meets to review the quality of service provided by roster members with the goal of supporting high-quality service for clients.

## **Revising LAO's processes so things like job interviews, performance reviews, and lawyer application forms contain questions about racial justice**

LAO has an Equity, Diversity and Inclusion (EDI) strategy and Equity, Diversity, Inclusion and Belonging (EDIB) team that support the implementation of the goals of the RCS at LAO.

LAO has been working to diversify hiring practices, including expanding where jobs are posted, and engaging with diverse candidate pools.

LAO's Human Resources department is working with other relevant departments to review job postings and job descriptions to identify barriers and gaps for Indigenous, Black and racialized people. LAO is also working to reflect the value of lived experience; the ability to speak additional languages; and a commitment to social justice, diversity, and equity as assets in the hiring process.



## Regularly providing all legal aid lawyers with training on racial justice

LAO regularly provides training on racial justice. Topics covered include:

1. Micro-aggressions
2. Unconscious bias
3. Anti-Black racism and policing
4. Confronting anti-Black racism
5. Anti-Asian racism
6. Racial profiling
7. Racialized trans experience and the justice system
8. Racial disparities in the criminal justice system
9. Toronto Criminal Staff Training Day (April 2024) had a live interactive presentation on Race and Bail

LAO LAW hosts a racialized communities strategy page with case law, legal resources and other information to assist legal aid lawyers (roster and staff lawyers) in representing racialized clients.

In 2024, training for lawyers about racial justice was provided for criminal, family and immigration law. This training was part of the legal CPD lunch and learn program, Toronto District Criminal Law Conference, West District CPD Conference and EDIB training. Training included the following topics:

Topic	Event
Race and bail	Toronto Criminal Law Conference
Child Protection Law CYFSA	West District CPD Conference
Sikh Heritage Month	EDIB webinar
Asian Heritage Month	EDIB webinar
Juneteenth: Black Families and Child Welfare: What do we know?	EDIB and Central West Local Racialized Strategy Group

Topic	Event
Emancipation Day webinar: The impact of immigration process on the African Diaspor	Central West Local Racialized Strategy Group
Black History Month 2024: TAIBU Community Health Services -- Supporting Black clients with mental health and wellness	EDIB and Central West Localized Racialized Strategy

## To combat systemic racism in the justice system, LAO has committed to:

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### Working to make sure that LAO rewards lawyers who achieve positive results for clients and does not reward lawyers who do not

In 2023, LAO started to collect information on bail and criminal case outcomes from roster lawyers so that LAO can better determine how to respond to both positive and negative findings.

### Regularly providing lawyers with training and information about how to challenge racism in the justice system

LAO has developed training, resources and management support to help criminal duty counsel prepare and make race-based submissions at the bail stage.

Impact of Race and Culture Assessments (IRCAs) provide sentencing judges with information about the effect of systemic racism in the offender’s community and the impact on the offender’s life. In several cases, justice was better served by focusing on the offender’s rehabilitation through court-ordered conditional sentences or reduction in the length of incarceration.

Since 2021, LAO has administered funding provided by the Governments of Canada and Ontario to provide IRCAs to Black and racialized criminally accused. From January to December 2024, LAO authorized 139 IRCAs.

## **Checking to see if lawyers are making arguments about race (e.g. racial profiling and Charter-based arguments), where appropriate**

LAO has achieved significant progress in supporting race-based legal arguments. The organization has authorized over 350 Impact of Race and Culture Assessments (IRCAs) for Black and racialized accused since 2020/21, leading to more equitable sentencing outcomes. These assessments have successfully influenced court decisions toward rehabilitation-focused sentences and shorter periods of incarceration.

LAO lawyers consistently advance arguments incorporating relevant case law and Section 493 of the Criminal Code. The organization's two new bail specialist positions are part of a pilot to specifically address police conduct, particularly regarding arrest and detention practices, including toward racialized clients. The specialist successfully challenges detention orders by highlighting errors of law, including failures to consider Section 493 and related jurisprudence.

## **Support community development projects that are about issues that impact racialized communities**

In 2017, LAO recognized the need to provide the Black community with services to address anti-Black racism in schools and provided grants of \$100,000 each for two community organizations, including TAIBU Community Health Centre, a community LHIN located in Malvern serving the Black community, to provide services to Black students facing suspensions or expulsion hearings.

LAO continues to fund TAIBU Community Health Centre.

## **Work to make sure that there are no differences between the legal outcomes for LAO’s racialized clients and LAO’s white clients**

The Government of Canada’s Anti-Racism Action Program is intended to help address barriers to employment, justice and social participation among Indigenous Peoples, racialized communities and religious minorities.

LAO received funding through this program, which LAO used to develop Anti-Black racism resource guides.

LAO updated its lawyers’ portal, Legal Aid Online, to allow for the collection of case outcomes. LAO has also made the completion of outcome information mandatory for roster members.

At the Central East Correctional Centre, LAO has added an Institutional Duty Counsel to help racialized clients in custody.

## **Conclusion**

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LAO’s ongoing implementation of the RCS demonstrates measurable progress in addressing systemic barriers within Ontario’s justice system. By strategically expanding financial accessibility, enhancing language services, and providing comprehensive racial justice training, LAO has established a robust framework for systemic improvement.

Looking forward, LAO will continue to:

- Refine data collection methodologies
- Build on existing community partnerships
- Develop more approaches to addressing systemic inequities
- Maintain a rigorous focus on improving justice system accessibility

The foundation established in 2024 positions LAO to make continued, substantive advances in creating a more equitable justice system that effectively serves Ontario’s diverse communities.



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