

The challenge

Aboriginal peoples are over-represented in the justice system. They make up less than 6 percent of BC's population yet 30 percent of legal aid clients who receive lawyer representation services are Aboriginal.

Dialogue with Aboriginal communities and justice system stakeholders about reforms that meet the unique needs of Aboriginal peoples is needed.

Legal aid services in Aboriginal communities

The Legal Services Society (LSS) receives government funding for legal representation and duty counsel services for all eligible British Columbians who are facing a [legal issue covered by legal aid](#). In 15 communities, LSS offices have intake outreach programs to reach First Nations in more remote parts of the province, making it easier for Aboriginal people to apply for legal aid.

LSS also receives non-government funding of which a proportion goes to Aboriginal-specific information and advice services.

Information services

<p>Aboriginal Community Legal Worker: Provides legal information and advice</p>	<ul style="list-style-type: none"> • 1,247 client interactions at Tillicum Lelum Aboriginal Friendship Centre in Nanaimo, the Duncan and Nanaimo Courthouses, and at the Nanaimo Justice Access Centre • 95 people reached through presentations at Aboriginal organizations/band offices
<p>Gladue report pilot project: LSS gives lawyers a disbursement to obtain a Gladue report on behalf of an Aboriginal client</p>	<p>61 Gladue reports completed</p>
<p>Aboriginal Legal Aid in BC website: Launched in July 2014, this is a website for people who self-identify as Aboriginal and need legal information</p>	<p>6,289 visitors (results for less than a full year)</p>
<p>Aboriginal legal education and information publications: Publications written on a variety of Aboriginal law topics such as harvesting rights, Aboriginal child protection, and Gladue rights</p>	<p>21,335 publications distributed</p>



Advice services

<p>Duty counsel: Duty counsel at First Nations Courts do everything regular duty counsel do, as well as offer advice about how to apply to transfer a criminal matter to First Nations Court, and will represent clients in court and attend clients' sentencing hearings.</p>	<p>267 duty counsel assists at First Nations Courts in Duncan, Kamloops, and New Westminster</p>
<p>First Nations lawyer and advocate: A lawyer or advocate provide legal advice to pregnant women with addictions at BC Women's Hospital and at Sheway, a pregnancy outreach program, both located in Vancouver.</p>	<p>Data unavailable</p>

Representation by a lawyer

<p>Criminal law services: For financially eligible clients charged with a criminal offence who, if convicted, face a risk of jail (including house arrest), direct loss of livelihood, or immigration complications.</p>	<p>6,384 Aboriginal client referrals or 32% of total client referrals</p>
<p>Family law services: For financially eligible clients facing situations where their safety or the safety of their children is at risk, they have been denied access to their children, or there is a risk that a child will be permanently removed from the province.</p>	<p>730 Aboriginal client referrals or 21% of total client referrals</p>
<p>Child protection services: For financially eligible clients whose children have been, or may be at risk of being, removed from the client's home by the Ministry of Children and Family Development (MCFD), or clients who are facing legal proceedings initiated by the director of the MCFD, or if there are custody or access issues relating to a child in the care of the MCFD.</p>	<p>1,028 Aboriginal client referrals or 40% of total client referrals</p>