

EMPOWER

EQUITY

EDUCATION

EMPOWERMENT

LEGAL SERVICES SOCIETY

# Reconciliation **Action Plan**

2018 - 2023





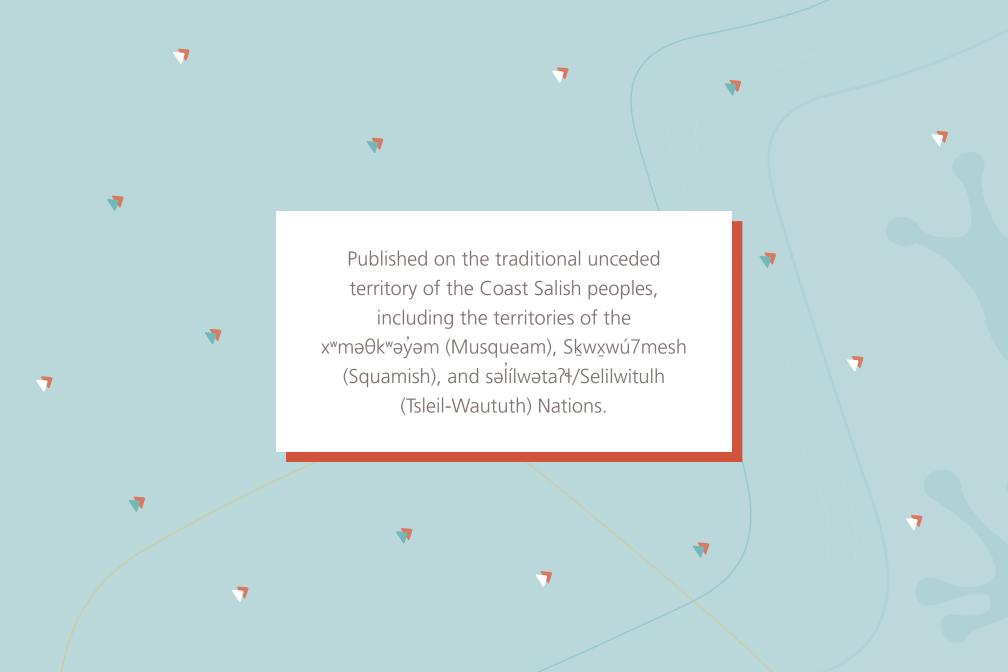




Legal **Services** Society

**British Columbia** www.legalaid.bc.ca





Reconciliation must inspire Aboriginal and non-Aboriginal peoples to transform Canadian society so that our children and grandchildren can live together in dignity, peace, and prosperity on these lands we now share.

Honouring the Truth, Reconciling for the Future: Summary of the
 Final Report of the Truth and Reconciliation Commission of Canada



#### **CEO's Accountability Statement**

The Legal Services Society's *Reconciliation Action Plan 2018 – 2023* documents the organization's commitment to actively promote reconciliation. I am accountable for these actions as outlined.

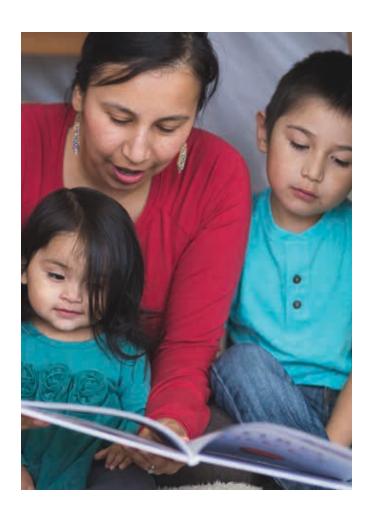
Mark Benton, QC Chief Executive Officer

### **Our commitment**

The Legal Services Society (LSS) is committed to promoting access to justice for Indigenous peoples (First Nations, Métis, and Inuit) in BC and to being a leader in the journey to reconciliation in Canada. In light of these commitments, LSS has considered:

- the Truth and Reconciliation Commission's Calls to Action<sup>1</sup> and Principles,<sup>2</sup>
- the recommendations in Grand Chief Ed John's report,<sup>3</sup>
- the United Nations Declaration on the Rights of Indigenous Peoples (2007),
- the imperative need to reduce the number of Indigenous people in the child protection and criminal justice systems, and
- LSS's Building Bridges report.4

In response, LSS adopts this Reconciliation Action Plan (RAP) to guide decision making and service delivery at all levels of the organization.



<sup>&</sup>lt;sup>1</sup> Truth and Reconciliation Commission of Canada: Calls to Action, Truth and Reconciliation Commission of Canada (2015).

<sup>&</sup>lt;sup>2</sup> What We Have Learned: Principles of Truth and Reconciliation, Truth and Reconciliation Commission of Canada (2015).

<sup>&</sup>lt;sup>3</sup> Indigenous Resilience, Connectedness and Reunification – From Root Causes to Root Solutions: A Report on Indigenous Child Welfare in British Columbia: Final Report of Special Advisor Grand Chief Ed John (Nov 2016).

<sup>&</sup>lt;sup>4</sup> Building Bridges: Improving Legal Services for Aboriginal Peoples, Legal Services Society (Oct 2007).

# Moving Forward >>

The RAP will guide LSS's work both in advancing reconciliation and ensuring that legal aid services better meet the needs of Indigenous peoples in BC. The strategies set out in this RAP are organized under three pillars: Education, Equity, and Empowerment. These pillars are foundational to advancing reconciliation within LSS, the legal system, and the country as a whole.

While this plan is structured on an organizational level, reconciliation happens at an individual level as well. All staff have an important personal role to play in increasing awareness and understanding of reconciliation. The RAP is the key document, but it is people working together who will ultimately achieve its goals.









**Equity** 



**Empowerment** 







### Renzo Caron Vice President, Indigenous Services

As Vice President of LSS's new Indigenous Services division, I am excited that reconciliation is one of the organization's important goals, reflecting its long-standing commitment to improving access to justice for Indigenous peoples. LSS has heard the Truth and Reconciliation Commission's Calls to Action. The Reconciliation Action Plan is intended to help LSS advance reconciliation and guide the delivery of legal aid services to better meet the needs of Indigenous peoples in BC. I look forward to working with everyone on what will sometimes be a difficult journey towards reconciliation because building a better relationship with Indigenous peoples means a healthier, more prosperous Canada.

### **Celeste Haldane** Chair, LSS Board of Directors and Executive Committee

As chair of the Legal Services Society's board, I am proud of the society's prominent goal to advance reconciliation with Indigenous peoples by improving

access to justice. Of equal importance is the recognition that developing culturally appropriate legal aid services and shaping LSS strategic priorities can only be done with the involvement of the Indigenous community. Through strengthening this relationship, both parties will play a leading role in the journey towards a more meaningful and equitable justice system in BC, and further, a truly reconciled Canada.

#### Mark Benton, QC CEO

Since its inception, LSS has been a leader in efforts to make justice work for Indigenous peoples in BC. In our history, we have developed community-directed delivery models, actively pursued litigation that was important to Indigenous communities, including *R. v. Gladue*, <sup>5</sup> and supported justice system developments, such as Elders in First Nations Courts, that have improved how justice works. This Reconciliation Action Plan is another step forward for LSS.

When he released the final report of the Truth and Reconciliation Commission, Murray Sinclair noted that "Achieving reconciliation is like climbing a mountain — we must proceed a step at a time. It will not always be easy. There will be storms, there will be obstacles, but we cannot allow ourselves to be daunted by the task because our goal is just and it is also necessary." <sup>6</sup>

Like other justice institutions, LSS has an important contribution to make towards reconciliation. This plan is a good example of one of the ways that LSS can contribute to building a Canada based on our shared future, a future of healing and trust. I look forward to working with all of you to realize its promise, recognizing that we have much to learn as we climb that mountain.

<sup>&</sup>lt;sup>5</sup> R. v. Gladue, [1999] 1 S.C.R. 688.

<sup>&</sup>lt;sup>6</sup> Justice Murray Sinclair, Chair, Truth and Reconciliation Commission of Canada, Ottawa, December 15, 2015.

### Goals

- Advance Reconciliation Through Education
- Advance Reconciliation by Fostering Equity for Indigenous Peoples
- Advance Reconciliation by Empowering Indigenous Peoples

### **Education**

**PAGE 5 & 12** 

## **Equity**

**PAGE 6 & 14** 

### **Empowerment**

**PAGE 7 & 18** 

### **Education**

# **GOAL 1:** Advance Reconciliation Through Education



The Truth and Reconciliation Commission (TRC) emphasized that genuine reconciliation will not be possible until the unique history of Indigenous peoples in Canada, including the broad legacy of residential schools, is both understood and addressed. To advance reconciliation through education, LSS will:

Seek out and listen to diverse Indigenous perspectives.

Increase knowledge and awareness of LSS staff, management, the board, legal aid lawyers, and LSS service providers about Indigenous peoples and their culture, stereotyping, and the consequences and legacies of colonization.

Educate LSS staff, management, the board, legal aid lawyers, LSS service providers, clients, and others about LSS's Indigenous services and about Indigenous justice initiatives in BC and elsewhere in Canada.



# **GOAL 2:** Advance Reconciliation by Fostering Equity for Indigenous Peoples



Indigenous peoples continue to experience disadvantage and injustice because of the history and ongoing legacy of colonial laws, policies, and the residential school system, and present-day discrimination. Fostering equity requires a commitment to identify and actively work to eliminate the disadvantages faced by Indigenous peoples. To advance reconciliation through equity, LSS will:

- Increase Indigenous representation and retention at all levels within LSS, including staff, management, the board, committees, and legal aid lawyers.
- Include Indigenous people, culture, and knowledge in the development of LSS strategic priorities, policies, processes, and services.
- Increase Indigenous clients' access to legal aid services.

- Ensure legal aid services provide culturally appropriate advice and information.
- Increase resources and support for legal aid and other services that seek to reduce the number of Indigenous children in care.
- Increase resources and support for legal aid and other services that seek to reduce the number of Indigenous people in custody.

### **Empowerment**

# **GOAL 3:** Advance Reconciliation by Empowering Indigenous Peoples

The TRC aptly said, "[u]ntil Canadian law becomes an instrument supporting Aboriginal peoples' empowerment, many Aboriginal people will continue to regard it as a morally and politically malignant force." To advance reconciliation through empowerment of Indigenous peoples, LSS will:

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Use the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's final report and Principles as a guide to reconciliation.



Ensure that LSS staff, management, the board, legal aid lawyers, and LSS service providers are aware of and follow cultural protocols when appropriate.

<sup>&</sup>lt;sup>7</sup> Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada (2015), page 205.



Increase resources to support Indigenous justice initiatives in BC.

Increase engagement and partnerships with Indigenous peoples.

Support the development and use of Indigenous laws, legal traditions, and languages.

Develop and share self-advocacy knowledge with Indigenous peoples about child protection, family and criminal law, and other areas as identified.

Develop a strategic litigation framework to expand access to justice in general and protection for Indigenous peoples' rights in particular, including, but not limited to, the right to hunt, fish, and harvest.

Foster understanding between Indigenous peoples and the justice system.



# Process, Governance, and Reporting

The RAP will inform LSS's Strategic Plan and Organizational Plan each year.

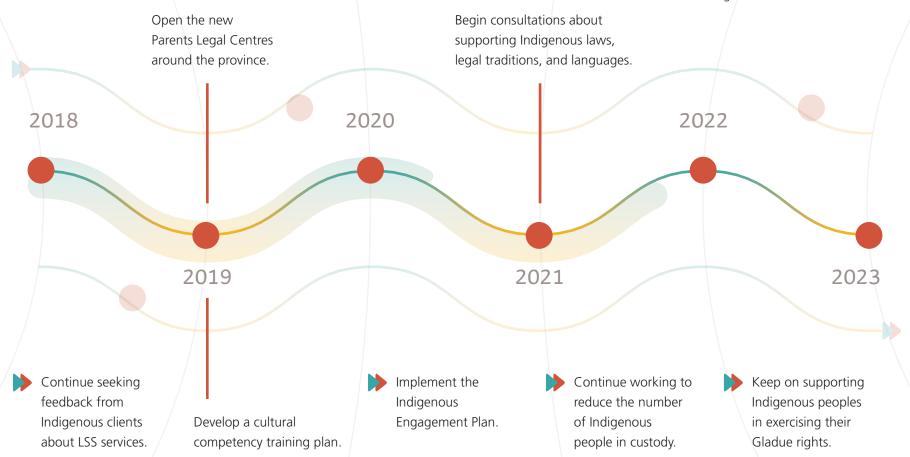
LSS will monitor, measure, and report on LSS's achievement of the strategies and actions identified in the RAP.

The RAP is a living document and will be reviewed annually.



# Highlights from a five-year plan

Continue working to reduce the number of Indigenous children in care.





#### **GOAL 1:** Advance Reconciliation Through Education

|  |  |      | PF   | ROPOSE | D TIME | LINE      |        |
|--|--|------|------|--------|--------|-----------|--------|
| Strategies   | Actions  | 2018 | 2019 | 2020   | 2021   | 2022      | 2023   |
| 1  | 1.1 Seek feedback from Indigenous clients about their experiences with LSS services and LSS service providers.                       |      |      |        | and    | ongoing 2 | 2023 + |
| Seek out and listen to diverse<br>Indigenous perspectives.   | 1.2 Engage with Indigenous peoples about their legal needs.  |      |      |        | and    | ongoing 2 | 2023 + |
| 2  | 2.1 Develop a cultural competency training plan.   |      |      |        |        |           |        |
| Increase knowledge and awareness of LSS staff,   | 2.2 Provide ongoing cultural competency training for LSS staff, management, the board, legal aid lawyers, and LSS service providers. |      |      |        |        |           |        |
| management, the board, legal aid lawyers, and LSS service providers about Indigenous peoples and their culture, stereotyping, and the consequences and legacies of colonization. | 2.3 Develop cultural competency requirements for LSS staff, management, the board, legal aid lawyers, and LSS service providers.     |      |      |        |        |           |        |

|  |  |      | PR   | ROPOSE | D TIME | LINE      |        |
|--|--|------|------|--------|--------|-----------|--------|
| Strategies<br>————————————————————————————————————   | Actions  | 2018 | 2019 | 2020   | 2021   | 2022      | 2023   |
| Educate LSS staff, management, the board, legal aid lawyers, LSS service providers, clients, and               | 3.1 Provide knowledge-sharing opportunities by holding workshops, presenting at conferences, and sharing information via social media and other means of technology. |      |      |        | and    | ongoing 2 | 2023 + |
| others about LSS's Indigenous services and about Indigenous justice initiatives in BC and elsewhere in Canada. | 3.2 Keep staff, management, and board members informed and updated by periodically attending LSS meetings at all levels within the organization.                     |      |      |        | and    | ongoing 2 | 2023 + |
|  |  |      |      |        |        |           |        |
|  |  |      |      |        |        |           |        |
|  |  |      |      |        |        |           |        |



#### GOAL 2: Advance Reconciliation by Fostering Equity for Indigenous Peoples

|   | * **  |      | PF   | ROPOSE | D TIME | LINE      |        |   |
|---|---|------|------|--------|--------|-----------|--------|---|
| Strategies  | Actions   | 2018 | 2019 | 2020   | 2021   | 2022      | 2023   |   |
| <u> </u>  | 4.1 Create an Indigenous hiring strategy.   |      |      |        |        |           |        | - |
| Increase Indigenous   | 4.2 Increase opportunities for Indigenous staff.  |      |      |        | and    | ongoing 2 | 2023 + |   |
| representation and retention<br>at all levels within LSS,<br>including staff, management, | 4.3 Create opportunities for Indigenous law students to article in areas of representation services covered by LSS.   |      |      |        | and    | ongoing 2 | 2023 + |   |
| the board, committees, and legal aid lawyers.   | 4.4 Promote legal aid work among Indigenous law students and Professional Legal Training Course students.   |      |      |        | and    | ongoing 2 | 2023 + |   |
|   | 4.5 Promote legal aid work among Indigenous lawyers.  |      |      |        | and    | ongoing 2 | 2023 + |   |
|   | 4.6 Consult with Indigenous legal aid lawyers regularly to identify and address any barriers that may prevent them from continuing with an LSS tariff practice. |      |      |        | and    | ongoing 2 | 2023 + |   |
|   | 4.7 Revise LSS's organizational structure to include an Indigenous Services Division.   |      |      |        |        |           |        |   |

**Equity** | Goal 2: Advance Reconciliation by Fostering Equity for Indigenous Peoples

|  |   | PROPOSED TIMELINE |      |      |      |         |        |  |  |  |
|--|---|-------------------|------|------|------|---------|--------|--|--|--|
| Strategies   | Actions   | 2018              | 2019 | 2020 | 2021 | 2022    | 2023   |  |  |  |
| Include Indigenous people, culture, and knowledge in the development of LSS strategic priorities, policies, processes, and services. | 5.1 Engage Indigenous LSS staff, service providers, including legal aid lawyers, and community contacts in providing feedback on LSS strategic priorities, policies, processes, and services. |                   |      |      | and  | ongoing | 2023 + |  |  |  |
| 6  | 6.1 Review LSS policies and practices to determine whether any changes are required to increase Indigenous clients' access to legal aid services.   |                   |      |      |      |         |        |  |  |  |
| Increase Indigenous clients' access to legal aid services.   | 6.2 Improve LSS services to better address the procedural, financial, informational, geographical, and cultural barriers that Indigenous peoples face.  |                   |      |      | and  | ongoing | 2023 + |  |  |  |
|  | 6.3 Improve collection and use of data to promote ongoing improvement and accessibility to LSS programs and services.   |                   |      |      |      |         |        |  |  |  |
|  | 6.4 Work with other justice stakeholders, including government, to develop and promote common and credible data collection and reporting mechanisms throughout the justice system.            |                   |      |      |      |         |        |  |  |  |
|  | 6.5 When developing or expanding LSS services, prioritize options that increase Indigenous clients' access to legal aid.  |                   |      |      |      |         |        |  |  |  |
|  | 6.6 Develop protocols to ensure Indigenous clients receive information and advice at multiple access points.  |                   |      |      |      |         |        |  |  |  |

|   |  |      | PF   | ROPOSE | D TIME | LINE      |        |
|---|--|------|------|--------|--------|-----------|--------|
| Strategies  | Actions  | 2018 | 2019 | 2020   | 2021   | 2022      | 2023   |
| 7   | 7.1 Revise tariffs to include additional time to enable lawyers to prepare for and represent Indigenous peoples' unique legal needs.   |      |      |        |        |           |        |
| Ensure legal aid services provide culturally appropriate advice and information.                      | 7.2 Develop competency requirements (including cultural competency) for lawyers who accept contracts for Indigenous clients.   |      |      |        |        |           |        |
|   | 7.3 Review LSS policies and practices to determine whether any changes are required.   |      |      |        | and    | ongoing 2 | 2023 + |
| Increase resources and support  | 8.1 Expand the Parents Legal Centre model to as many other locations as possible, especially where a high need exists, including Prince George, Kamloops, Williams Lake, Campbell River, Terrace/Smithers, and Victoria. |      |      |        |        |           |        |
| for legal aid and other services<br>that seek to reduce the number<br>of Indigenous children in care. | 8.2 Expand Aboriginal Community Legal Worker positions throughout the province.  |      |      |        |        |           |        |
|   | 8.3 Participate in reshaping Indigenous child welfare in BC.   |      |      |        | and    | ongoing 2 | 2023 + |
|   | 8.4 Explore ways to ensure bands receive adequate notice of child apprehensions in their communities, as required under the <i>Child, Family and Community Service Act</i> .   |      |      |        |        |           |        |
|   | 8.5 Support the Aboriginal Family Healing Court Conference pilot and other Indigenous family justice initiatives.  |      |      |        | and    | ongoing 2 | 2023 + |

**Equity** | Goal 2: Advance Reconciliation by Fostering Equity for Indigenous Peoples

|   |  |      | PR   | OPOSE | D TIME | LINE      |        |   |
|---|--|------|------|-------|--------|-----------|--------|---|
| Strategies  | Actions  | 2018 | 2019 | 2020  | 2021   | 2022      | 2023   |   |
| 9   | 9.1 Support Indigenous peoples in exercising their Gladue rights.  |      |      |       | and    | ongoing 2 | 2023 + |   |
| Increase resources and support for legal aid and other services | 9.2 Support use of restorative justice programs where appropriate. |      |      |       | and    | ongoing 2 | 2023 + | - |
| that seek to reduce the number of Indigenous people in custody. | 9.3 Support First Nations/Indigenous Courts.                       |      |      |       | and    | ongoing : | 2023 + | - |
|   | 9.4 Support Indigenous dispute resolution mechanisms.              |      |      |       | and    | ongoing ? | 2023 + |   |



GOAL 3: Advance Reconciliation by Empowering Indigenous Peoples

|  |   |      | PR   | ROPOSE | D TIME | IMELINE   |        |  |
|--|---|------|------|--------|--------|-----------|--------|--|
| Strategies   | Actions   | 2018 | 2019 | 2020   | 2021   | 2022      | 2023   |  |
| Use the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's final report and Principles as a guide to reconciliation. | 10.1 Embrace these documents to guide decision making across the organization and in the development of all LSS services. |      |      |        |        |           |        |  |
| 11   | 11.1 Develop policies and procedures for staff concerning Indigenous cultural protocols.                                  |      |      |        | and    | ongoing 2 | 2023 + |  |
| Ensure that LSS staff, management, the board, legal aid lawyers, and LSS service providers are aware of and follow cultural protocols when appropriate.                        |   |      |      |        |        |           |        |  |

|  |  |      | PF   | OPOSE | D TIME | LINE      |        |
|--|--|------|------|-------|--------|-----------|--------|
| Strategies   | Actions  | 2018 | 2019 | 2020  | 2021   | 2022      | 2023   |
| 12   | 12.1 Support First Nations/Indigenous Courts.  |      |      |       | and    | ongoing 2 | 2023 + |
| Increase resources to support Indigenous justice initiatives in BC.                  | 12.2 Provide training, or funding for training, for Elders involved in First Nations/Indigenous Courts and other Indigenous justice initiatives.   |      |      |       | and    | ongoing 2 | 2023 + |
| initiatives in Be.   | 12.3 Support the Aboriginal Family Healing Court Conference pilot and other Indigenous family justice initiatives.   |      |      |       | and    | ongoing 2 | 2023 + |
|  | 12.4 Ensure that LSS is raising public awareness about Indigenous justice initiatives.   |      |      |       | and    | ongoing 2 | 2023 + |
| Support the development and use of Indigenous laws, legal traditions, and languages. | 13.1 Consult with Elders and other Indigenous people, the Law Foundation of BC, the judiciary, and other stakeholders to identify ways that LSS can support the recognition and implementation of Indigenous laws, legal traditions, and language use in BC. |      |      |       |        |           |        |

|   |  | PROPOSED TIMELINE |      |      |      |      |      |  |  |  |  |
|---|--|-------------------|------|------|------|------|------|--|--|--|--|
| Strategies  | Actions  | 2018              | 2019 | 2020 | 2021 | 2022 | 2023 |  |  |  |  |
| 14  | 14.1 Develop a strategic litigation framework.               |                   |      |      |      |      |      |  |  |  |  |
| Develop a strategic litigation framework to expand access to justice in general and protection for Indigenous peoples' rights in particular, including, but not limited to, the right to hunt, fish, and harvest. |  |                   |      |      |      |      |      |  |  |  |  |
| 15  | 15.1 Develop and implement an Indigenous<br>Engagement Plan. |                   |      |      |      |      |      |  |  |  |  |
| Increase engagement and partnerships with Indigenous peoples.   |  |                   |      |      |      |      |      |  |  |  |  |

|   |  |      |      |      | D TIME | LINE        |        |
|---|--|------|------|------|--------|-------------|--------|
| Strategies  | Actions  | 2018 | 2019 | 2020 | 2021   | 2022        | 2023   |
| 16  | 16.1 Coordinate legal education events.  |      |      |      | and    | l ongoing   | 2023 + |
| Develop and share self-advocacy knowledge with Indigenous                               | 16.2 Develop tool kits and online materials for clients.   |      |      |      | anc    | l ongoing : | 2023 + |
| peoples about child protection, family and criminal law, and other areas as identified. | 16.3 Develop tool kits for advocates.  |      |      |      | and    | l ongoing   | 2023 + |
| 17  | 17.1 Share information about LSS services and resources at Indigenous events.  |      |      |      | anc    | l ongoing : | 2023 + |
| Foster understanding between Indigenous peoples and the justice system.                 | 17.2 Develop informational materials to inform the courts, legal aid lawyers, Crown counsel, and others about the role Indigenous communities and advocates can play in legal processes. |      |      |      | and    | l ongoing   | 2023 + |
|   | 17.3 Engage Indigenous people, including Elders and other stakeholders, to identify ways that LSS can foster understanding between Indigenous peoples and the justice system.            |      |      |      | anc    | l ongoing   | 2023 + |
|   | 17.4 Have LSS representation at Indigenous events to build relationships and trust with Indigenous peoples.  |      |      |      | and    | l ongoing   | 2023 + |



# Process, Governance, and Reporting

|   |   | PROPOSED TIMELINE |      |      |      |      |      |
|---|---|-------------------|------|------|------|------|------|
| Strategies  | Actions   | 2018              | 2019 | 2020 | 2021 | 2022 | 2023 |
| 18  | 18.1 LSS's strategic and organizational plans will include RAP strategies and actions.                                      |                   |      |      |      |      |      |
| The RAP will inform LSS's Strategic Plan and Organizational Plan each year.                                     |   |                   |      |      |      |      |      |
| 19  | 19.1 Each LSS division will be required to report on their achievements of the RAP strategies and actions each year.        |                   |      |      |      |      |      |
| LSS will monitor, measure, and report on LSS's achievement of the strategies and actions identified in the RAP. | strategies and actions each year.   |                   |      |      |      |      |      |
| 20  | 20.1 LSS will create mechanisms for LSS staff, LSS service providers, and others to make recommendations on the content and |                   |      |      |      |      |      |
| The RAP is a living document and will be reviewed annually.   | implementation of the RAP.  |                   |      |      |      |      |      |

# **Appendix**

Each of the actions in the RAP corresponds to one or more of the following documents:

- The Truth and Reconciliation Commission's
   10 Principles of Truth and Reconciliation
- The Truth and Reconciliation Commission's Calls to Action
- Grand Chief Ed John's report on Indigenous child welfare in BC
- The United Nations Declaration on the Rights of Indigenous Peoples





Strategies, Actions, and Connections

#### Actions and References

**TRC** = Truth and Reconciliation Commission **GCEJ** = Grand Chief Ed John's Report

**UN** = United Nations Declaration on the Rights of Indigenous Peoples

| Strategy | Action   | T<br>Principles | RC<br>Calls to Action | GCEJ<br>Recommendations | <b>UN</b><br>Articles |
|----------|--|-----------------|-----------------------|-------------------------|-----------------------|
| Ec       | ducation Goal 1: Advance Reconciliation Through Education  | on              |                       |                         |                       |
| 1        | 1.1 Seek feedback from Indigenous clients about their experiences with LSS services and LSS service providers.                       | 2, 6, 7, 9      | 92                    |                         | 5, 15                 |
|          | 1.2 Engage with Indigenous peoples about their legal needs.  | 2, 6, 7, 9      | 92                    |                         | 5                     |
| 2        | 2.1 Develop a cultural competency training plan.   | 3, 4, 6, 9, 10  | 27, 57, 92            |                         |                       |
|          | 2.2 Provide ongoing cultural competency training for LSS staff, management, the board, legal aid lawyers, and LSS service providers. | 3, 4, 6, 9, 10  | 27, 57, 92            |                         | 15                    |
|          | 2.3 Develop cultural competency requirements for LSS staff, management, the board, legal aid lawyers, and LSS service providers.     | 3, 4, 6, 9, 10  | 27, 57, 92            |                         | 15                    |

|          |  | TRC             |                 | GCEJ            | UN        |
|----------|--|-----------------|-----------------|-----------------|-----------|
| Strategy | Action   | Principles      | Calls to Action | Recommendations | Articles  |
| 3        | 3.1 Provide knowledge-sharing opportunities by holding workshops, presenting at conferences, and sharing information via social media and other means of technology. | 4, 8, 10        | 92              |                 | 5, 15, 34 |
|          | 3.2 Keep staff, management, and board members informed and updated by periodically attending LSS meetings at all levels within the organization.                     | 4, 8, 10        | 92              |                 | 5, 15, 34 |
| Eq       | <b>juity</b> Goal 2: Advance Reconciliation by Fostering Equity for  | or Indigenous I | Peoples         |                 |           |
| 4        | 4.1 Create an Indigenous hiring strategy.  | 4, 5            | 92              | 78, 79          | 5         |
|          | 4.2 Increase opportunities for Indigenous staff.   | 4, 5            | 92              | 78, 79          | 5, 15     |
|          | 4.3 Create opportunities for Indigenous law students to article in areas of representation services covered by LSS.  | 4, 5            | 92              | 78, 79          | 5, 15     |
|          | 4.4 Promote legal aid work among Indigenous law students and Professional Legal Training Course students.  | 4, 5            | 92              | 78, 79          | 5, 40     |
|          | 4.5 Promote legal aid work among Indigenous lawyers.   | 4, 5            | 92              | 78, 79          | 5, 40     |
|          | 4.6 Consult with Indigenous legal aid lawyers regularly to identify and address any barriers that may prevent them from continuing with an LSS tariff practice.      | 4, 5            | 92              | 78, 79          | 5, 40     |
|          | 4.7 Revise LSS's organizational structure to include an Indigenous Services Division.  | 4, 5            | 92              | 78, 79          | 5, 40     |

|          |   | Т             | 'RC             | GCEJ            | UN       |
|----------|---|---------------|-----------------|-----------------|----------|
| Strategy | Action  | Principles    | Calls to Action | Recommendations | Articles |
| 5        | 5.1 Engage Indigenous LSS staff, service providers, including legal aid lawyers, and community contacts in providing feedback on LSS strategic priorities, policies, processes, and services. | 4, 5, 6, 7, 9 | 92              |                 | 5, 40    |
| 6        | 6.1 Review LSS policies and practices to determine whether any changes are required to increase Indigenous clients' access to legal aid services.   | 4, 5, 9       |                 |                 | 40       |
|          | 6.2 Improve LSS services to better address the procedural, financial, informational, geographical, and cultural barriers that Indigenous peoples face.  | 4, 5, 9       |                 |                 | 40       |
|          | 6.3 Improve collection and use of data to promote ongoing improvement and accessibility to LSS programs and services.   | 4, 5, 9       |                 | 83              | 40       |
|          | 6.4 Work with other justice stakeholders, including government, to develop and promote common and credible data collection and reporting mechanisms throughout the justice system.            | 4, 5, 9       |                 | 83              | 40       |
|          | 6.5 When developing or expanding LSS services, prioritize options that increase Indigenous clients' access to legal aid.  | 4, 5, 9       |                 |                 | 40       |
|          | 6.6 Develop protocols to ensure Indigenous clients receive information and advice at multiple access points.  | 4, 5, 9       |                 |                 | 40       |

|          |  | TRC           |                 | GCEJ                        | UN       |
|----------|--|---------------|-----------------|-----------------------------|----------|
| Strategy | v Action   | Principles    | Calls to Action | Recommendations             | Articles |
| 7        | 7.1 Revise tariffs to include additional time to enable lawyers to prepare for and represent Indigenous peoples' unique legal needs.   | 4, 5, 9       |                 |                             | 40       |
|          | 7.2 Develop competency requirements (including cultural competency) for lawyers who accept contracts for Indigenous clients.   | 4, 5, 9       | 27              |                             |          |
|          | 7.3 Review LSS policies and practices to determine whether any changes are required.   | 4, 5, 9       |                 |                             | 40       |
| 8        | 8.1 Expand the Parents Legal Centre model to as many other locations as possible, especially where a high need exists, including Prince George, Kamloops, Williams Lake, Campbell River, Terrace/Smithers, and Victoria. | 4, 5, 9       | 1               | 16                          |          |
|          | 8.2 Expand Aboriginal Community Legal Worker positions throughout the province.  | 4, 5, 9       | 1               | page 90                     |          |
|          | 8.3 Participate in reshaping Indigenous child welfare in BC.   | 4, 5, 9       | 4               |                             |          |
|          | 8.4 Explore ways to ensure bands receive adequate notice of child apprehensions in their communities, as required under the <i>Child, Family and Community Service Act</i> .   | 4, 5, 9       |                 | pages 81–82,<br>92, 95, 148 | 40       |
|          | 8.5 Support the Aboriginal Family Healing Court Conference pilot and other Indigenous family justice initiatives.  | 4, 5, 7, 8, 9 | 1               | 15                          |          |

| Strategy | Action  | <b>T</b><br>Principles | RC<br>Calls to Action | GCEJ Recommendations | <b>UN</b><br>Articles |
|----------|---|------------------------|-----------------------|----------------------|-----------------------|
|          |   |                        |                       |                      |                       |
| 9        | 9.1 Support Indigenous peoples in exercising their Gladue rights.   | 3, 4, 5, 9             | 30, 31, 38, 55        |                      |                       |
|          | 9.2 Support use of restorative justice programs where appropriate.  | 4, 5, 7, 8, 9          | 30, 31, 38,<br>42, 55 |                      | 5, 34, 40             |
|          | 9.3 Support First Nations/Indigenous Courts.  | 4, 5, 7, 8, 9          | 30, 31, 38,<br>42, 55 | 15                   | 5, 34, 40             |
|          | 9.4 Support Indigenous dispute resolution mechanisms.   | 4, 5, 7, 8, 9          | 30, 31, 38,<br>42, 55 | 18                   | 5, 34, 40             |
| En En    | npowerment Goal 3: Advance Reconciliation by Empov  | vering Indigenou       | s Peoples             |                      |                       |
| 10       | 10.1 Embrace these documents to guide decision making across the organization and in the development of all LSS services. | 1, 2, 3, 4             | 43, 92                |                      |                       |
| 11       | 11.1 Develop policies and procedures for staff concerning Indigenous cultural protocols.                                  | 2, 6, 8                |                       |                      |                       |

| Strategy | Action   | <b>T</b><br>Principles | RC Calls to Action    | <b>GCEJ</b><br>Recommendations | <b>UN</b><br>Articles |
|----------|--|------------------------|-----------------------|--------------------------------|-----------------------|
| 12       | 12.1 Support First Nations/Indigenous Courts.  | 4, 5, 7, 8, 9          | 30, 31, 38,<br>42, 55 | 15                             | 5, 34, 40             |
|          | 12.2 Provide training, or funding for training, for Elders involved in First Nations/Indigenous Courts and other Indigenous justice initiatives.   | 4, 5, 7, 8, 9          | 31                    |                                | 34, 40                |
|          | 12.3 Support the Aboriginal Family Healing Court Conference pilot and other Indigenous family justice initiatives.   | 4, 5, 7, 8, 9          | 1, 30, 38,<br>42, 55  | 15                             | 5, 34, 40             |
|          | 12.4 Ensure that LSS is raising public awareness about Indigenous justice initiatives.   | 4, 7, 8, 9             |                       |                                | 5, 34                 |
| 13       | 13.1 Consult with Elders and other Indigenous people, the Law Foundation of BC, the judiciary, and other stakeholders to identify ways that LSS can support the recognition and implementation of Indigenous laws, legal traditions, and language use in BC. | 4, 7, 8, 9             |                       |                                | 5, 13, 34             |
| 14       | 14.1 Develop a strategic litigation framework.   | 2, 4, 8, 9             |                       |                                | 40                    |
| 15       | 15.1 Develop and implement an Indigenous Engagement Plan.  | 2, 3, 6, 9             |                       |                                | 5                     |

| Strategy | Action   | T<br>Principles      | RC<br>Calls to Action | GCEJ<br>Recommendations | <b>UN</b><br>Articles |
|----------|--|----------------------|-----------------------|-------------------------|-----------------------|
| 16       | 16.1 Coordinate legal education events.  | 4, 5, 8, 9           |                       |                         | 5, 15, 40             |
|          | 16.2 Develop tool kits and online materials for clients.   | 4, 5, 8, 9           |                       |                         | 5, 40                 |
|          | 16.3 Develop tool kits for advocates.  | 4, 5, 8, 9           |                       |                         | 5, 40                 |
| 17       | 17.1 Share information about LSS services and resources at Indigenous events.  | 3, 4, 5, 6           |                       |                         | 5, 40                 |
|          | 17.2 Develop informational materials to inform the courts, legal aid lawyers, Crown counsel, and others about the role Indigenous communities and advocates can play in legal processes. | 3, 4, 5, 6,<br>9, 10 |                       |                         | 5, 15, 40             |
|          | 17.3 Engage Indigenous people, including Elders and other stakeholders, to identify ways that LSS can foster understanding between Indigenous peoples and the justice system.            | 3, 4, 5, 6, 9        |                       |                         | 5, 15, 40             |
|          | 17.4 Have LSS representation at Indigenous events to build relationships and trust with Indigenous peoples.  | 3, 4, 5, 6, 9        |                       |                         | 5, 15, 40             |

## **Important links**

The reference documents cited in this report are all available online.

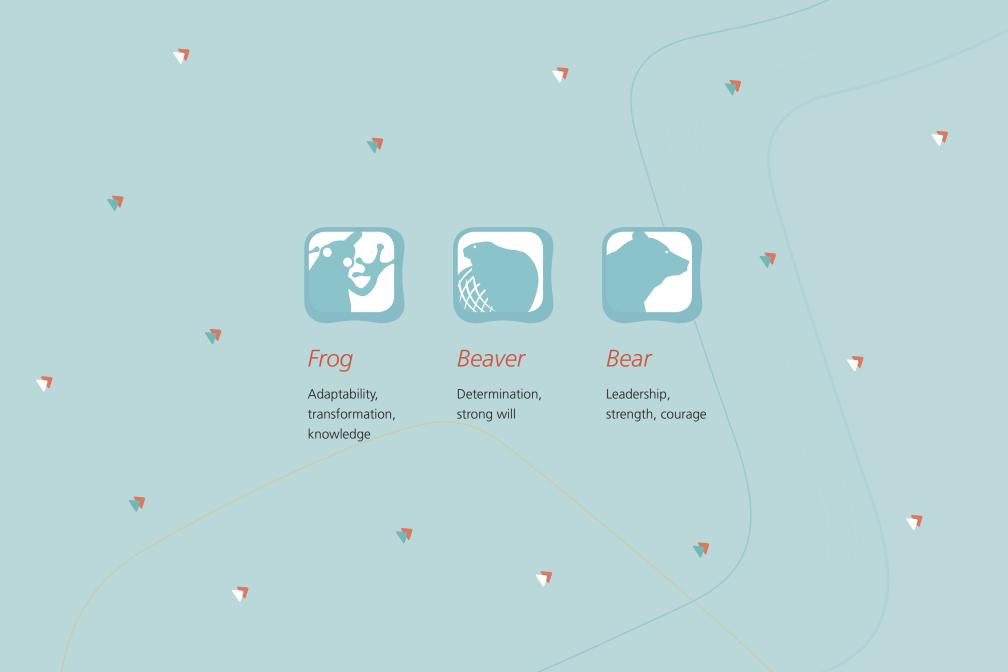
The Truth and Reconciliation Commission's 10 Principles of Truth and Reconciliation (nctr.ca/assets/reports/Final%20Reports/Principles\_English\_Web.pdf)

The Truth and Reconciliation Commission's Calls to Action (nctr.ca/assets/reports/Calls\_to\_Action\_English2.pdf)

Grand Chief Ed John's report on Indigenous child welfare in BC (fns.bc.ca/wp-content/uploads/2017/01/Final-Report-of-Grand-Chief-Ed-John-re-Indig-Child-Welfare-in-BC-November-2016.pdf)

The United Nations Declaration on the Rights of Indigenous Peoples (un.org/esa/socdev/unpfii/documents/DRIPS\_en.pdf)





The Reconciliation Action Plan 2018 – 2023 is published by the Legal Services Society (LSS), a non-profit organization that provides legal aid to British Columbians. LSS is separate from the BC government, its primary funder. It also receives grants from the Law Foundation and the Notary Foundation (of BC).

The Reconciliation Action Plan 2018 – 2023 is also available on the LSS website at **legalaid.bc.ca**.

#### **Legal Aid BC online**

legalaid.bc.ca mylawbc.com aboriginal.legalaid.bc.ca familylaw.lss.bc.ca

