

April 2021

Legal Aid BC Update

From the desk of Mark Benton, QC
Chief Executive Officer, Legal Services Society



Legal aid services continue to adapt as we move through year two of the pandemic

It was unimaginable last spring to think how much our work and personal lives would be altered during the first year of the pandemic. Despite the challenges of court closures and a transition to remote services, Legal Aid BC (LABC) — like every Canadian legal aid program and most around the world — continued to deliver services and introduced new initiatives to support access to justice. I'd like to share some of the new ways we found to meet the needs of our clients.

Ongoing service adaptations

Last spring, we [switched to phone-only applications for legal aid](#), and our Call Centre staff, working from home, handled 30% more calls than usual. To help those unable to contact us, we expanded e-applications via family advocates to other intermediaries, such as Indigenous agencies and criminal law lawyers.

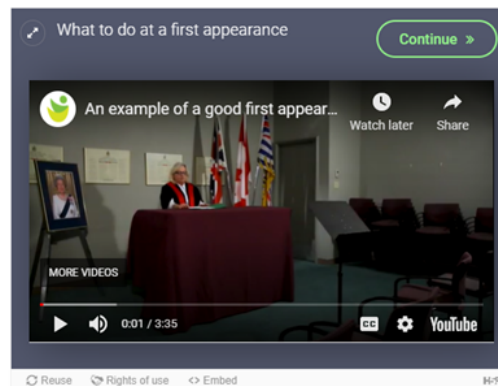
We revamped criminal in-custody duty counsel to support video bail, and developed a triage criminal and family duty counsel model to limit health risks associated with in-person court appearances.

Early on in the pandemic, LABC quickly transitioned from in-person family duty counsel services to a remote telephone model to ensure clients continued to receive services during court closures. We also broadened the scope of family law services so more people could get a lawyer's help, whether or not their case involved court. We increased Family LawLINE service hours, and expanded our online support for families via Live Chats.

Our 10 Parents Legal Centres (PLCs) swiftly switched to video conferencing for court appearances, mediations and meetings. They continued community engagement with virtual open houses, distributed PLC newsletters to community agencies, and maintained relationships through presentations to child protection organizations.

Web-based help

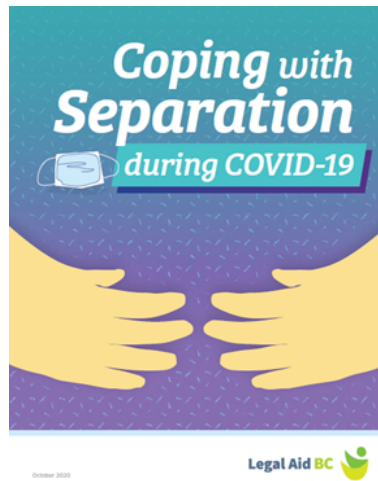
LABC created a new [“First appearance in Provincial Court” web page](#) on the Family Law in BC website, which includes interactive videos, worksheets, and a script that self-represented litigants can read from when appearing virtually in front of a judge. We added pandemic-specific web sections, including information about [the legal system under COVID-19](#), a [questions-and-answers page](#), and other content, including videos, [about protection orders](#).



This interactive video on the Family Law in BC website offers advice for self-represented litigants appearing virtually in front of a judge.

On MyLawBC, we launched a new, free [Remote Child Support Mediation service](#) to help people with child support issues.

We also adapted our “Coping with Separation” booklet and re-published it as [“Coping with Separation during COVID-19”](#).



In other news:

Gladue report services transition

As part of the government's [First Nations Justice Strategy](#), administration and management of BC's Gladue report program moved to the [BC First Nations Justice Council \(BCFNJC\)](#) on April 1, 2021. LABC launched the Gladue report program as a pilot project in 2011 to fill a gap in Indigenous rights following the Supreme Court of Canada's 1999 Gladue decision. We're proud to have worked with a dedicated group of writers, reviewers, and lawyers, and with an equally dedicated group of Indigenous Elders and organizations around the province to support Indigenous justice in BC.

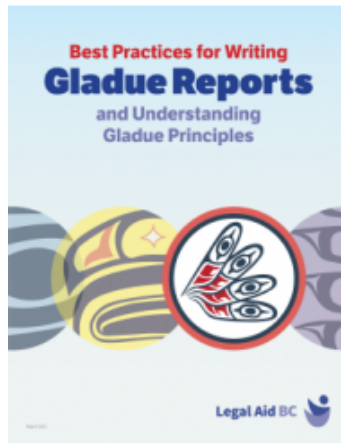
The program's transition to the BCFNJC is an important step toward self-determined justice for Indigenous people in BC. The move buttresses the goals of transforming the justice system for Indigenous people, reducing overrepresentation in both the criminal and child protection systems and supporting First Nations to restore their justice systems and structures.

New Gladue guides

While the Gladue report program transitioned to the BCFJNC, LABC completed work on two guides to support the Gladue process. [Best Practices for Writing](#)

[Gladue Reports and Understanding Gladue Principles](#)

describes the approach we took until March 31, 2021. It provides a set of guidelines to support Gladue report writers in preparing reports to submit at bail and sentencing hearings for Indigenous people.



The second publication — [Guide for the Legal Review of Gladue Reports](#) — features a set of guidelines for lawyers who review Gladue reports for legal accuracy. It includes a checklist for the legal review of Gladue reports and a bibliography of legislation, cases, publications, and online sources.



My upcoming retirement

After 38 years of legal aid work, I'll be retiring from my position as LABC's CEO by the end of the calendar year.

LABC's board of directors is working with a recruiting firm to conduct a search to find my successor, who I will assist in a part-time capacity to transition into their new role. I expect the new person will enjoy the privilege of helping British Columbians access justice as

much as I have over the years. I look forward to introducing the new CEO in the near future.

Mark

Mark Benton, QC
CEO, Legal Aid BC

Sent from the traditional unceded territory of the Coast Salish peoples, including the territories of the Musqueam, Squamish and Tsleil-Waututh Nations.



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