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Services  
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British Columbia  
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Providing legal information  
for British Columbians

## PRINCE GEORGE REGIONAL CONFERENCE

Ramada Plaza Prince George  
444 George St  
Prince George, BC. V2L 1R6

### AGENDA – Tuesday September 11

Time	Session	Speaker	Facilitator
<b>8:00 - 9:00</b>	<i>Registration &amp; Breakfast</i>		
<b>9:00 – 9:15 am</b>	<b>Opening Ceremony &amp; Welcome</b>		Baljinder Gill
<b>9:15 – 10:15</b>	<b>Gladue reports</b>	➤ <i>Lynda Price - Lawyer</i>	Baljinder Gill
<b>10:15 – 10:30</b>	<i>Coffee break</i>		
<b>10:30 – 11:30</b>	<b>Gladue comic book feedback and review</b>	➤ <i>Sean Muir – Healthy Aboriginal Network</i>	Baljinder Gill
<b>11:30 – 12:15</b>	<b>Working with LSS Intake Services</b>	➤ <i>Deneen Garrett - LSS</i>	Baljinder Gill
<b>12:15 – 1:00</b>	<b>Restorative Justice Program</b>	➤ <i>Vahid Mathiscyk - Justice worker</i>	Baljinder Gill
<b>1:00 – 1:45</b>	<i>Lunch</i>		
<b>1:45 - 3:00</b>	<b>Wills and Estates</b>	➤ <i>Bob Douglas - Lawyer</i>	Baljinder Gill
<b>3:15 – 4:30</b>	<b>Criminal Law and First Nations Court</b>	➤ <i>Sandy Sinclair - Lawyer</i>	Baljinder Gill



## PRINCE GEORGE REGIONAL CONFERENCE

Ramada Plaza Prince George  
444 George St  
Prince George, BC. V2L 1R6

### AGENDA – Wednesday September 12

Time	Session	Speaker	Facilitator
8:30 – 9:00	<i>Registration &amp; Breakfast</i>		
9:00 – 10:30	<b>Overview of Family Law and PLC Update</b>	➤ <i>Deborah O’Leary</i>	Baljinder Gill
10:30 – 10:45	<i>Coffee Break</i>		
10:45 – 11:45	<b>Family law and protection orders</b>	➤ <i>Deborah O’Leary</i>	Baljinder Gill
11:45 – 12:15	<b>LSS and other Resources</b>	➤ <i>Patricia Lim</i>	Baljinder Gill
12:15 – 1:00	<i>Lunch</i>		
1:00 – 2:30	<b>Overview of Child Protection Law</b>	➤ <i>Deborah O’Leary</i>	Baljinder Gill

## OVERVIEW

- Origin
- Gladue Principle
- Review Common law distinction between Gladue and Pre-Sentence Reports
- Review applications of Gladue reports in sentencing
- NWAC perspective
  - National Aboriginal Women's Summit
- First Nations Court

# Gladue and Gladue Reports

*R v Gladue*, [1999] 1 SCR 688



- Type of pre-sentencing or bail hearing report, usually prepared by Gladue caseworkers at the request of a Judge, defence counsel, or crown attorney
- LSSBC have set a standard for Gladue Reports
- JIBC offers Gladue Report Writing courses as part of their curriculum
- TRU Faculty of Law – Directed Research on Gladue
- Also completed JIBC Gladue Report Writer Training
- Gladue Reports provide a picture of the offender’s past, present, and future goals.

Minister of Justice,  
Allan Rock (93-97)

September 20, 1994  
Introduced Bill C-41  
Amended *Criminal Code* to add 718.2(e)

*The amending provision  
Directs courts when imposing sentence that:*

*"All available sanctions other than imprisonment,  
that are reasonable in the circumstances, should  
be considered for all offenders; with particular  
attention – to the circumstances of Aboriginal  
offenders."*

*The amendment enabled conditional sentencing.*



## The Gladue Principles

*R v Gladue* (1997) 98 BCCA 120; *R v Gladue*, [1999] 1 SCR 688, 1999 CanLII 679 (SCC)

The facts of the Gladue case are troubling.

A young Aboriginal woman in this case is charged with murdering her spouse. She pled guilty to manslaughter and was sentenced to three years in a Federal penitentiary.

She questioned whether the TJ, during sentencing, had taken proper consideration of the new sentencing principal required in the interpretation and application of the new amendment to the *Criminal Code*, s. 718.2(e).

She appealed to the BC Court of Appeal; they determined that the TJ had correctly applied s. 718.2(e) in imposing a sentence of 3 years imprisonment.

She appealed to the SCC. The 7 judges reviewed the case and applied a framework for analysis.

1. Background factors; 2. ID fit sentence; 3. Duty of sentencing Judge; 4. Addressed reverse discrimination; and 5. Who comes under scope of s. 718(2)e of *Criminal Code*?

## 1. ID circumstances of offender (systemic & background factors)

### What caused the offender to commit the crime?

#### Factors may include:

- years of dislocation and economic development which translates into low income and high unemployment
- lack of opportunities and operations
- lack of irrelevance of education
- substance abuse
- loneliness and community fragmentation
- victims of systemic and direct discrimination
- incarceration and less likely to be rehabilitated
- the confined social environment in penal institutions is culturally inappropriate and discriminatory

These points the Judges took from the “scholars in the field” who have researched and found and stated that “the unemployed, transients, the poorly educated are all better candidates for imprisonment. When the social, political, and economic aspects of our society place Aboriginal people disproportionately with the ranks of the latter, our society literally sentences more of them to jail.”

## 2. ID fit sentence

**SCC placed emphasis on including the Aboriginal people and their communities' perspective in identifying the important community-based sanctions restricted to less serious and non-violent offences.**

SCC emphasized the **important need to determine sentencing on a case-by-case basis** including the following information:

What is the **appropriate sanction** under the *Criminal Code* for this offence, committed by this offender, harming this victim, in this community?

What **understanding of criminal sanctions** is held by the community?

What is the **nature of the relationship** between the offender and his/her community?

What combination of **systemic or background factors** contributed to this particular offence coming before the courts for this particular offence?

How has the offender who is being sentenced **been effected** by, for example: substance abuse in the community, or poverty, or overt racism, or family or community breakdown?

Would **imprisonment effectively serve** to deter or denounce crime in a sense that would be significant to the offender and community, or are **crime prevention and other goals** better achieved through healing?

What **sentencing options** present themselves in these circumstances?

**SCC emphasized there was no single test that a Judge can apply in order to determine the sentence.**

**The analysis for sentencing Aboriginal offenders is to be holistic and designed to achieve a fit sentence in the circumstances.**

### **3. SCC in Gladue addressed the Duty of the Sentencing Judge**

The element of the duty of the sentencing Judge is a critical component.

S. 718.2(e) does not impose a statutory duty to provide reasons but the SCC emphasised:

- It is much easier for a reviewing court to determine whether and how attention is to be paid to the circumstances of the offender as an Aboriginal person; if at least brief reasons are given.
- It is necessary for the Judge to take judicial notice of the systemic background factors and the approach to sentencing which is relevant to Aboriginal offenders.
- The offender must be respected if they do not wish any evidence to be adduced.
- It is expected that counsel on both sides fulfill their role, and provide relevant evidence to assist the Judge in sentencing.
- If an offender is unrepresented, the sentencing Judge must attempt to acquire information regarding their circumstances whether they reside in a rural area, on a reserve, or urban centre.
- The Judge must be aware of alternatives to incarceration that exist inside or outside the Aboriginal community or alternatives that exist in a metropolitan area.
- The Judge may use pre-sentence reports and request that witnesses be called who may testify as to reasonable alternatives.

#### **4. Addressed the issue of reverse discrimination**

**The SCC addressed the issue of “reverse discrimination” and explained that the fundamental purpose of s. 718.2(e) is to treat aboriginal offenders fairly by taking into account their differences.**

**It does not mean an automatic reduction of a sentence or a remission of a warranted period of incarceration because the offender is Aboriginal.**

**The SCC made it clear that:**

**“the fact that a court is called upon to take into consideration the unique circumstances surrounding these different parties is not unfair to non-aboriginal people.”**

## 5. Addressed who comes under scope of s. 718.2(e)

SCC made it clear that s. 718.2(e) applies to all Aboriginal offenders wherever they reside, whether on or off reserve, in a large city or a rural area.

The term “community” must be defined broadly to include any network of support and interaction that might be available in an urban centre.

It is important to note that the SCC stated “the residence of the Aboriginal offender in an urban centre that lacks any network of support does not relieve the sentencing Judge of the obligation to try to find an alternative to imprisonment.”

SCC did not give Ms. Gladue a conditional sentence because her sentence was greater than two years.

But what the SCC did with her case was set out the analytical frame work for sentencing in the amended legislation.

The Minister of Justice and Parliament’s intent was to respond to the increasing rate of incarcerations in Canada and pay particular attention to the Aboriginal population. In doing so they introduced this conditional sentencing provision.

These principles have been reaffirmed in *Ipeelee*.

## Review Common Law Distinction Between Gladue Reports and Pre-Sentence Reports



### ***R v Bodaly, (2010) BCCA 9***

The courts distinguished the pre-sentencing report provided and the importance of considering elements required by Gladue.

### ***R v Labrador, 2004 OCJ***

Justice Sheppard distinguished two types of reports

- s. 721 provisions for a pre-sentencing report (PSR)
- s. 718.2(e) Aboriginal factors based on the Gladue Report – pointing out there was no provisions in a PSR for restorative and rehabilitative principles and past sentences of offender were devoid of community support in building the offender’s personal commitment to making positive changes in his life.

## Examples of Applications of Gladue Reports in Sentencing

**What will be enough to outweigh the value of rehabilitating the offender?**

- In *Wells* the court held on a balance that:



*The need to denounce the offence, deter future offenders and protect the public*

Is greater than

*What can be met by available restorative justice processes*

- Held TJ **erred in sentencing**; for not considering Aboriginal background nor did defence counsel provide a Gladue Report – *Nahmabin*
- Held if a **person is to be supervised by the Aboriginal community rather than corrections**, resources will be required and who will bear the burden of costs – *Linklater*
- Held if **restorative justice process failed to work for the offender in the past**, it is less likely that they will be used again in place of a more conventional sentence – *Wells*
- Held if an **offender imposes no serious risk to the public even though they have an extensive criminal history** they may qualify for sentencing provisions under the appropriate circumstances the Court will take into consideration the details of the offence, the offender, the community involved, and the victim - *Wells*

## Examples of Applications of Gladue Reports in Sentencing

- **Marchand**

A Judge when sentencing an Aboriginal offender stated **publicly they have to refer to the “so-called Gladue factors” and made reference to their duty under s. 718.2(e)**. The Judge then went on to say that a person’s “accomplished life” appears to have less negative impact on the person. A statement made like that brings into question whether an Aboriginal person who is considered to have an “accomplished life” will have the Gladue factors in their lives considered when they are sentenced. (That statement was inappropriate in *R v Marchand*, 2014 BCSC 2554).



- **Armitage**

Serious repetitive offender who plead guilty to many criminal offences relating to theft. After the **Judge had reviewed numerous psychiatric reports, Gladue, and pre-sentencing reports then decided to go with the offender’s recommendations for his own healing journey**. The offender asked for a more severe sentence of incarceration and specified treatment.

- **R.S.**

A sad case with an Aboriginal youth where a child raised in an urban centre who suffered from fetal alcohol disorder, dyslexia, and illiteracy. The **Judge used all reports at his disposal** and sentenced a child convicted of sexual interference to 1 year of incarceration and 3 months probation.

- **T.G.T.**

A youth the Judge called a “man-child” who he considered was the **“most thoroughly-examined and commented-upon youth he had every seen”** was convicted of a serious sexual offence. He was incarcerated for 6 years without treatment in the “hope” that he would benefit from any made available.

## Examples of Applications of Gladue Reports in Sentencing (Listening to the Judges Comments)

### *Keitlah*

The accused plead guilty to 2 charges of sexual assault.

- The **Judge made this statement in reference to the Gladue Report:**  
“... In my experience, due to lack of resources, it is the rare case where such a report is before the court. Instead, we have Pre-Sentence reports such as were prepared in the present case which gloss over the post-contact history of the offender’s nation or band and provide little information about the personal impact the assimilation policies and residential school system have had on an individual offender and their families; and which also make passing reference to resources in the community. It is even rarer to receive information about the views of the First Nations community involved or a specific culturally sensitive justice practice out of a particular nation or band.”

### *McCook*

The accused an employee plead guilty of theft of money and property of a FN Band where she was employed as a bookkeeper.

- In this case a thorough Gladue framework analysis and outstanding Gladue report had been used in sentencing; it resulted in an inclusive aboriginal perspective and integrated sentence involving the Aboriginal community.
- The **Judge commented on how the report included interviews** with the Chief, children, health and addictions counsellor, federal parole officer, official from a women’s correction centre; **included a review** of the offender’s personal history, and every detail about how the offender’s situation fit into the Gladue analysis.

## What happens if there is no Gladue Report?



It is important that counsel on both sides fulfill their role and provide relevant evidence to assist the Judge in sentencing.

If there are no reports submitted, the Judges do take judicial notice of the systemic background of an Aboriginal offender.

If the accused is self-represented, it appears that some Judges ask the accused about their background to gain information about them.

The Judges do appreciate the Gladue Reports because it broadens their ability to provide more directed sentencing that is applicable to the offender. Some Judges have commented that in many cases they have had to order the sentencing in the absence of Gladue Reports.

The Judge must attempt to acquire information regarding the circumstances of the offender: whether they reside in a rural area, on reserve, or urban centre.

The Judge must be made aware of alternatives to incarceration that exist inside or outside the Aboriginal community or alternatives that exist in a metropolitan area.

# Native Women's Association of Canada (NWAC)



- Francyne Joe, Shackan FN, is the president of NWAC
- NWAC recommends that better prevention and rehabilitative programs for Aboriginal boys and men are also needed if we are to ensure that Gladue, when applied, does not override the duty to protect women and children from all forms of violence and discrimination. This includes not only girls and women from violence, but also community safety more generally.
- NWAC pointed out the need to have community supports in place not only for prevention of reoffending and safety of victims, but rehabilitative programs for the offenders.

# Aboriginal Women and the Legal Justice System in Canada

## Issue Paper

NATIONAL ABORIGINAL WOMEN'S SUMMIT  
– CORNER BROOK, NFL

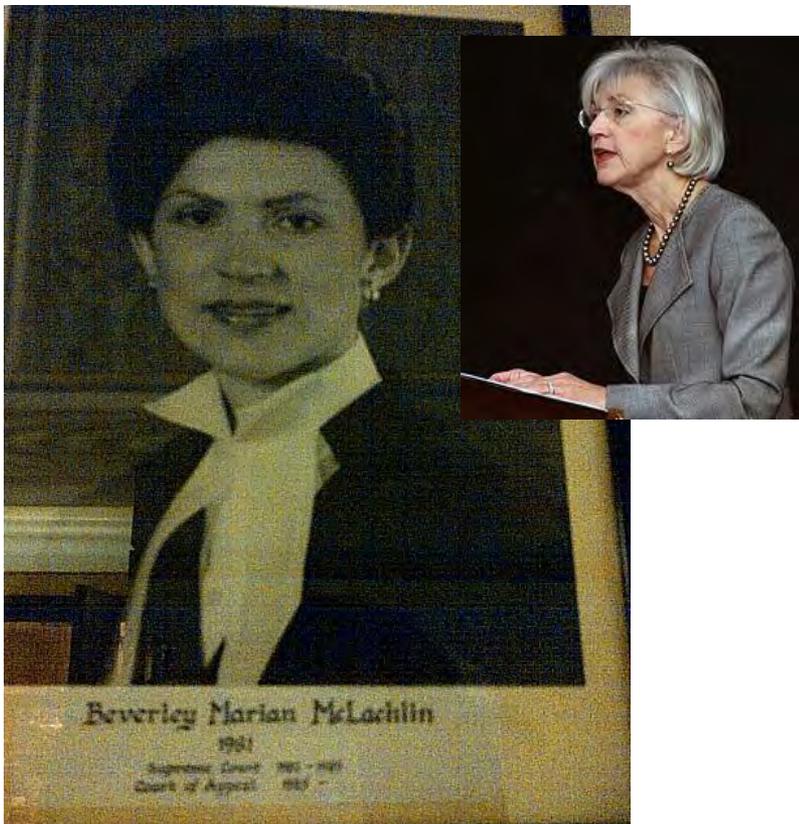


### RECOMMENDATIONS

1. National Aboriginal Organizations (NAO's) must play a primary role when it comes to the discussion of Aboriginal peoples in the justice system.
2. Alternative practices such as restorative justice need to be brought into the justice system and used on a regular basis.
3. Police Officers, Judges, and lawyers must learn about the legislative and policy related history that impacted only Aboriginal peoples in Canada; especially Aboriginal women and the key factors which lead Aboriginal women into the justice system.
4. Developing programming, in consultation with Aboriginal communities, elders, and NAO's that meets the specific needs of Aboriginal women is essential.

## Supreme Court of Canada on Gladue Reports

### CHIEF JUSTICE BEVERLEY MCLACHLIN



1999 – SCC in *Gladue* in applying s. 718.2(e)  
- Factors

2012 – SCC in *Ipeelee*  
- Requirement

“When sentencing an Aboriginal offender, courts must take judicial notice of such matters as the history of colonialism, displacement, and residential schools and how that history continues to translate into lower educational attainment, lower incomes, higher unemployment, higher rates of substance abuse and suicide, and high levels of incarceration for Aboriginal peoples.”

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The Gladue Reports provide the Judges with a picture of the offender’s :

**Past:** IRS experience, child welfare removal, physical or sexual abuse, underlying developmental or health issues such as FASD, anxiety, or substance use.

**Present:** accommodation, income, employment, family, health

**Future goals:** plan for healing, wellness, education, restoration, reconciliation

The Gladue Reports provide an important road map and opportunity for a path forward instead of returning to a path of reoffending and more time spent incarcerated.

# Working with LSS Intake



September 2018

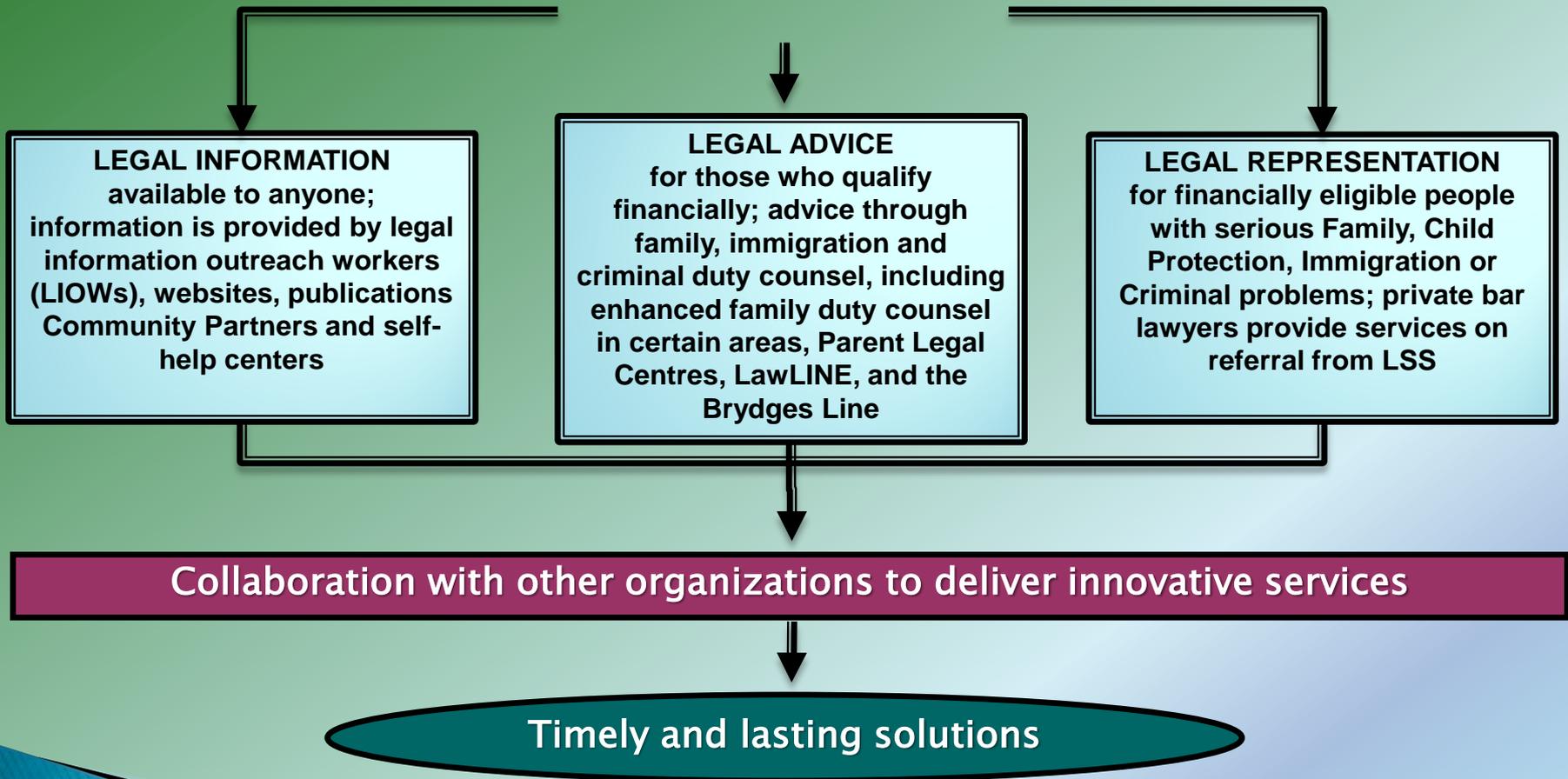
Deneen, Provincial Supervisor, Legal Aid Applications

# Our Clients



# Services Overview

## Legal Aid



# Legal Information

## Legal Information Outreach Worker



# Community Partners

We have 26 Community Partners providing services in 34 communities around the province. Clients can:

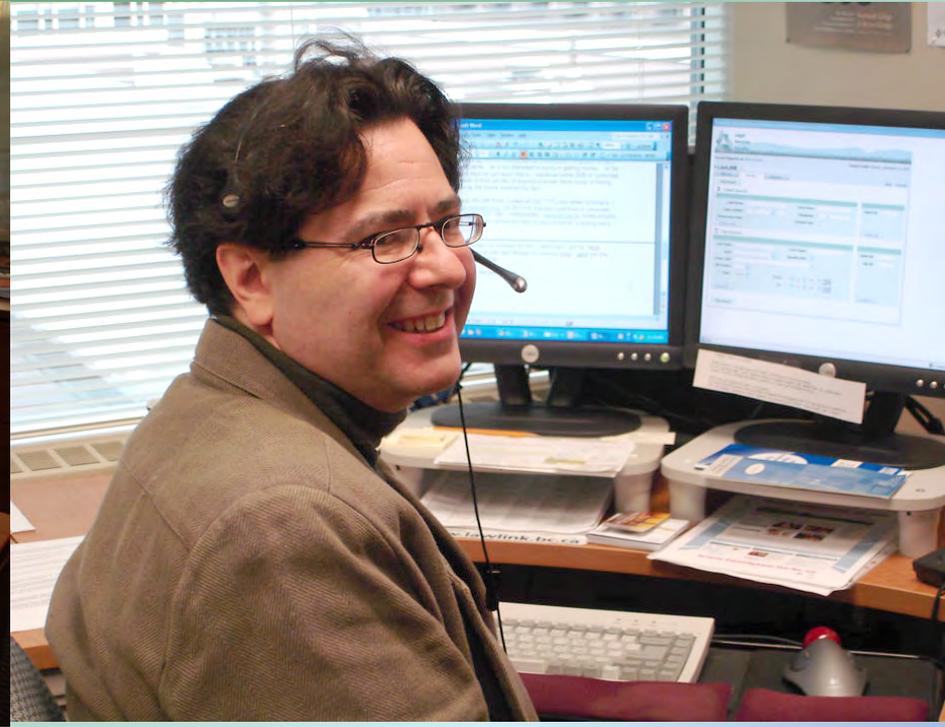
- get free legal information;
- call Legal Aid;
- find nearest Legal Aid office;
- get legal help online; and
- connect with people who can help.



# Legal Advice



**Duty Counsel**



**Family LawLINE**

# Duty Counsel

**Duty Counsel provides legal advice in the following areas of law:**

- **Family law**
- **Criminal**
- **Immigration Law (if in detention)**

# Parent Legal Centres and Expanded Duty Counsel

- Parent Legal Centre (Vancouver and Surrey)
- Parent Legal Centres opening in November, 2018: Prince George, Campbell River, Smithers, and Duncan
- Expanded Criminal Duty Counsel (Out Of Custody – Port Coquitlam)
- Expanded Family Duty Counsel (Vancouver & Victoria)
- Expanded Family Law Line



# APPLYING FOR LEGAL AID

Call LSS Provincial Call Centre at 604-408-2172 in Greater Vancouver or 1-866-577-2525 (no charge)

Clients applying for immigration matters can call the LSS Immigration Line at 604-601-6076 or 1-888-601-6076 (no charge)



Come into one of our Legal Aid offices, their contact information is available on our website  
*[www.legalaid.bc.ca](http://www.legalaid.bc.ca)*

# Legal Aid Offices

There are 35 communities in BC where someone can apply for legal aid in person and get legal information.



# Who Qualifies for Legal Aid?

A client qualifies for legal aid when:

- The legal problem is covered by LSS; and
- The client meets LSS financial guidelines



# What Legal Problems Are Eligible For Coverage?

*Criminal* – Where charges are serious and there is a likelihood of jail



*Family Law* – Serious family situations regarding parenting (guardianship, parenting arrangements or custody/access), protection orders, child support and more depending on the issues. The issues need to be addressed immediately to ensure the safety of the children and/or the client.



*Child Removal* – Where the Ministry of Children and Family Development or a Designated Agency has removed a child(ren) or where there is a risk or **threat** of a child(ren) being removed. This could also include custody and/or access issues arising from a child in care.



*Reciprocals* – Where the client lives in one province and their Family or CFCSA matter is in another province.



*Immigration* – Where the client may wish to claim refugee status or where the client faces an immigration proceeding that may result in their removal from Canada.



# Financial Eligibility

## *Representation Income Chart*

Household Size

Monthly Net Income

1	\$1,580
2	\$2,210
3	\$2,840
4	\$3,470
5	\$4,100
6	\$4,730
7 or more	\$5,360

Effective April 1, 2018



# Financial Eligibility

## *Personal Property (All case types)*

### Household Size

### Exemption

1	\$2,000
2	\$4,000
3	\$4,500
4	\$5,000
5	\$5,500
6 or more	\$6,000

Effective April 1, 2018



# Financial Eligibility

## *LEGAL ADVICE GUIDELINES*

### Household Size Monthly Net Income

1 – 4	\$3,470
5	\$4,110
6	\$4,770
7 or more	\$5,390

▶ Effective April 1, 2018



# FINANCIAL DISCRETIONARY COVERAGE

Legal Representation – Criminal, Family, CFCSA, Immigration, and Appeal Cases

- If an applicant is over the financial eligibility guidelines, by approximately \$100 – \$200 on income or \$500 on assets, and the matter is a serious and complex case, and there is available budget, it can be sent for discretionary coverage review



# Requesting A Review of A Denial

A client can request a review of a denial for legal aid

- This request must be in writing
- The client should state why they disagree with the denial and explain why they believe they should get legal aid
- The client should include any supporting documents

Coverage and financial eligibility reviews must be submitted within 30 days of the denial of legal aid to:

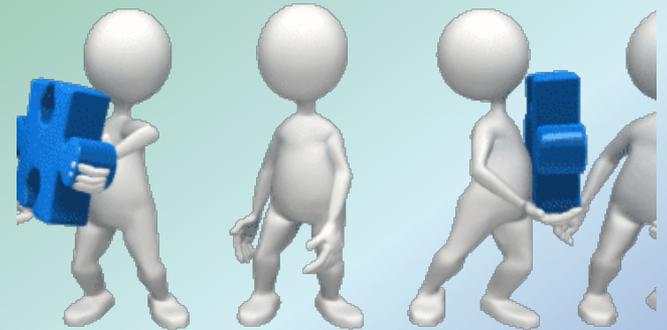
Provincial Supervisor  
Vancouver Regional Centre  
400 - 510 Burrard Street  
Vancouver, BC V6C 3A8  
Fax: 604-682-0787



# Working Together

You can help your clients:

- Understand the intake process
- Prepare for the interview
- Organize documentation
- Make sure they follow up and provide intake with requested information



# **Presenter: Deneen**

Provincial Supervisor, Legal Aid Applications

Phone: 604-601-6217

Fax: 604-682-0787

E-Mail: [deneen.vancouver@lss.bc.ca](mailto:deneen.vancouver@lss.bc.ca)



# Restorative Justice and the Indigenous Justice Program



Prince George

Urban Aboriginal Justice Society



# Introduction

- ▶ My name is Vahid Mathiscyk, B.A. – Program Manager with the **Prince George Urban Aboriginal Justice Society (PGUAJS)**
- ▶ **PGUAJS** Mandate:

*“The mission of the Prince George Urban Aboriginal Justice Society is to reduce the number of Aboriginal people in conflict with the law. The Society recognizes that both preventative and responsive approaches are required. PGUAJS, in consultation with Aboriginal communities, will identify service gaps for Aboriginal people and sponsor initiatives that address the effects of intergenerational poverty, improve education, outreach services, rural transitional support, prevention initiatives and diversion services.”*



# What is Restorative Justice?

- ▶ A system of criminal justice that focuses on the rehabilitation of offenders through reconciliation with victims and the community at large.

Google

- ▶ Preventive measure used to divert away from the criminal justice system through the use of alternative measures/healing plan
- ▶ Often, a circle model is used to provide a platform to discuss the offence. The philosophy is to focus the attention on the offence and not the offender's character, as a way to effectively move through a process of reconciliation with the victim.
- ▶ Restorative practices are also used as responsive measures to foster positive changes in "offenders'" lives to reduce recidivism
- ▶ Restorative practices don't necessarily need a chargeable offence to occur. We are seeing this model used in schools at a young age.



# Seven-minute clip on Restorative Justice

- ▶ <https://www.youtube.com/watch?v=RTb85GNcAVc&t=1s>



# The Indigenous Justice Program (IJP)

- ▶ The Indigenous Justice Program supports Indigenous community-based justice programs that offer alternatives to mainstream justice processes in appropriate circumstances.

Objectives of the Indigenous Justice Program:

- ▶ to assist Indigenous people in assuming greater responsibility for the administration of justice in their communities;
- ▶ to reflect and include Indigenous values within the justice system; and,
- ▶ to contribute to a decrease in the rate of victimization, crime and incarceration among Indigenous people in communities with community-based justice programs funded by the IJP.

Department of Justice Canada



# The Indigenous Justice Program (IJP)

- ▶ Three themes that guide our work:
  - ▶ **Prevention** (presentations, workshops, empowerment programs)
  - ▶ **Diversion** (Restorative Justice circles/Community Justice forums)
  - ▶ **Reintegration** (supporting clients coming out of custody; clients on probation/bail orders; moving back to their home communities; returning from treatment/alternative programs to custody.)



# Legal Services Society

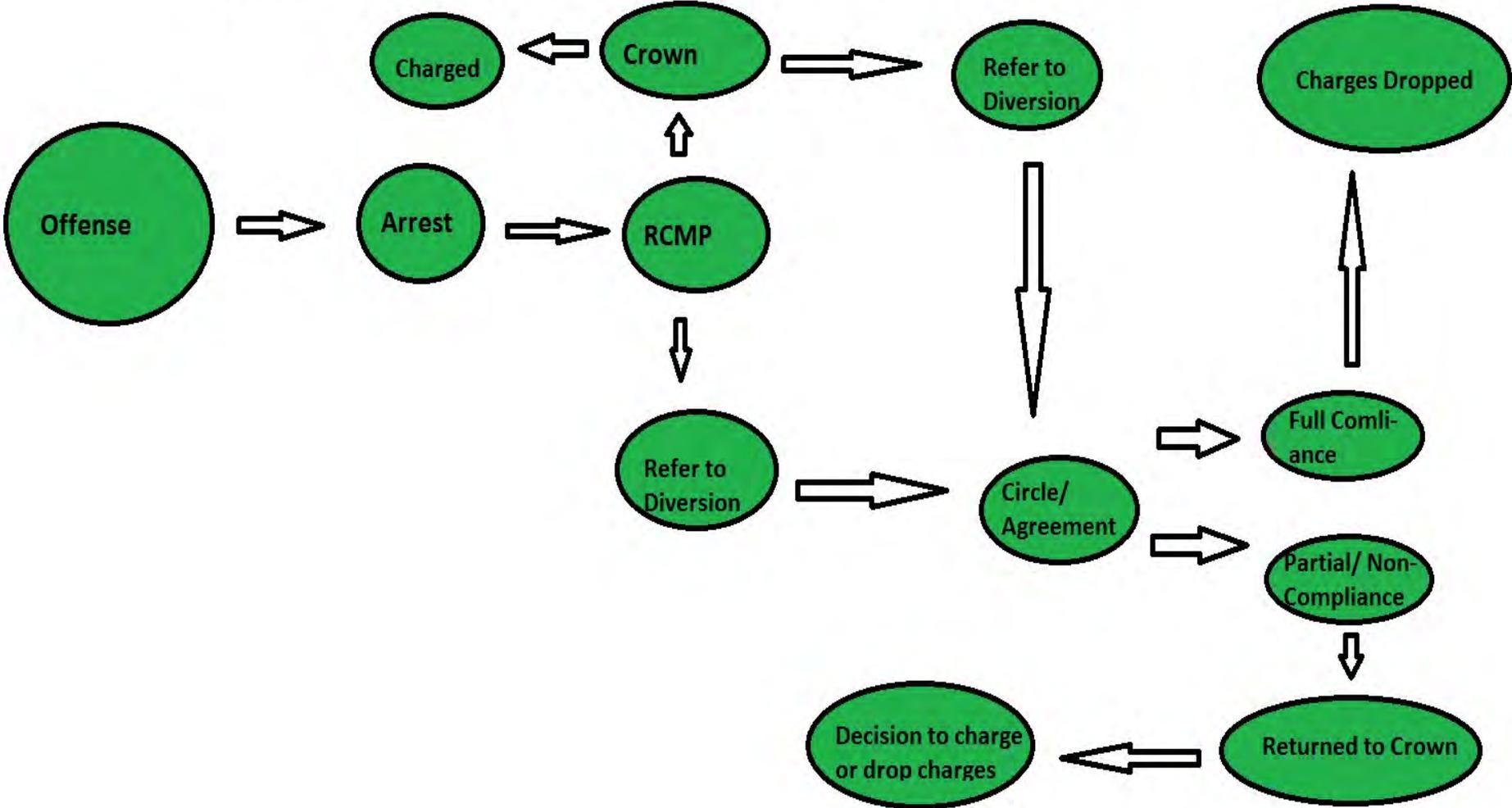
- ▶ As a local community partner, we do not provide legal advice, however, we assist clients with:
  - ▶ Referring to their local legal aid office
  - ▶ Providing resources on an array of legal issues
  - ▶ Refer to online resources, assisting clients to take ownership of their legal matters
  - ▶ Provide a fax machine, computer and telephone in our office for any of their legal matters
  - ▶ Connect clients with other community resources (i.e. Nativecourtworkers, Probono)
  - ▶ Provide presentations to local community resources as needed and any resources they may wish to keep in their office



# Community Partners and referring agents

- ▶ RCMP
- ▶ Community Policing
- ▶ Crown Counsel
- ▶ Community Corrections
- ▶ Legal Aid
- ▶ Native Courtworkers
- ▶ Correctional Institutions
- ▶ School District
- ▶ MCFD
- ▶ Self
- ▶ Band and Council
- ▶ Community and other service agencies

# Diversion and Alternative Measures





# Why is there a need for Aboriginal justice programs?

- ▶ In 2016/2017, Aboriginal adults accounted for 28% of admissions to provincial/territorial correctional services and 27% for federal correctional services, while representing 4.1% of the Canadian adult population. In comparison to 2006/2007, the proportion of admissions of Aboriginal peoples to correctional services was 21% for provincial and territorial correctional services and 19% for federal correctional services.
- ▶ Aboriginal youth accounted for 46% of admissions to correctional services in 2016/2017, while representing 8% of the Canadian youth population



## Cont'd

- ▶ To bring it much closer to home, it is estimated that the average daily count is **234** inmates at Prince George Regional Correctional Centre (PGRCC) and of those inmates, approximately **70%** are identified as Indigenous
- ▶ This number may also vary, given not everyone may self-identify
- ▶ This means roughly **115** of the **234** inmates are Indigenous...



# Funders

- ▶ Department of Justice Canada (Federal Funder)
  - ▶ Ministry of Justice (Provincial Funder)
  - ▶ Ministry of Child and Family Development
  - ▶ Ministry of Public Safety & Solicitor General
  - ▶ Legal Services Society
  - ▶ Indigenous and Northern Affairs (INAC)
- 



THANK YOU!

Questions or Comments?



# LEGAL INFORMATION PUBLICATIONS AND WEBSITES

PRINCE GEORGE REGIONAL CONFERENCE  
SEPTEMBER 2018  
PATRICIA LIM  
PUBLICATIONS DEVELOPMENT COORDINATOR



Legal  
Services  
Society

British Columbia  
[www.legalaid.bc.ca](http://www.legalaid.bc.ca)

# **PUBLIC LEGAL EDUCATION AND INFORMATION**

- Overview of publications
- How to order free publications
- Legal information websites
  - Family Law Website
  - Aboriginal website
  - MyLawBC



**FREE**

**PUBLICATIONS** |

# LSS Publication Readability

## How much legal understanding is needed?

### Level 1 — None needed.

No legal understanding required. Outline or “first step” information, written in clear language for those with no previous knowledge or experience with the law.

### Level 2 — Some helpful.

Some understanding helpful but not essential. Offers all basic information on a topic, meant for those who are reasonably comfortable reading and who may have a general sense of some legal concepts.

### Level 3 — Some needed.

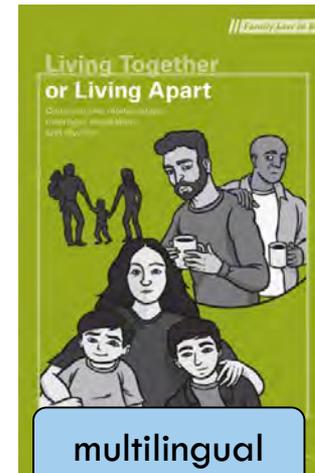
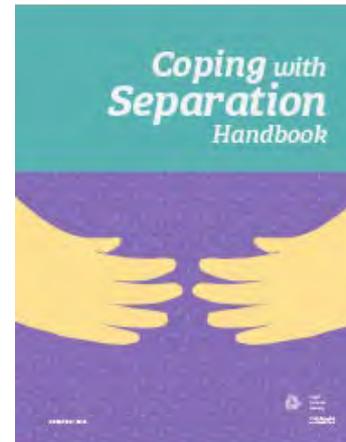
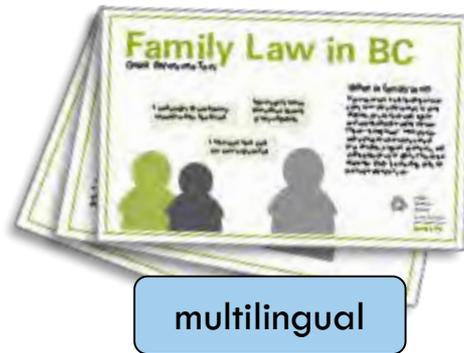
Basic familiarity assumed. Detailed material, written primarily as a reference for the advocate/intermediary audience, although accessible to members of the public with adequate literacy skills.

[Legalaid.bc.ca/read](https://legalaid.bc.ca/read)

# FAMILY LAW

## Level 2

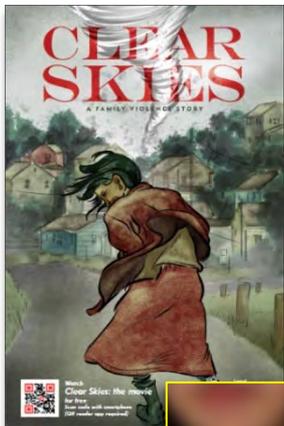
### Level 1



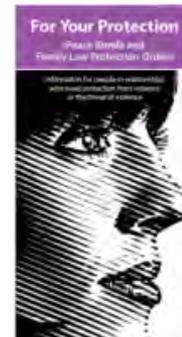
# ABUSE & FAMILY VIOLENCE

## Level 2

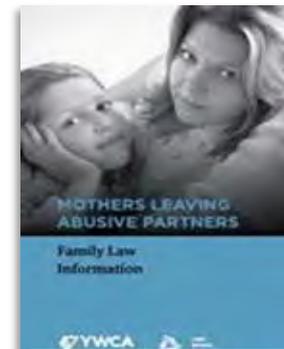
## Level 1



revised  
multilingual



revised  
multilingual



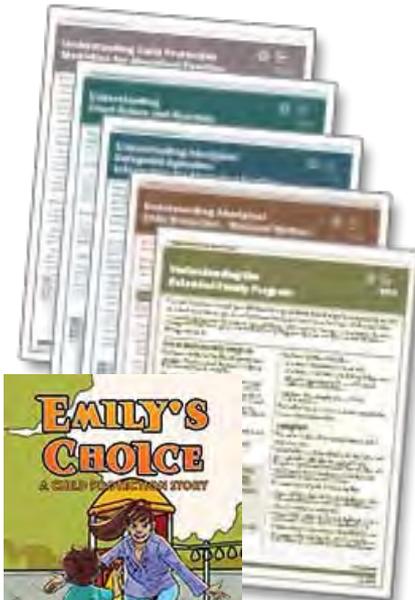
multilingual



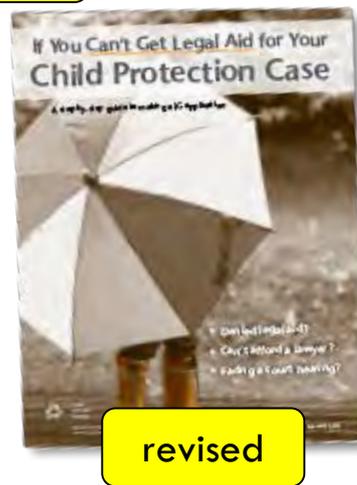
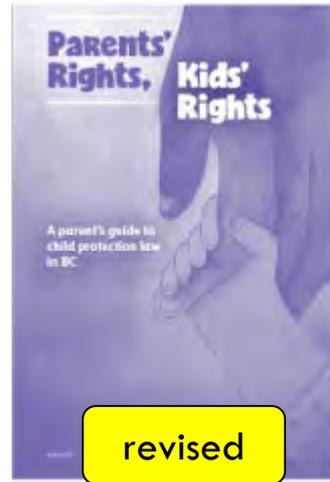
multilingual

# CHILD PROTECTION

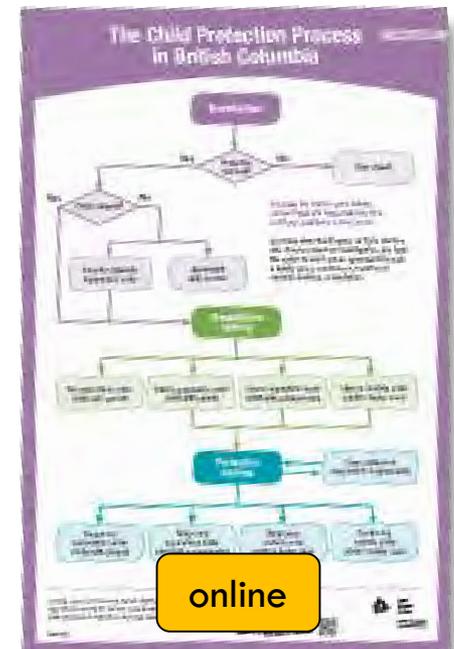
Level 1



Level 2



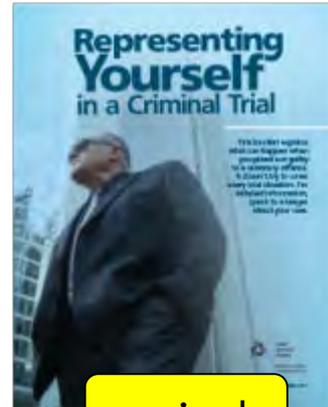
Level 3



# CRIMINAL

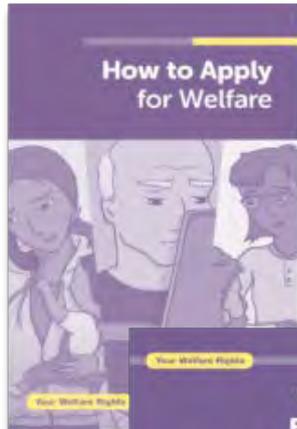
## Level 2

### Level 1



# WELFARE

## Level 1



New!



online

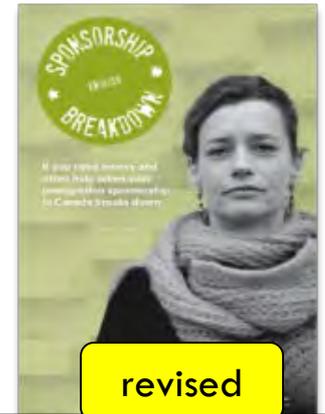
# IMMIGRANT & REFUGEES

## Level 1



multilingual

## Level 2



revised

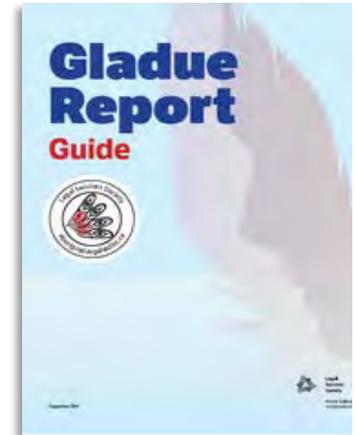
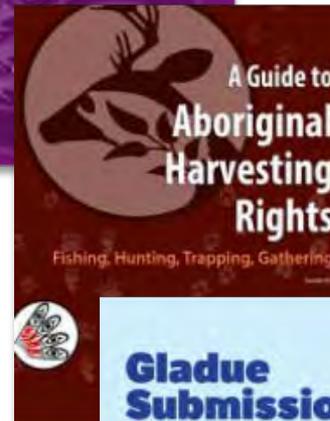
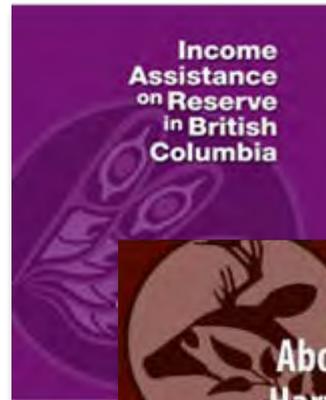
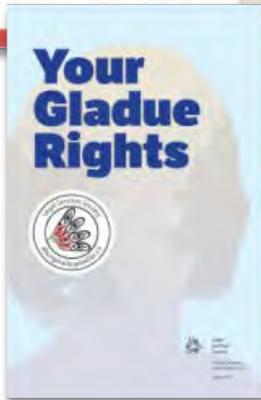
multilingual

# ABORIGINAL

Level 1

Level 2

Level 3



# LETTING PEOPLE KNOW ABOUT LSS SERVICES



**Legal Aid** Free legal help  
**L'aide juridique** Aide juridique gratuite  
**Asistencia legal** Ayuda legal gratuita

604-408-2172  
1-866-577-2525

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

legalaid.bc.ca

**legal aid can help you**

multilingual



**Family LawLINE**  
a free telephone service in BC

Going through a family law issue?  
Need free legal advice?

604-408-2172  
1-866-577-2525

**New!**



**Parents Legal Centre**

Has a social worker contacted you about your children?  
You have the right to legal advice.

604-408-2172  
1-866-577-2525

**New!**

- Locations opening 2018/2019
- Campbell River, Smithers/Hazelton, Williams Lake, Prince George, Kamloops, Duncan, and Victoria

# WORK IN PROGRESS



## **New publications**

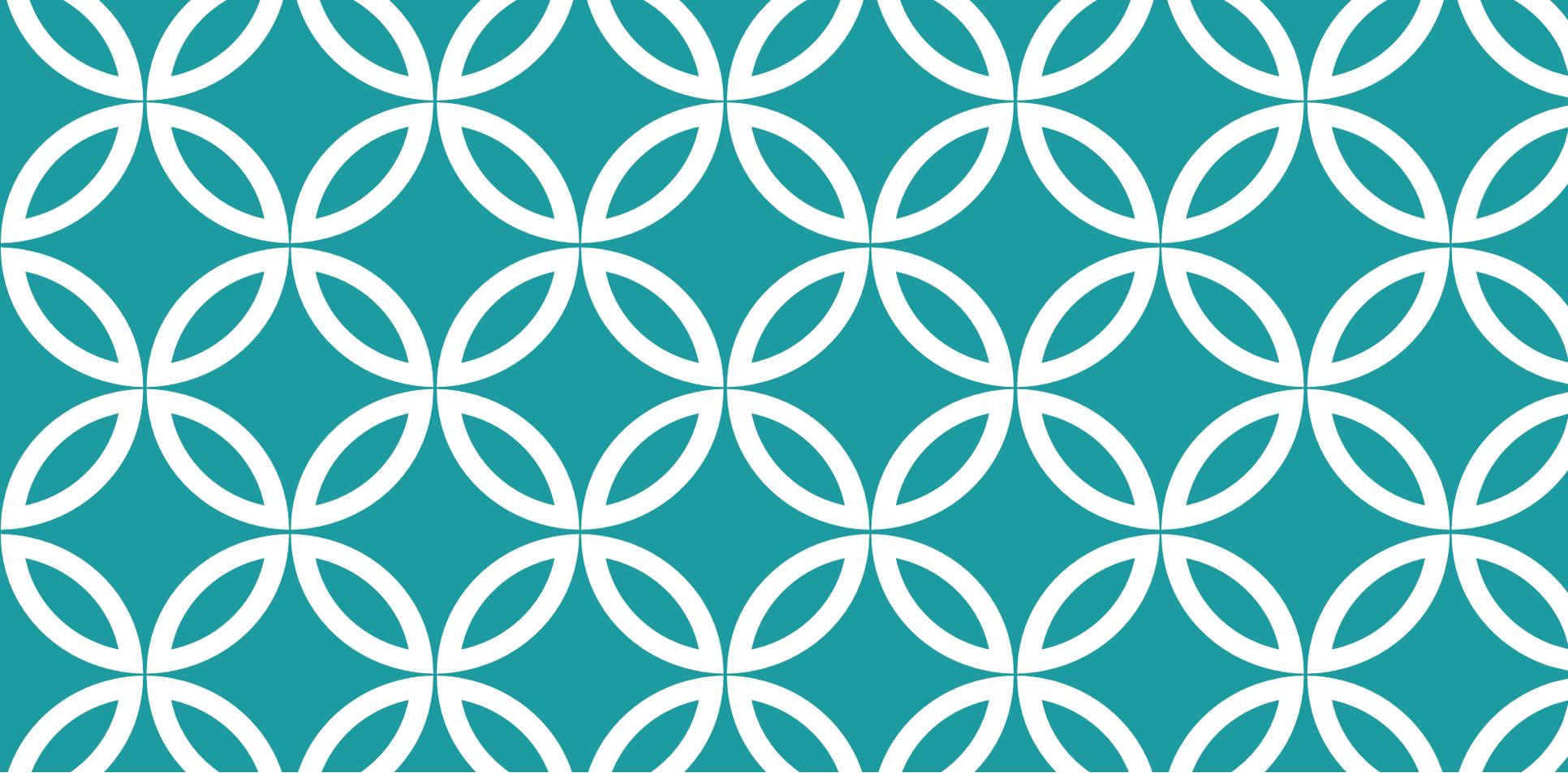
- Your Welfare Rights: What Happens When You're on Welfare (third in the series)
- Gladue Rights graphic novel

## **To be revised/being legally updated**

- How to Appeal Your Sentence/Your Conviction booklets
- Aboriginal Child Protection fact sheets to be turned into a booklet
- Living Together or Living Apart

## **More languages**

- Sponsorship Breakdown booklet
- For Your Protection booklet



**HOW TO ORDER  
PUBLICATIONS**

**for  
FREE**

# Ordering process



## Free publications

I want to find a publication by subject

- Aboriginal people
- Abuse & family violence
- Child protection/removal
- Crimes & offences
- Debt
- Families & children
- Gays, lesbians, trans, & bisexuals
- Housing & tenancy
- Immigrants & refugees
- Legal help & lawyers
- Legal system & courts
- Promotional materials
- Staying out of court
- Welfare & benefits
- Wills, estates, & life planning
- Women

I want to find a publication by language

I want to find a publication by title

I want to get a publication

**To get a copy of a free LSS publication**

- Go to your local legal aid location, or
- Place an order with Crown Publications.

## Featured publications

**Gladue Submission Guide**  
Plain language guide for Aboriginal peoples, lawyers, and Native courtworkers about how to prepare an oral or written Gladue submission for a bail or...

**Is That Legal?**  
What the Law Says about Online Harassment and Abuse To help youth become safer online when they use social media. It describes four online situations...

**Live Safe, End Abuse**  
Live Safe, End Abuse is for people leaving an abusive partner. The fact sheets and folder contain information on what abuse is, how people can plan fo...

## Publications Lists

- Availability list
- Readability list

## Publications updates

- The Factum Blog
- Twitter

Still can't find what you're looking for?

Can't find what you're looking for? Clicklaw has

# Ordering process



Legal Services Society  
Legal aid

[legalaid.bc.ca/publications/signup.php](https://legalaid.bc.ca/publications/signup.php)



[Home](#) [Legal Aid](#) [Lawyers](#) [Community workers](#) [LSS news](#) [About us](#)

## Customer account signup

Complete the Application Form. Once we've processed your application, we'll email your *customer ID*.

### Organization Name

### Contact Person

### Title

### Street Address

### City

### Postal Code

### Phone

### Fax

### Email

Please take a minute to tell us about your organization. It will help us to understand your needs.

## Questions?

### About account applications or order quantities

Contact LSS at [604-601-6000](tel:604-601-6000) or [email](#).

### About customer ID or updating contact information

Contact LSS at [604-601-6000](tel:604-601-6000) or [email](#).

### About the delivery of your order

Contact Crown Publications at [1-800-663-6105](tel:1-800-663-6105) or [email](#). Include your customer ID (if you have one) and contact information.

## Online ordering

If you need help, you can watch our video on ordering publications.

- [Learn how to order](#)

**Or email  
[distribution@lss.bc.ca](mailto:distribution@lss.bc.ca)**

# Crown Publications



Items: 0  
Total: \$0

Search for Products

Account Numbers Customer # Postal Code

### Browse By

- Categories
- Ministry
- Other Organizations

### Quick Links

- Alberta Trades
- BC Codes & Construction Publications
- BC Gazette
- BC Legislation
- BC Public Legal Education & Information
- BC Trades
- Contact Us
- FOODSAFE
- MCFD: Friends Program

### Related Sites

- BC Codes
- BC Budget

Other Organizations Legal Services Society Your Welfare Rights:...



### Your Welfare Rights: Welfare Benefits

This plain language booklet gives basic information about:

- the types of monthly welfare benefits;
- benefits called supplements, including housing-related supplements, a wide range of health supplements, subsidies for families with children, and employment-related supplements;
- how to apply for a supplement if you qualify; and
- how to appeal a ministry decision.

It also includes where to get help if you have a problem getting monthly welfare benefits or a supplement. Welfare Benefits is the second publication in the series Your Welfare Rights. How to Apply for Welfare is the first booklet in this series. The series replaces the booklet Your Welfare Rights: A Guide to BC Employment and Assistance.

To view this publication online: [Click Here](#)

**Stock:** 19479  
**Price:** Free Each

**Publish Date:** March 1, 2018  
**Product No.:** 7550007021  
**Format:** Booklet  
**Additional Information:** [Click Here](#)  
**This item is found in:** [Legal Services Society](#), [Pensions](#), [Benefits > Welfare](#)

Quantity:

Add to Basket

[www.crownpub.bc.ca](http://www.crownpub.bc.ca)

# The LSS Game Show

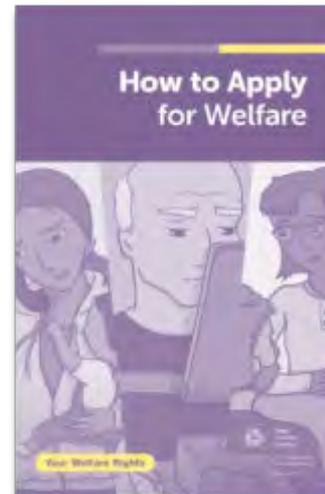
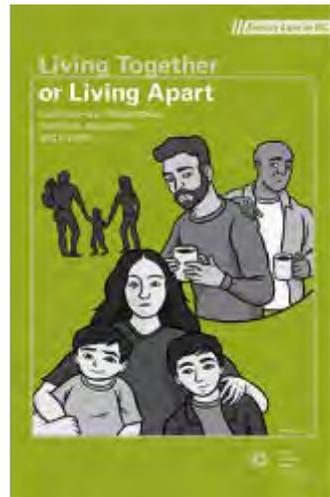
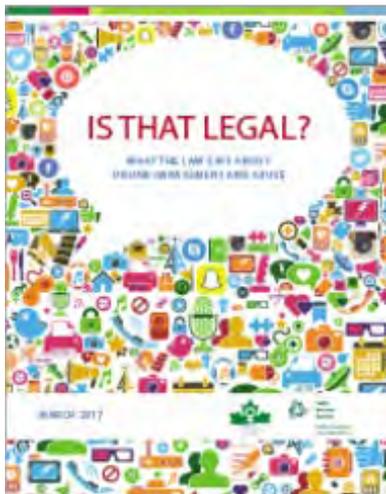
**Q1: WHICH PUBLICATION HAS HAD THE MOST ORDERS IN PRINCE GEORGE IN THE LAST YEAR?**

A. Is That Legal?

B. Living Together or Living Apart

C. Your Welfare Rights: How to Apply for Welfare

D. Parents' Rights, Kids' Rights



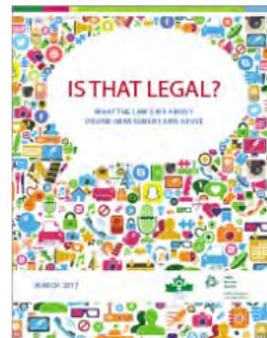
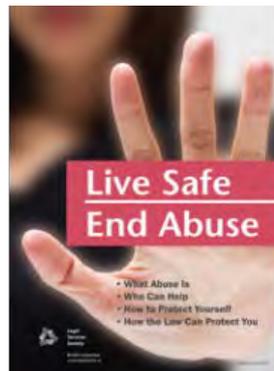
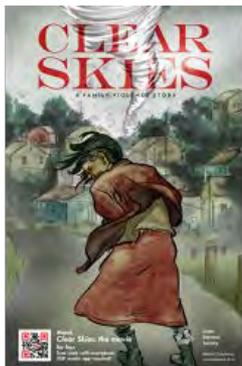
## Q2: WHICH PUBLICATION TALKS ABOUT ONLINE HARASSMENT AND ABUSE?

A. Clear Skies

B. Live Safe End Abuse

C. Is That Legal?

D. For Your Protection



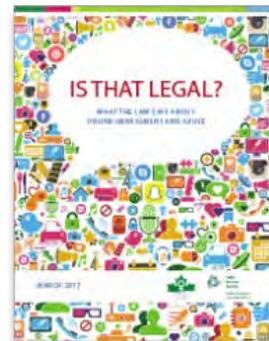
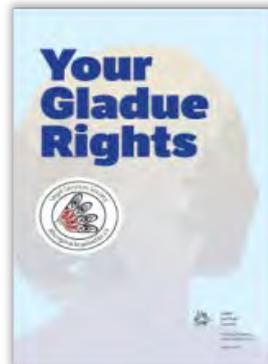
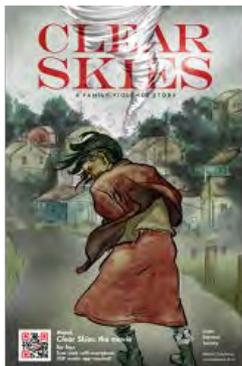
# Q3: WHICH PUBLICATION TALKS ABOUT ABORIGINAL PEOPLES' RIGHTS AT BAIL AND SENTENCING HEARINGS?

A. Emily's Choice

B. Your Gladue Rights

C. Is That Legal?

D. Speaking to the Judge Before You're Sentenced





# LEGAL INFORMATION WEBSITES

- Family Law Website
- Aboriginal Legal Aid in BC
- MyLawBC





# Family Law

in British Columbia

Your legal issue ▾

Your community ▾

Legal system ▾

Staying out of court ▾

Shortcuts ▾

**#MyProblemMySolution**  
mylawbc.com

Make a separation plan, get or respond to a court order, and more

[Visit site](#)

### What's new

Find out about the latest changes to family law

Find out what's new on this website

[Feedback](#)

[Donate](#)

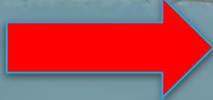
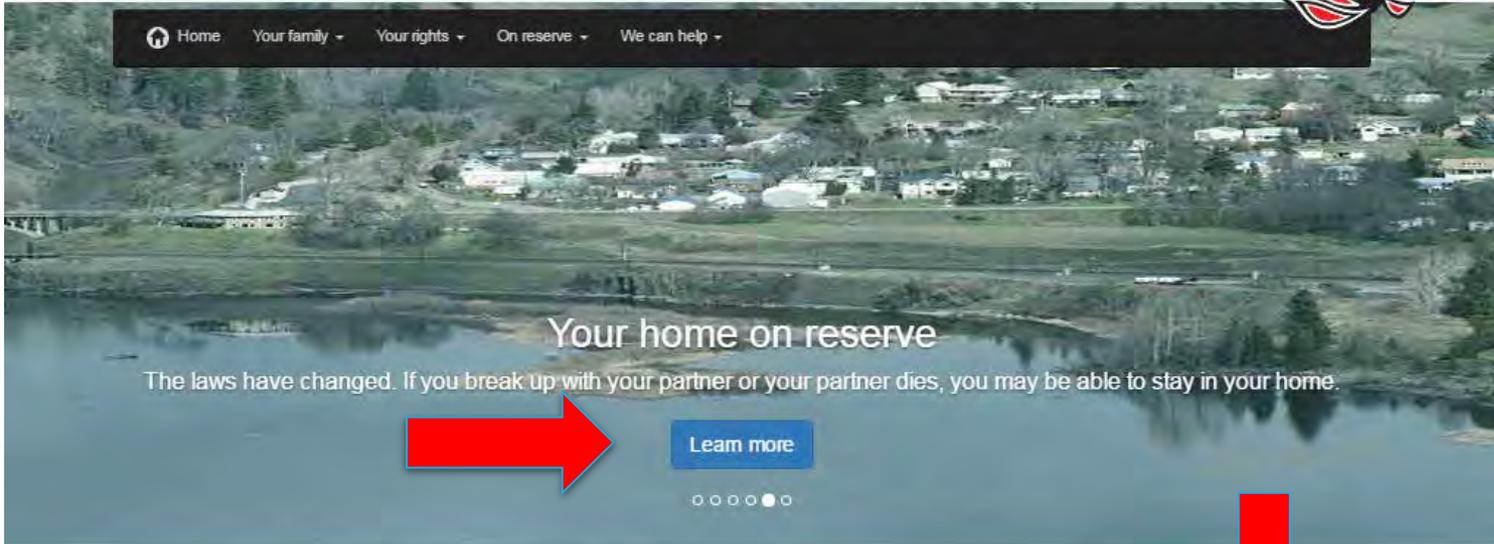
**Live Help**  
Available

Live Chat by [LivePerson](#)



British Columbia's [Legal Services Society](#) maintains this site. If you're having a family problem, you may qualify for a lawyer to advise you or take your case. Contact [Legal Aid](#) to find out.

[familylaw.lss.bc.ca](http://familylaw.lss.bc.ca)



Learn more



Helping Aboriginal people across BC understand their legal rights.



### Is this site for you?

This website is for anyone who identifies themselves as **Aboriginal**.

Learn more »



### Do you know about First Nations Court?

There are now four First Nations Courts in BC. You may be able to have your sentencing hearing in one.

Learn more »



### Find out more in a publication

We have free publications. See if we have one that's right for you.

Learn more »

### Community events



2016-04-14  
Deadline  
**New Relationship Trust — Youth Grants**  
The New Relationship Trust has announced Youth Grants for BC First Nation youth groups and organizations.  
Read more »  
All of BC



2016-04-26  
Community engagement  
**Residential Historical Abuse Program: Free Counselling Support**  
Free counselling support for people abused in foster care and for

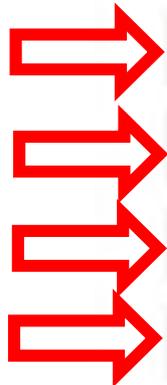


My problem. My solution.

Dialogue Tool

**Click a pathway to get started.**

Pathways help you find solutions to your legal problem.



Separation, divorce & family orders



Abuse & family violence



Missed mortgage payments



Wills & personal planning



Our publications



Our other sites



[WWW.MYLAWBC.COM](http://WWW.MYLAWBC.COM)





My problem. My solution.

# Dialogue Tool

Work together to make an agreement

## Select an option below.

Make a plan. Review your situation. Work on your agreement.

### Get started

Is this your first time here? Before you create an account or log in, you can get started by answering some questions about your situation. MyLawBC can help you make a separation plan or let you know how the Dialogue Tool can help you.



#### Make a separation plan

If you haven't already done so, find out

### Work on your agreement

Use the Dialogue Tool to make a fair and lasting separation agreement. Set out what's important for your children, money, home, and other property.



#### Create an account

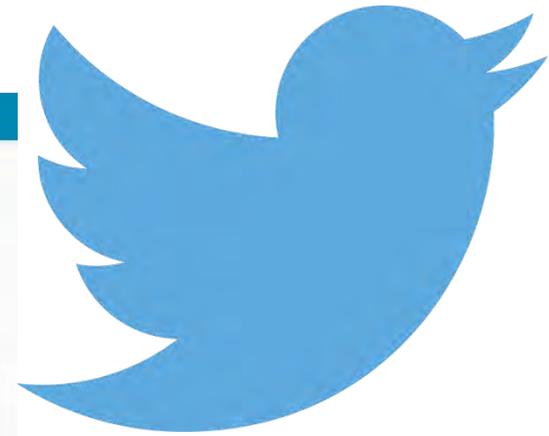
Not yet registered? Create an account first.

[WWW.MYLAWBC.COM](http://WWW.MYLAWBC.COM)



# LSS ON SOCIAL MEDIA

[factum.mylawbc.com](http://factum.mylawbc.com)



@legalaidBC



MYLAWBC    LEGAL SERVICES SOCIETY    FAMILY LAW IN BC    ABORIGINAL LEGAL AID IN BC

**THE FACTUM**  
MyLawBC

f   t   To search, type and hit enter

# legal

Hot Off the Press: Legal Aid Can Help You Translations

**fac-tum**  
noun LAW CANADIAN  
a statement of the facts of a case.  
a blog focused on law and maintained by the Legal Services Society.

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We periodically send out a newsletter with all the important stories and updates from the past few months. Enter your details below to subscribe.

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A row of three small thumbnail images: the first shows the word 'legal' in white on an orange background; the second shows a person's hands writing on a document; the third shows a person's hands writing on a document.

# OTHER USEFUL RESOURCES



[www.publiclegaled.bc.ca](http://www.publiclegaled.bc.ca)



[www.clicklaw.bc.ca](http://www.clicklaw.bc.ca)



[www.povnet.org](http://www.povnet.org)

# DO YOU WANT TO HELP DEVELOP OUR PUBLICATIONS AND WEBSITES?

**We want your help asking clients to give feedback**

- Aboriginal Legal Aid in BC website
- Clients will be reimbursed for their time.

**We want your insights on what information your community needs**

- Matrimonial property on reserve
- Languages other than English
- Indigenous public legal education & information

**If you think you can help,**  
please put your name on one of the  
sign-up sheets circulating around the room.

# QUESTIONS ABOUT ORDERING OR PUBLICATIONS? IDEAS FOR NEW PUBLICATIONS OR IMPROVEMENTS TO EXISTING ONES?

Contact me!  
Patricia.Lim@lss.bc.ca  
604.601.6054



Legal  
Services  
Society

British Columbia  
[www.legalaid.bc.ca](http://www.legalaid.bc.ca)

