

JDG 7

INNOVATE

7.1 KEEP TRACK OF WHAT IS WORKING - Create a culture of innovation in the justice system by focusing on new ideas and learning about successes and failures.

7.2 SHARE GOOD IDEAS - Promote the sharing of new models, ideas and successes to expand the impact of innovation.

There are genuine challenges to innovation in the justice sector, including the need to protect the independence of the judiciary and the bar that creates separation between institutions and groups. The culture of precedent and tradition has hindered experimentation. Given the extent of the A2J challenge, the sector is changing, adopting new thinking, flexibility, experimentation and user-centred approaches. Innovation is often associated with technological changes, many of which are transforming how disputes are resolved. It also applies to how people deliver services or approach access to justice issues. In 2019, the A2J sector challenged its own approaches, opening the door to radical thinking and new ways to collaborate. Good ideas were piloted and experiments with technology and service delivery continue to deliver results.

Organizations saying this is their primary impact on A2J: **5** Projects aligned: **58**

Transformative Projects

Creative and innovative approaches were introduced in a number of exciting A2J projects across Canada. In collaboration with New Brunswick Department of Public Safety and the New Brunswick Community College (NBCC), Public Legal Education and Information Service of New Brunswick (PLEIS-NB) developed a free safety planning app for women experiencing intimate partner violence in New Brunswick. The app, called EVO, is available on both Android and iOS and in both French and English. The app helps women assess risk and create a strategic safety plan that bridges the isolation and fear of engaging in help-seeking behavior. EVO is particularly useful for rural/small town women who may not be aware of, or have access to, services, including family law information and legal services. The app has various safety features to protect users and their plans which can be updated on a regular basis. The app has served over 6000 people.



The Department of Justice for the Northwest Territories led and reported on a pilot program called Integrated Case Management. This project used a person-centred, strength-based approach to identifying barriers that NWT residents face when obtaining services and made recommendations for a more holistic approach to the provision of social envelope services.

The Legal Aid Application Processing Project for Legal Aid by Videoconference at the Rivière-des-Prairies Institution in Quebec, through the Centre communautaire juridique, became a permanent project in June 2019. This project accelerates the processing of legal aid applications by allowing accused persons to submit their applications as soon as they first appear before the courts, reducing the time it takes for legal aid staff to travel to various detention centres. Accused persons who end up at the Rivière Detention Centre-of the Prairies during videoconferencing can use videoconferencing to meet with a legal aid employee and apply for assistance.

Case Files by BullyFreeBC is a project aimed at developing a library of case files on complaints actions. These efforts

are often frustrating, complicated, and ineffectual. The goal of the project is to increase the likelihood of fair outcomes on individual complaints and better adjudication processes generally. The project is starting with complaints against large corporate entities offering essential services, such as government bodies, utilities, self-regulating professions, and public service agencies. This level of corporate operation directly interacts with individuals, and outcomes on problem resolution can impact security and prospects for success in life. The Case File library will catalogue individual cases and also provide resources to support further actions undertaken by members, with the goal of making the processes easier for everyone and more successful for someone else next time. At a later stage, supports will be added for self-representing litigants to take complaints to mediation/ court.

In response to the unmet need for poverty law services, the BC government and the Law Foundation of British Columbia launched the Legal Clinic Model for Delivery of Poverty Law and Specialized Legal Services: Recognizing the unmet need for poverty law services, with a commitment from the government of up to \$2M. While poverty law services are a key focus, other areas of law (including residential tenancy, disability law, immigration and refugee law) will also be a focus of the pilots. Seven clinics have been identified going forward (four poverty law and three specialty law), with the first two locations (tenancy legal clinic and a poverty law clinic) announced in the fall of 2019. The clinic model aligns with proposed approaches to improving legal aid service delivery discussed in the legal aid review report. The clinic model leverages the Law Foundation's existing network of over 40 legal advocacy providers in the province to provide information, advice and representation (as needed) to persons in rural and urban locations.

As of April 1, 2019, the Civil Resolution Tribunal (CRT) expanded its mandate to include minor motor vehicle injury claim disputes against the Insurance Corporation of British Columbia (ICBC) valued at up to \$50,000. This allows British Columbians to dispute motor vehicle injury claims in a more timely, inexpensive way that is more likely to reach a fair settlement focused on their overall health. The CRT uses online tools that make alternative dispute resolution processes more accessible, cost-effective and innovative. The CRT's expanded mandate has ultimately reduced pressures on the provincial court system and lowered ICBC's legal expenses while increasing access to justice for all British Columbians.

In early 2019, Community Legal Education Ontario launched its Rights Bites podcast series. The four podcasts draw attention to some common legal problems that affect newcomer tenants and workers in Ontario, and give information about legal rights. Each episode combines interviews with lawyers, community workers, and immigrants who have experience with either an employment law or housing law problem. The podcasts were developed for use in English as a Second Language and Language Instruction for Newcomers to Canada classrooms, with significant input from several adult instructors. Each podcast comes with a companion lesson plan and Canadian Learning Benchmark guidelines to help guide learners through the podcasts.

The podcasts have reached approximately 1,500 listeners, and the companion materials have been downloaded hundreds of times.



Collaborative Engagement in New Ideas

The Community Advocacy and Legal Centre in ON, hosted a special forum designed to engage the community in considering how to create a “justice eco-system” - in order to identify and help ameliorate the challenges people are facing in accessing justice at a local level. The forum was preceded by research - an on-line survey gathered information about the impact of cuts to legal aid, awareness and feedback about current legal aid services, as well as ideas for change. More than a dozen experts presented on access to justice challenges across all types of common legal problems. “Conversations that matter” using World Cafe facilitation principles followed and elicited more information about the devastating impact, the echo chambers that currently exist, and ideas and an emerging vision for how things could be different. The crowd was standing room only, attracting more than 90 participants from across the community, different service providers, politicians, and the helping and health professions. More Justice Cafes are planned.

Equity Lens Toolkit, developed by the Nova Scotia Barristers’ Society, is a starting point for lawyers, law firms, Society staff and volunteers who want to understand

how they can apply an equity lens to their work, decision-making and interactions with others. It is a handbook that describes how specific groups of people are at risk of being excluded and are impacted by systems of oppression including racism, sexism, ableism, and ethnocentrism. It helps lawyers become more aware of the diversity around them; develop and deliver services that are responsive to clients and communities they work with every day; create positive changes within their work environment and our profession, ultimately addressing systemic barriers and inequities people from equity seeking groups face.

The Action Group (TAG), Ontario’s A2J collaborative, launched an engagement with Civic Tech Toronto leading to the creation of the Law & Design CoLab (CoLab). TAG’s collaboration with the CoLab, composed of a team of 15 volunteers – with professional backgrounds ranging from user experience research and design, marketing, graphic design, coding, data science, consulting, education, law, and public policy – was strengthened in 2019. The CoLab’s aim is to amplify the work of partner organizations and empower their efforts on the front-lines of improving access to justice. This approach – with TAG as a facilitator of collaboration among diverse actors, CLEO as the provider of public legal education and Civic Tech Toronto as the expert on civic engagement and technology – represents a new model for cross-sector collaboration on access to justice issues.

The Continuing Legal Education Society of British Columbia brought leading thinkers and scholars, Gillian Hadfield and Margaret Hagan to the BC legal community to spur innovative thinking on shifting the provision of legal services and regulation to meet current demands and technology realities and support BC’s transformative A2J initiatives.

As part of the Rural Manitoba Program Enhancement Project, CLEA hired a project coordinator to do outreach work in rural Manitoba, canvassed the legal profession to recruit volunteers for the Speakers Bureau and lawyers for the Lawyer Referral Program. A Needs Assessment was sent to newcomer organizations, libraries, high schools where Law 40S is taught, First Nation organizations, RCMP detachments, seniors organizations, and domestic violence service providers to ascertain the legal education & information needs of the communities represented by the various service providers.

The Chief Justice and Chief Judge of BC, along with a former self-represented litigant held a live Twitter Town hall engaging with law students, lawyers and others in a discussion about access to justice challenges, opportunities and progress.