



JFK LAW RECONCILIATION ACTION PLAN ADOPTED SEPTEMBER 2016

Policy Statement on Reconciliation

In 2009, the Truth and Reconciliation Commission (TRC) was established and mandated to record and address the legacy of Indian residential schools and advance reconciliation in Canada. It released its findings and calls to action on June 2, 2015 and published its final report on December 15, 2015.

The legal profession is addressed specifically in Legacy Calls to Action 27 and 28. The actions call on law societies and law schools to ensure that legal professionals are educated about Aboriginal people and the law, including the history and legacy of residential schools, the UN Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. They also require legal professionals to be trained in intercultural competency, conflict resolution, human rights, and antiracism. These calls to action were considered necessary because of the deficiencies noted by the TRC in the legal profession’s understanding and competency in representing individuals, communities, the government and the private sector when dealing with Aboriginal related issues.

Equity for Aboriginal people in the legal system is addressed in Reconciliation Calls to Action 50 to 52. They call on the government to fund the establishment of Indigenous law institutes; to publish legal opinions on the scope and extent of Aboriginal and Treaty rights; and to adopt just legal principles with respect to accepting Aboriginal title claims.

The lesson from the TRC Report is that reconciliation between Aboriginal and non-Aboriginal people must inform every aspect of our relationship with each other, and that it requires transformative action on the part of all Canadians, including the private sector.

JFK Law is a law firm that primarily provides legal services to First Nations and Aboriginal people and has a mission of “working together for reconciliation and justice”. Our mission has largely been applied to the legal services we provide our clients. However, we believe the goal of reconciliation must infuse every aspect of our operations. To further the goal of reconciliation, JFK Law wishes to establish a Reconciliation Action Plan, which will be informed by the following principles.

Whereas:

1. Aboriginal peoples are the original inhabitants and stewards of the lands now known as Canada.
2. JFK Vancouver Law's offices are located on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations.
3. JFK Victoria Law's offices are located on the unceded traditional territory of the Lekwungen.
4. Aboriginal peoples have distinct cultures and identities, and unique relationships with their lands, waters and resources.
5. Aboriginal peoples have constitutionally protected rights, including Aboriginal rights, Aboriginal title and Treaty rights.
6. The Crown and non-Aboriginal peoples have subjected Aboriginal peoples to dispossession, colonialization, marginalization and discrimination.
7. As a result of the legacy of colonial laws, policies and the residential school systems, and as a result of continuing injustices, Aboriginal peoples continue to experience disadvantage in areas of housing, health, education, employment, and access to justice, and continue to face discrimination, prejudice, stigma and racism.
8. Aboriginal peoples have the right to self determination and to recognition and protection of their distinct cultures and identities, as provided under the United Nations Declaration on the Rights of Indigenous Peoples.
9. Aboriginal peoples have the right to be consulted about and participate in decision making concerning decisions that affect their rights and interests.
10. Aboriginal peoples have the right to define and implement laws, legal systems and governance institutions.
11. Aboriginal peoples are under-represented in law schools and the legal profession is obligated to improve Aboriginal representation and implement measures to support Aboriginal students, paralegals and lawyers in their studies and practices.
12. Non-Aboriginal people, including the members of JFK Law, require Aboriginal cultural education and training.
13. Aboriginal law and practice require the timely and efficient resolution of claims.

14. Lawyers have specific ethical obligations, including to equality and the public interest, and their ethical and moral obligations include the advancement of reconciliation between Indigenous and non-Indigenous peoples.

Therefore:

15. JFK Law is committed to taking all steps within its power to advance reconciliation, and in particular the TRC Calls to Action in the areas of Justice and Equality for Aboriginal People in the Legal System, through its work, its workplace, its client relationships, its community activities, and the development of its team.

16. JFK Law will work in partnership with Aboriginal communities and organizations to advance Aboriginal rights, titles, interests, and well-being.

17. JFK Law will incorporate Aboriginal perspectives in our policies, practices and delivery of services.

18. JFK Law will refer to this policy statement as a basis for its activities toward reconciliation, including the development of a reconciliation action plan.

19. JFK will adopt and implement a Reconciliation Action Plan (RAP), attached to this policy statement.

20. The RAP will be overseen by an RAP Implementation Committee, who will hold regular meetings to ensure the RAP is being properly implemented. The RAP Committee will produce a yearly progress report (due December of each year) and make recommendations for appropriate targets for the following year, which will be approved by the Directors of JFK.

Reconciliation Action Plan for 2016-2017

Building cultural capacity in our firm			
Action	Responsibility	Timeline	Target
Provide training on TRC recommendations	RAP Committee to identify speaker	End of 2016	All firm members receive at least one training session on TRC recommendations
Provide training on client protocols when in communities	RAP Committee to identify speaker	Ongoing 2017	Collection of memoranda approved by our clients of important protocols to be followed when visiting their communities and when communicating with clients, elders and members of clients.
Provide training on ethical lawyering for First Nations and being a responsible ally	RAP Committee to identify speaker	Ongoing 2017	All lawyers receive at least one training session on ethical lawyering for First Nations

Committing to pro bono work to support the development of Aboriginal communities			
Action	Responsibility	Timeline	Target
Develop an approach for pro bono work to support the development of Aboriginal Communities	RAP Committee	End of 2016	Pro bono policy for Aboriginal work developed, having regard to any other existing policies.
Develop strategic relationships with Indigenous advocacy groups to connect to Aboriginal people who need legal advice	RAP Committee	End of 2016	List of Indigenous Advocacy groups established and strategy developed to determine whether any potential partnership opportunities.

Offer to develop and deliver pro bono legal education workshops, host them in various communities	RAP Sub-Committee in conjunction with other firm committees mandated with similar workshops	Ongoing 2017	Have offered to deliver a workshop on issue of importance to two First Nations communities
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Promoting Indigenous legal systems			
Action	Responsibility	Timeline	Target
Provide education sessions on Indigenous legal systems	RAP Committee to identify speaker	Ongoing 2017	All lawyers receive at least one training session on a topic relevant to Indigenous legal systems
Incorporate Indigenous Legal Perspective into JFK service delivery to clients	RAP Committee to identify speaker	Ongoing 2017	All lawyers receive at least one training session on how Indigenous legal perspective can be incorporated into delivery of legal services
Critically examine our practices and assess whether we are advancing Indigenous legal systems and perspectives	RAP Committee to hold firm meetings to facilitate such an assessment; self-assessment of individual lawyers with clients and experts.	Ongoing 2017	All lawyers critically reflect on their file management and make changes in practice and approach where required.

Creating employment and educational opportunities for Aboriginal people

Action	Responsibility	Timeline	Target
Investigate opportunities to increase and retain Indigenous employment at JFK	Directors	Ongoing	Develop an Indigenous Employment Strategy to recruit and retain more Aboriginal staff, paralegals and lawyers to JFK
Provide a scholarship at UVIC to support an Indigenous student in the program, or seeking access to the program; as well as the Wilson Bob (TTA) scholarship and the MCFN Environmental Scholarship	Directors	End of 2016	Scholarship fund established.
Develop a strategic relationship with the Martin Education Aboriginal Initiative, or similar organization, to provide mentorship/training/job opportunities to high school students	RAP Committee	2017	Connection made with the Martin Education Aboriginal Initiative to determine whether any opportunities for collaboration exist.
Invite an Aboriginal youth to attend a Court session	All Lawyers	2017	Two Aboriginal youth have attended a Court session

Supporting the development of Aboriginal owned businesses

Action	Responsibility	Timeline	Target
Choose Aboriginal businesses and suppliers when available	Manager of Office Administration	Ongoing	List of Aboriginal suppliers has been identified.

Host firm events in Aboriginal centres and businesses	Manager of Office Administration	Ongoing	Venues for hosting firm events have been identified.
Support local artists and galleries by choosing and displaying their work in our offices, as well as attending reconciliation events	All	2017	RAP Committee has identified list of local Aboriginal artists and prepared recommendations for displaying their work at JFK.

Advocate for reconciliation in the legal profession			
Action	Responsibility	Timeline	Target
Become advocates for promoting reconciliation action in the legal community	RAP Committee	March 2017	RAP Committee has developed a workplan for how to achieve this.
Create a website page for reconciliation resources that includes links to relevant materials, including the Calls to Action, and any reconciliation plan we develop	All firm members	Summer 2017	Webpage created
Encourage the private bar to adopt reconciliation action plans	RAP Committee		Two other law firms have committed to developing an RAP
Write a personal plan for your own implementation and vision of the TRC Calls to Action around lawyers	All Lawyers (Optional)	2017	Each lawyer has a personal plan prepared.

Consider the relevant Calls to Action in developing litigation strategies.	RAP Committee and all firm members.	Ongoing	Review of case outcomes and advancement of the relevant Calls to Action
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