Michele M. Leering
Executive Director/ Lawyer

Legal Empowerment through Participatory Action Research – Mobilizing Communities for Justice

Locating Legal Aid Ontario & Ontario's community legal clinics

Canada

Population (2011 Census): 33,476,688

Ontario

Population (2011 Census): 12,851,821

High level outcomes we want to achieve

Protect and Increase

Protect and Increase

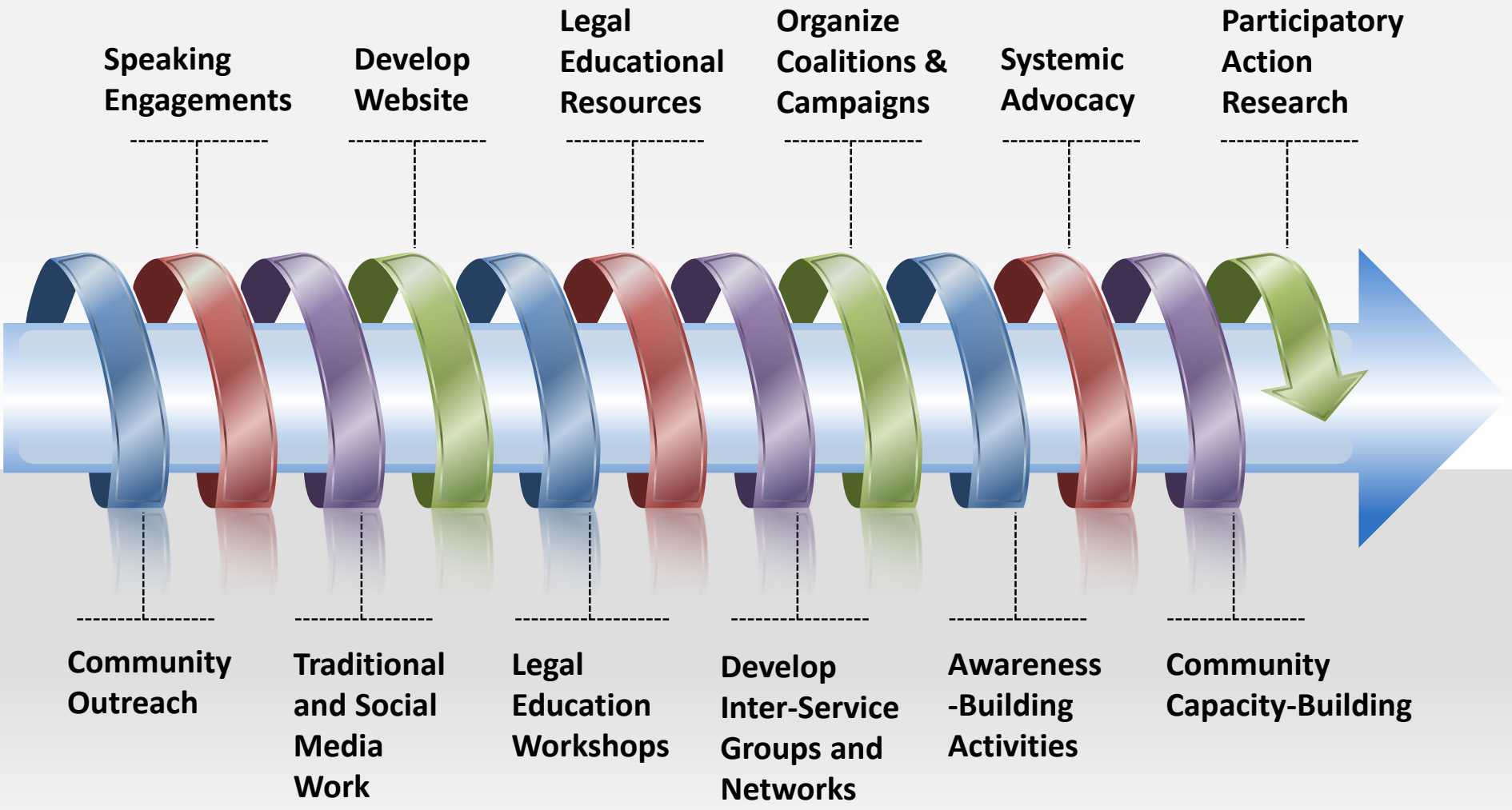
Access To Justice

Protect, Empower and Advocate for

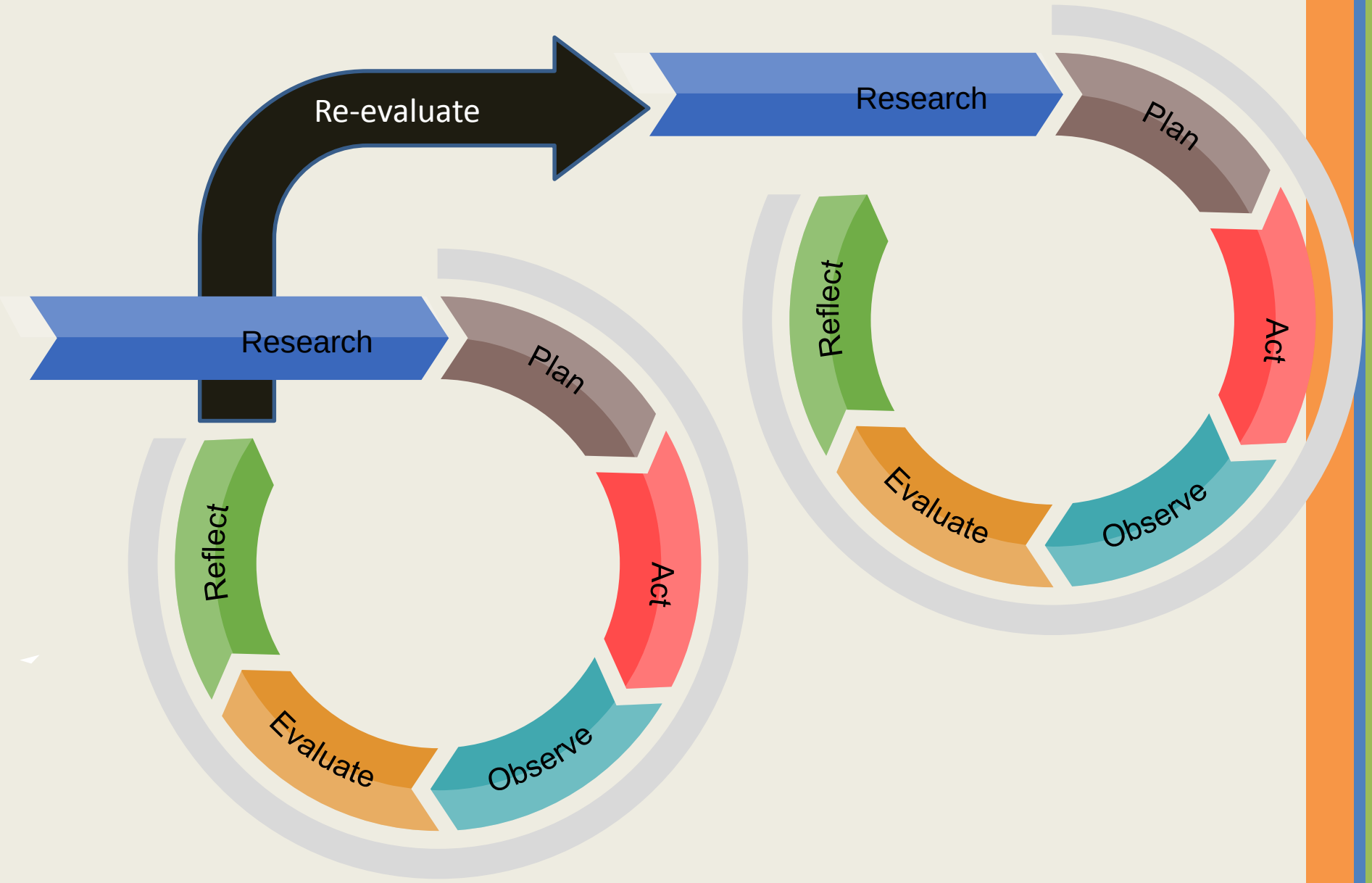
Protect and Increase

How to set priorities? HOLISTIC approach

Expanding Community Development: Spectrum of Strategies



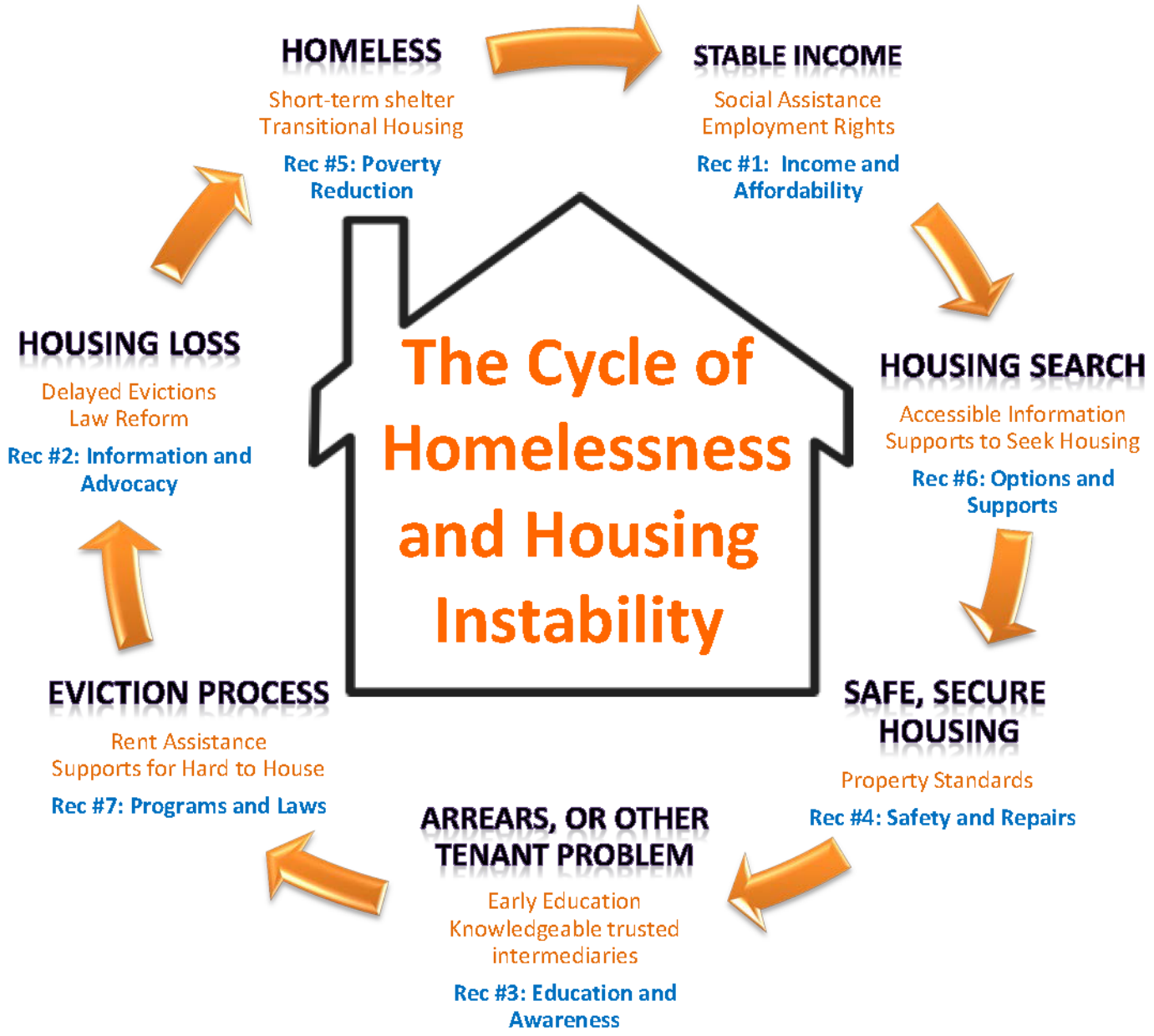
Two Case Studies using Action Research



Boxed-In Report: The Affordable Housing Crisis in Hastings County

Communities Taking Action

April 26, 2005


The Cycle of Homelessness and Housing Instability
HOMELESS
Short-term shelter
Transitional Housing
Rec #5: Poverty Reduction
STABLE INCOME
Social Assistance
Employment Rights
Rec #1: Income and Affordability
HOUSING SEARCH
Accessible Information
Supports to Seek Housing
Rec #6: Options and Supports
SAFE, SECURE HOUSING
Property Standards
Rec #4: Safety and Repairs
ARREARS, OR OTHER TENANT PROBLEM
Early Education
Knowledgeable trusted intermediaries
Rec #3: Education and Awareness
EVICTION PROCESS
Rent Assistance
Supports for Hard to House
Rec #7: Programs and Laws
HOUSING LOSS
Delayed Evictions
Law Reform
Rec #2: Information and Advocacy

Affordable Housing Action Network Vision

AHAN believes that

everyone has

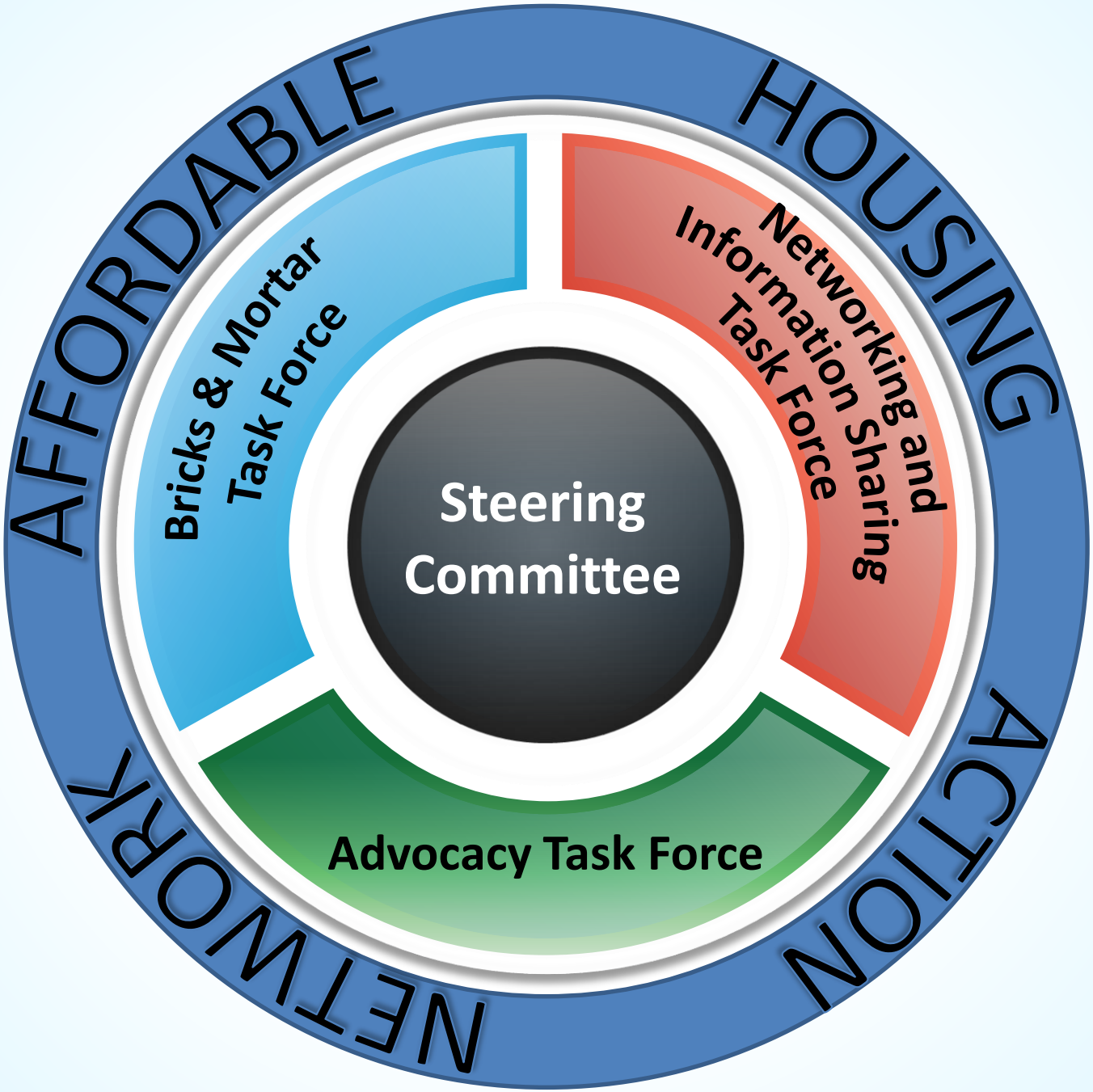
a right

to safe,

secure and

affordable

housing


AFFORDABLE HOUSING ACTION NETWORK
Bricks & Mortar Task Force
Networking and Information Sharing Task Force
Steering Committee
Advocacy Task Force

Lessons Learned: Community Level

Task Force on Hunger	AHAN
• Who participated • Data collection • Simple questions • Collaboration report-writing • Implementation plan • Ongoing monitoring • Process & Product	• Credible research • Involve those at risk • Analysis - early intervention & prevention • Municipal involvement • Comprehensive action plan

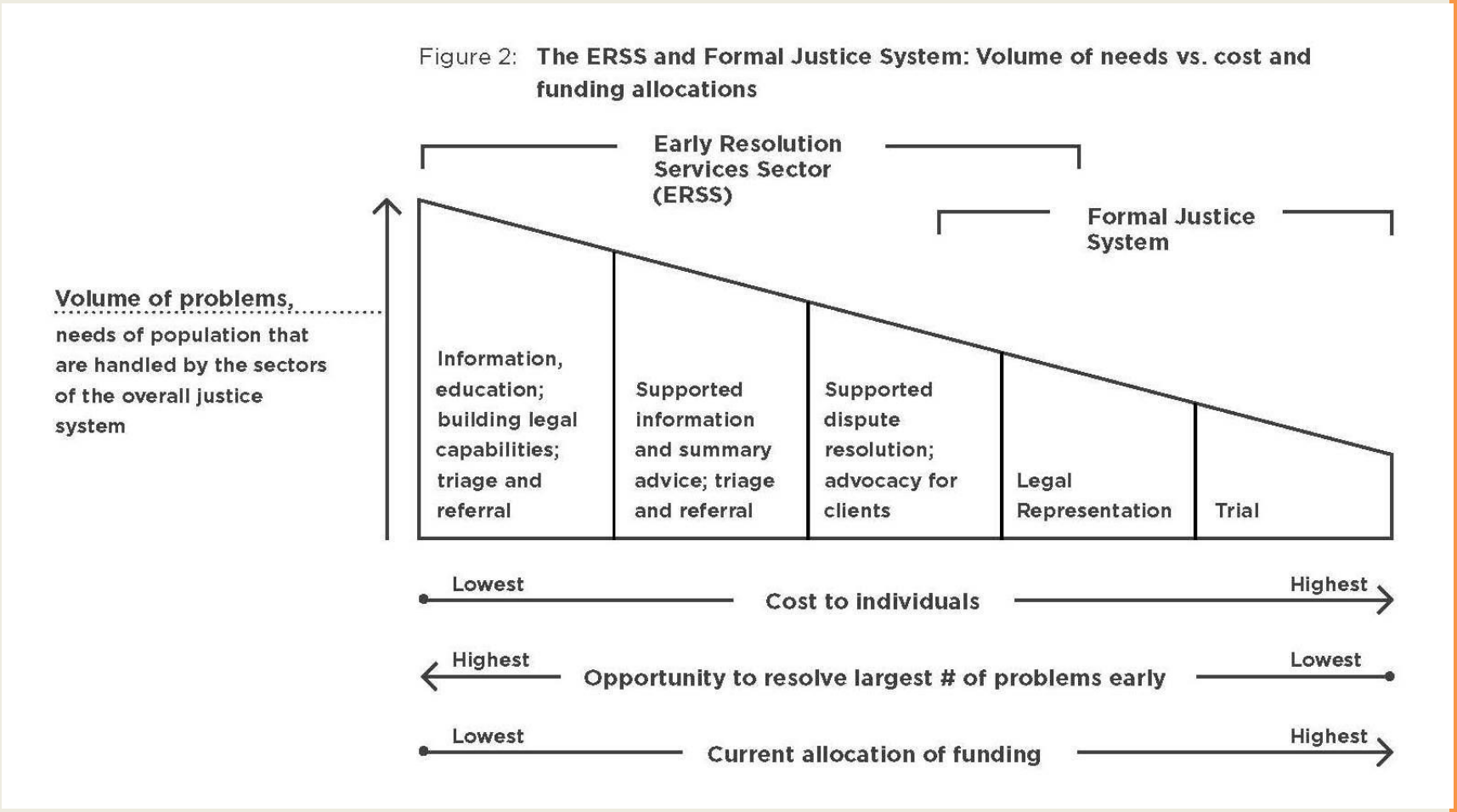
Lessons Learned - Implications

- **Conflict transformation - NOT just conflict/dispute resolution**
- **Action research aligns vision, values, mission & action**
- **Appreciative Inquiry & Asset-Based – a positive focus**
- **Community legal empowerment (legal literacy & capability too)**
- **Systems thinking & reflective practice – move away from silos**
- **Problem reframing – double & triple loop learning**
- **Reflective & generative dialogue is necessary**
- **Changing paradigms of lawyering – legal education**
- **Relationship building with trusted intermediaries**

Changing how we talk!!! FOUR FIELDS OF CONVERSATION (Scharmer)

Retrieved from:http://www.mspguide.org/tool/4-types-conversations

Changing our concept of legal services



Action Committee on Access to Justice in Civil and Family Matters. *Access to Civil and Family Justice: A Roadmap for Change* (Ottawa: October 2013), 12.

Retrieved from https://www.ciaj-icaj.ca/images/stories/eventsPDF/AC%20Report%20-%20English%20October%208,%202013.pdf

OVERCOMING THE SELFIE: LISA FOSTER _ DIRECTOR OF ACCESS TO JUSTICE DEPARTMENT IN THE OBAMA ADMINISTRATION – JULY 2016

Changing Paradigms of Lawyering

- **Adversarial advocate**

  Traditional conception of zealous, client-focused lawyering

- **Responsible lawyering**

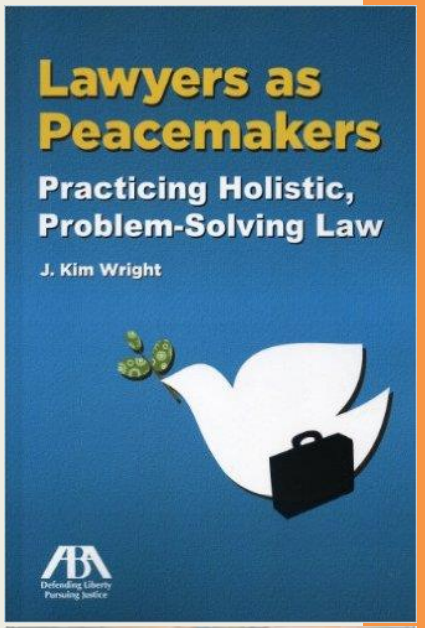
  Officer of Court approach that tempers duty to client with responsibilities of administration of justice

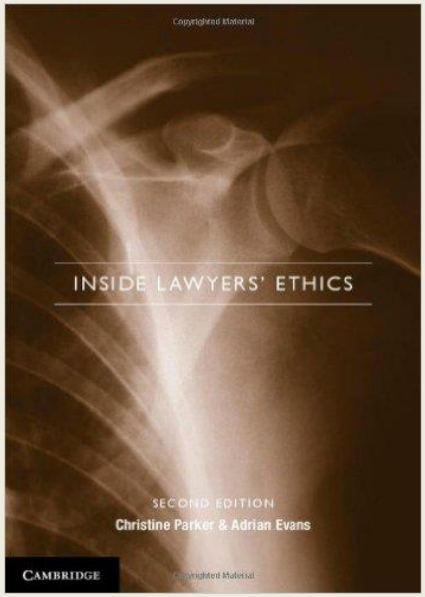
- **Moral activism**

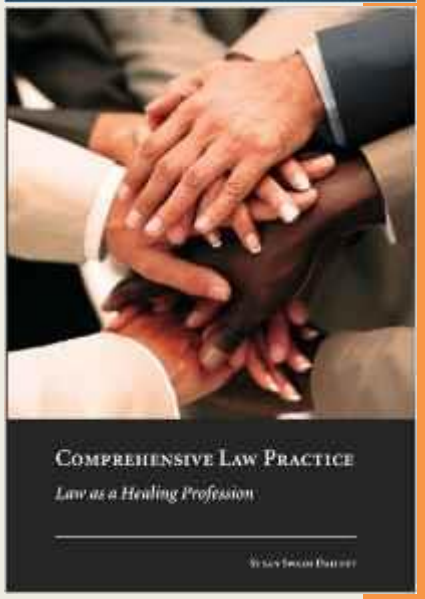
  Concerned with justice and promotion of substantive justice

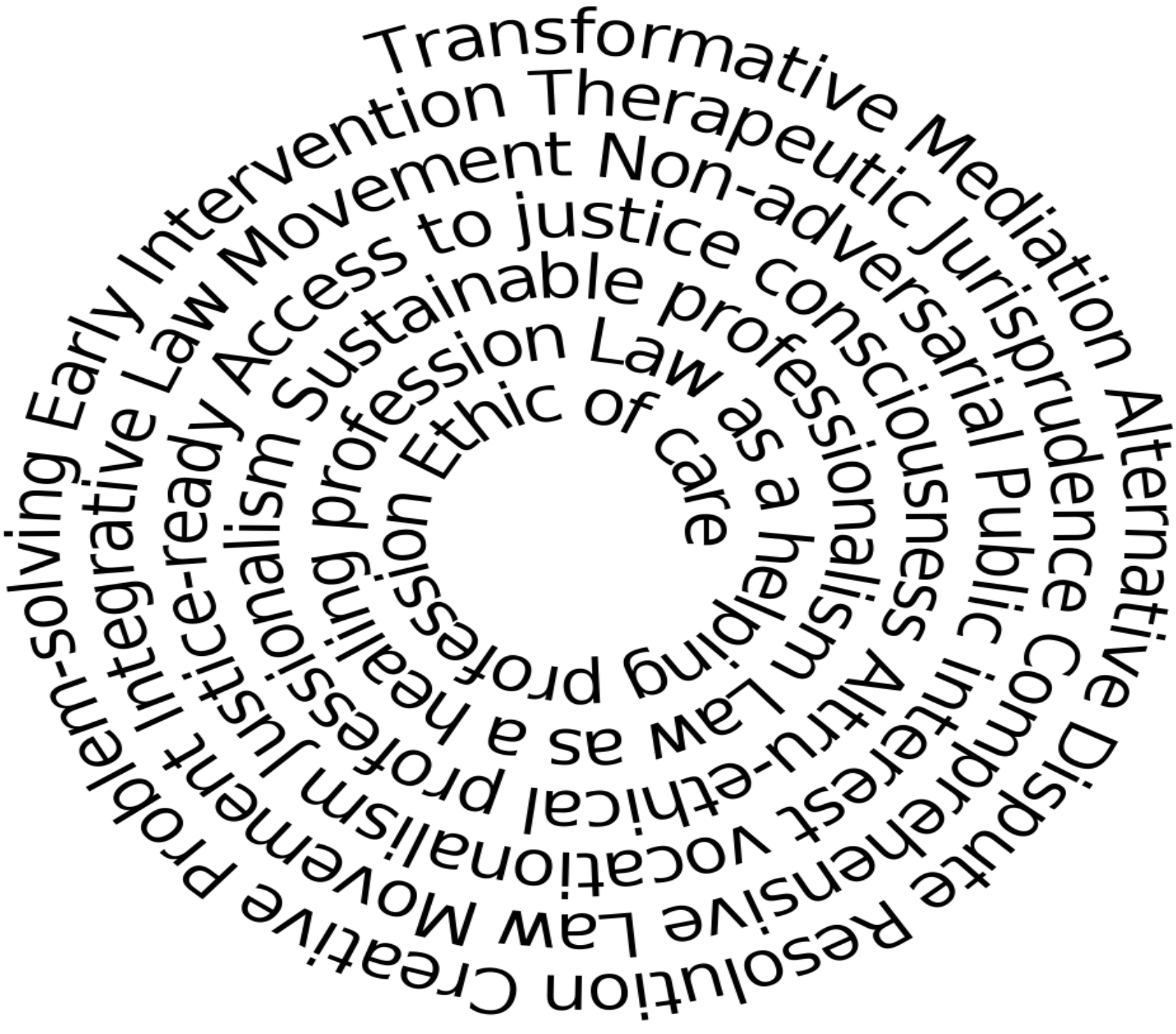
- **Ethics of care**

  Relational lawyering that focuses on preserving relationships and avoiding harm

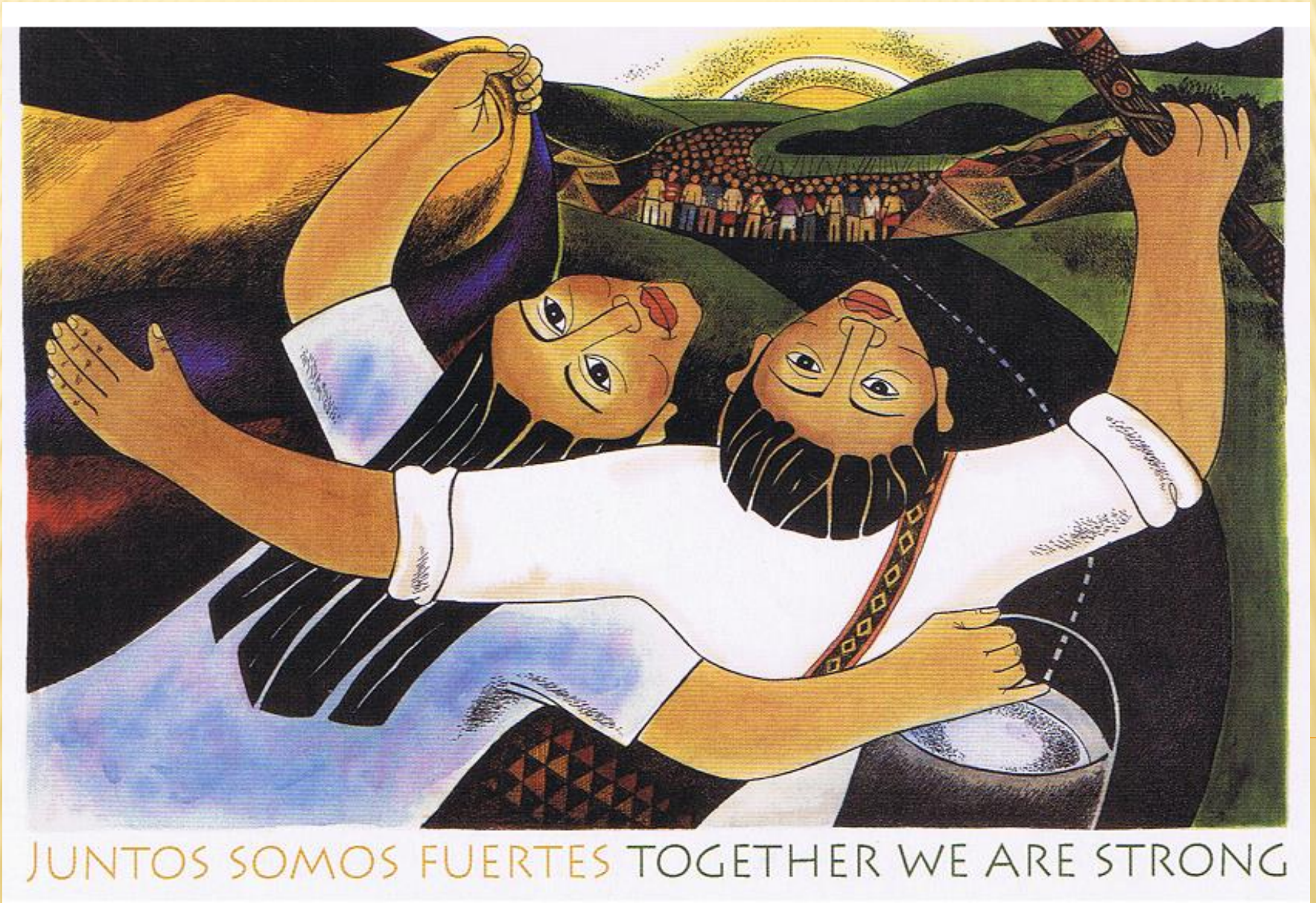







Transformative Mediation
Therapeutic Jurisprudence
Non-adversarial
Public interest
Dispute Resolution
Access to justice
Alternative
Sustainable profession
Law as a healing profession
Ethic of care
Law as a healing profession
Restru-ethical
Vocational
Creative Law Movement
Justice-ready
Integrative
Problem-solving
Early Intervention
Law Movement
Professionalism
Consciousness
Comprehensive

Justice
Mindful
Preventative
Moral
Feminist
Relational
Community
Problem-solving
Emancipatory
Progressive
Poverty
Reflective
Collaborative
Client-centred
Compassionate
Holistic
Social
Contemplative
Public
Egalitarian
Rebellious
Constructive
Regnant
interest


JUNTOS SOMOS FUERTES TOGETHER WE ARE STRONG

Appreciative Inquiry

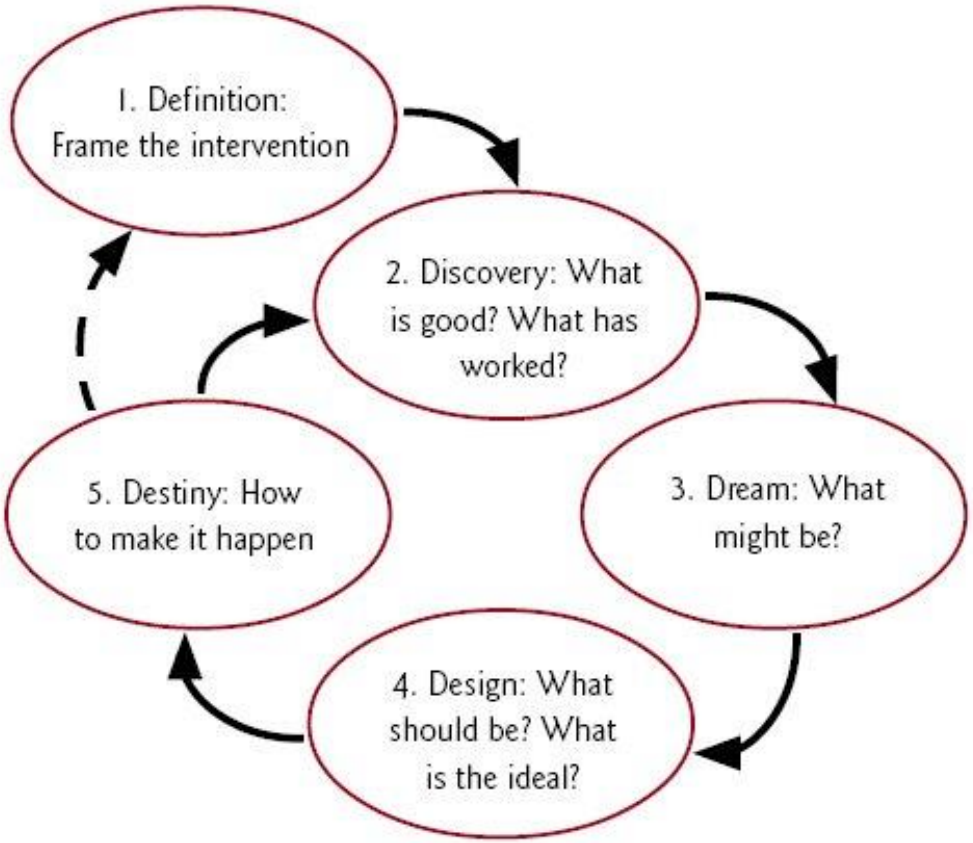


Figure 1. The appreciative inquiry '5-D' model (see Cooperrider et al., 2003; Watkins and Mohr, 2001; Whitney and Trosten-Bloom, 2003 and the AI Commons website)

Why Trusted Intermediaries?

- Partnering with trusted intermediaries
- Build an expanded justice system
- Key strategy - Intermediaries: the fence at the top of the cliff

Trusted Intermediaries: Four Categories

1. Voluntary, Informal or inadvertent intermediaries

Examples include:

- friends
- neighbours
- relatives
- faith leaders
- ethnic or cultural organization contacts
- food bank volunteers
- hair stylists

2. Members of the helping professions

Examples include:

- teachers
- nurses
- doctors
- social workers
- public librarians
- counsellors
- accountants
- government information centres
- "211" help lines

3. Lay or professional advocates

Examples include:

- advocates for people with intellectual disabilities
- union stewards
- shelter legal support workers
- victim witness or court diversion staff
- non-legal advocates in various roles

4. Intermediaries connected with the justice system

Examples include:

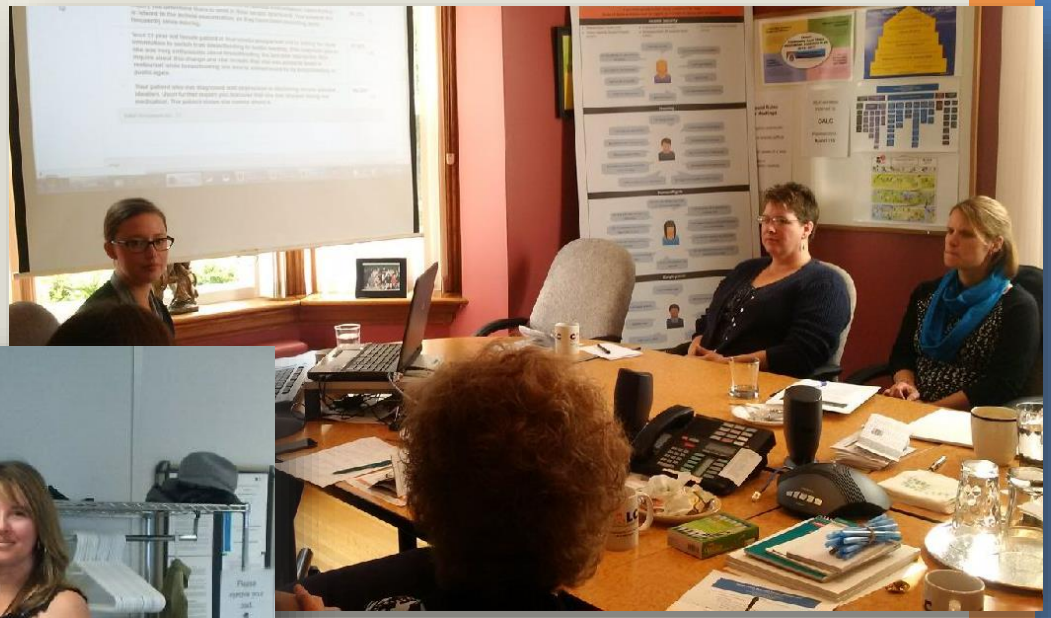
- court staff
- Legal Aid workers
- duty counsel
- private bar lawyers
- law librarians
- police
- judges

Who are "Trusted Intermediaries"?

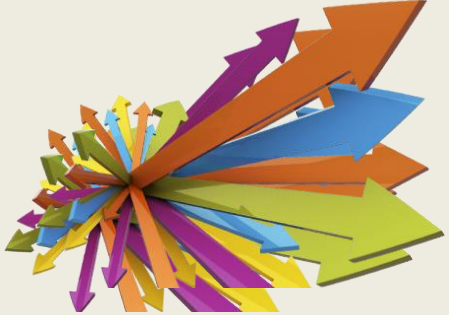
EXPLORING JUSTICE AND LIBRARY COLLABORATION IN RURAL AND REMOTE COMMUNITIES
RESOURCES
TRUST
VIRTUAL LAW
LIBRARY
NETWORK
MAXIMIZE COMMUNITY NETWORK
LINK CITIZENS TO COMMUNITY
HELP
ACCESS
JUSTICE
LIBRARY
"A COMMUNITY HUB"
PARTNERING
OUTSIDE OUR OWN GROUPS
STEPS TO JUSTICE
TRIAGE ABILITY
CREATE AN ANONYMOUS "ISSUE MAP"
PROCESS
COMMUNITY FORUMS
WEBINARS
CONFIDENCE
BUILDING WITH STAFF
IT'S ABOUT A HUMAN CONNECTION!
PUBLIC ACCESS COMPUTERS
CLEO
PUTTING THE RIGHT INFORMATION IN THE RIGHT HANDS
CONNECTIONS
TRAINING / WORKSHOPS
REFERRALS
IT'S ABOUT A HUMAN CONNECTION!
PRIVACY IS AN ISSUE IN SMALLER COMMUNITIES
THE "DIGITAL DIVIDE"
SELF REPS ALSO NEED ACCESS TO INFORMATION
TRY NEW THINGS! PILOT PROJECTS!
TAKE ADVANTAGE OF EXISTING NETWORKS
SYSTEMS APPROACH
CLEAR, ACCESSIBLE LANGUAGE!
LESS LAWYERS IN SMALLER COMMUNITIES
LOW LITERACY LEVELS NEED TO BE ADDRESSED
NOT EVERYONE CAN GO IN. OUTREACH IS ALSO NEEDED
PEOPLE TEND TO TALK TO FAMILY/FRIENDS VS SEEKING LEGAL ADVICE
REFERRALS TO FIND THE INFORMATION PEOPLE NEED
HOURS/STAFFING LIMIT ATTENDANCE IN WORKSHOPS
PRINTED MATERIAL
Think Link
DISA KAUK

Rural Justice & Health Partnerships

New ways to reach rural clients



Improve health outcomes!

Issue	Related Social Determinants	Legal Help	Impact on Health / Health Care
Tenant Rights	Housing Disability Early Life Food insecurity Gender Race	Evictions Repairs Pests Privacy Harassment Discrimination Utility bills /rent Vital services (heat) Lease breaking	Stable, healthy, decent housing → less stress → better compliance with treatment plans
Income Security	Income Income distribution Disability Early life Food insecurity Health services Social exclusion	ODSP, CPP-D denials OW denials OW/ODSP "on hold" Overpayments OW/ODSP benefits EI issues WSIB issues	Higher income means fewer trade-offs between food, a roof, heat, and healthcare. A stable income means less stress, better management of chronic illness, better health outcomes for children
Employment, Working Conditions, Education	Unemployment Job Security Working Conditions Education Health services Gender Race	Unpaid wages Reduced hours Termination Unsafe work Harassment Discrimination Suspensions/expulsions Special education	Education is one of the best predictors of adult health Health insurance is often linked to employment Safer work means fewer injuries

Catalysts for Justice