

**Free Legal Services in BC: Community Legal Assistance Society (CLAS) Programs
Courthouse Library Presentation Notes – February 4, 2021**

Slide 1: Free legal services in BC: Community Legal Assistance Society Programs

Welcome to today's presentation highlighting the free legal services available here at Community Legal Assistance Society!

Slide 2: Land acknowledgment

We'd like to start today's presentation by respectfully acknowledging we, at CLAS, are working and learning on the traditional, unceded, and ancestral territories of the x^wməθk^wəyəm (Musqueam), səliłwətaʔt (Tsleil-Waututh), and Skwxwú7mesh Úxwumixw (Squamish) Nations.

We'd also like to acknowledge that the Courthouse Library is broadcasting from the traditional, unceded, and ancestral territories of the x^wməθk^wəyəm (Musqueam), səliłwətaʔt (Tsleil-Waututh), and Skwxwú7mesh Úxwumixw (Squamish) Nations.

We're happy to have people attending this presentation who are working and living on many different Indigenous territories across BC!

Slide 3: Objectives

The objectives of today's presentation are to:

1. Introduce Community Legal Assistance Society ("CLAS") and the various legal programs available at CLAS.
2. Describe the services offered by CLAS and how to access them.
3. Opportunities for lawyers and advocates to get involved in CLAS programs and how to contact the programs.

This presentation is for informational purposes only and is not legal advice.

Slide 4: Community Legal Assistance Society

CLAS is a non-profit organization that has served people across BC since 1971. CLAS provides legal assistance and works to advance the law to address the critical needs of those who are disadvantaged or face discrimination.

CLAS's Mission: Means respecting the dignity of everyone in our community and working towards positive social change by providing legal assistance and advancing the law to address the critical needs of those who are disadvantaged or face discrimination.

CLAS's Vision: Is Dignity, Equality and Justice for All.

CLAS's Values are:

- Compassion: We believe in fostering an environment that is respectful and understanding of our clients and co-workers.
- Leadership: We strive to be leaders in housing, income security, workers' rights, mental health, and human rights law.
- Accessibility: We believe everyone should have access to, and benefit from, the justice system.
- Service: We serve the community by working with other groups to promote and advance dignity, equality and justice for all.

Slide 5: CLAS Programs

CLAS Programs at a glance:

- The Community Law Program OR CLP
- The Mental Health Program OR MHLP
- The BC Human Rights Clinic OR BCHRC
- The Community Advocate Support Line OR CASTLE
- And finally the Sexual Harassment Advice, Response, and Prevention for Workplaces OR SHARP Workplaces

We'll be providing a brief overview of what each program offers.

Slide 6: Community Law Program ("CLP")

CLP provides advice and representation for housing security, income security, human rights, mental health rights, and workers' rights.

Services offered:

- CLP staff offer a wide variety of legal services, including: summary legal advice to outline client options and point them in the right direction, guidance to help a client self-represent and possibly full representation.
- CLP also engages in strategic litigation and law reform to advance and develop the law for the benefit of individuals who face marginalization and disadvantage in society and the justice system.

Slide 7: CLP Assistance

CLP CAN ONLY assist potential clients for potential judicial review once they have used up all options to resolve their legal problem short of court.

A CLP lawyer can provide summary legal advice to everyone; however, CLP's ability to provide any help beyond summary advice, including representation, depends on their availability and the merits of the case.

CLP can potentially help with judicial review of Public Guardian and Trustee (PGT) control of finances.

CLP is always happy to discuss systemic issues clients' face that other advocates notice as troubling trends.

Slide 8: CLP Referrals

CLP generally provides representation at the judicial review stage. Therefore, CLP cannot assist with the following issues but can refer where appropriate:

- If a client gets an eviction notice, they should first go to the Residential Tenancy Branch first, CLP cannot help with this (Law Foundation funded advocates can).
- If a client gets a bad decision from the Ministry of Social Development and Poverty Reduction (MSDPR), they should first use the welfare review and appeal system and CLP cannot help with this (Law Foundation funded advocates can).
- If a client gets a bad WCB decision, they should use the WCB review and appeal system first and CLP cannot help with this (but Workers Advisors Office can assist).
- If a client is detained in hospital under the Mental Health Act, they should ask for a review panel hearing first and CLP cannot help with this but MHLP can assist.

Slide 9: CLP Contact Information

This is the general contact information for CLAS. You can direct your inquiry for CLP here and they will refer you to the individual best suited to assist you.

Slide 10: Mental Health Law Program ("MHLP")

MHLP provides representation to people who have been involuntarily detained under the BC Mental Health Act or to those subject to the Mental Disorder Provisions of the Criminal Code of Canada.

Slide 11: MHLP Assistance

MHLP may be able to help if any of the following situations apply to a potential client:

- They've applied for a review panel hearing with the Mental Health Review Board under the Mental Health Act.
- They have an upcoming Criminal Code Review Board hearing.
- They have already had a decision from the Mental Health Review Board or Criminal Code Review Board they would like to challenge.

How to access MHLP Services:

- MHLP represents clients who've already applied to review their involuntary detention under the BC Mental Health Act at a hearing before the Mental Health Review Board. These hearings are usually called Review Panel hearings. People needing help at a review panel hearing from MHLP need to check the MHLP box on their FORM 7 application for a review panel hearing, when they apply for a review panel hearing.
- A potential client's nursing staff where they are detained or mental health team staff, if they are detained in the community, will have copies of the Form 7 and can help a client submit this application. MHLP will contact the client with next steps, once they've received the Form 7.
- For Mental Health Review Board hearings and Criminal Code Review Board hearings, the Review Board communicates directly with MHLP regarding client representation. Potential clients with Criminal Code reviews could also contact MHLP directly but this is usually not necessary.

Slide 12: MHLP Ad Hocs

Opportunities for lawyers and advocates to get involved in MHLP:

- MHLP services are offered by staff lawyers or advocates, as well roster (ad hoc) Lawyers –who are members of the private bar and not CLAS staff.
- Roster lawyers represent clients mainly outside of the Lower Mainland, or sometimes in the Lower Mainland when demand for MHLP services is high.
- The Lower Mainland ad hoc lawyer roster is currently FULL but lawyers outside the lower mainland can contact MHLP supervising lawyer Diane Nielsen with interest, especially if they live in remote or under-served communities.
- If you would like to join the MHLP roster of ad hoc lawyers, or if you would like to learn more about the Mental Health Law Program, please email their supervising lawyer, Diane Nielsen.
- Lawyers must have a Legal Aid BC vendor number to be added to the MHLP roster.

Slide 13: MHLP Contact Information

This is the general contact information for CLAS. You can direct your inquiry for MHLP here and they will refer you to the individual best suited to assist you.

Thank-you everyone! I'll now be handing-over the presentation to SHARP Supervising law Jennifer Khor, who'll speak about the remaining programs at CLAS and our own SHARP Workplaces program!

Slide 14: BC Human Rights Clinic ("BCHRC")

The BC Human Rights Clinic or "(BCHRC)" provides free legal services to individuals who have a human rights complaint with the BC Human Rights Tribunal. The clinic is funded by the Ministry of the Attorney General

Slide 15: BCHRC Services

Telephone information line: general information to complainants about the BC Human Rights Code and Tribunal process operates Monday to Friday from 8:30 am to 4:00 pm.

Short-Service Clinic: operates on Mondays, meet with a lawyer or legal advocate for 30 minutes, appointments made on the clinic website 2 weeks in advance. Available to anyone and currently being offered by phone.

Legal Advice and Representation (unbundled legal services model) – by application, must have an accepted HR complaint with the BCHRT.

Education Workshops – on human rights law – general, specific topics such as responsibilities for accommodation for disabilities.

Slide 16: BCHRC Applications

Unbundled legal services:

- Summary advice
- 1-2 hours of legal assistance
- Legal representation

To qualify for legal services from the Clinic, a client must:

- Have filed a complaint which has been accepted by the BC Human Rights Tribunal;
- Have a complaint that appears at face value to be a case of discrimination; and
- Be unable to obtain assistance from other sources.

The Clinic may consider any of the following factors in deciding whether to accept an application for legal services:

- Person's income;

- Diminished capacity or any other physical, mental, or socio-economic limitations affecting the person’s ability to represent themselves;
- Whether the person applied for assistance in a timely manner (within 30 days of notice from the Tribunal that your complaint has been accepted); and
- The availability of the Clinic’s resources to provide services (capacity).

Slide 17: BCHRC Contact Information

Website: information and resources, booking for short-service clinic, application form for legal services, request education training.

Contacts for telephone info line

- The info line is open 5 days a week, Monday to Friday from 8:30 am to 4:00 pm.
- You can reach the info line at 604 622 1100 or toll free 1-855-685-6222 or email at infobchrc@clasbc.net
- Clinic staff will call you back from a “blocked” or “unknown” number. Please adjust your phone settings to ensure you are able to receive our call.

Slide 18: Community Advocate Support Line (“CASL”)

The Community Advocate Support Line (CASL) is a dedicated support service for BC advocates and community workers. CASL can give advocates legal information and advice about specific client files they are working on in the area of poverty law. CASL is funded by the Law Foundation of B.C.

Slide 19: CASL Services

CASL provides legal advice and guidance to advocates about cases they are working on, as well as advocacy training. CASL also supports advocates in addressing some systemic policy and procedural barriers, particularly with MSDPR (The Ministry of Social Development and Poverty Reduction).

Community Advocate Support Line case priorities

- CASL provides advice and assistance to community advocates in relation to the following areas of law:
 - Welfare law
 - Consumer contracts;
 - Residential tenancy and other housing issues
 - Debts and debt collection
 - Employment insurance;
 - Bankruptcy

- Canada Pension Plan benefits;
- Judicial review

If a legal question about a client whose problem falls outside the case priorities, you can still contact CASL and they'll review the situation with you.

CASL contact information is not public, as it does not serve the public. If there's an advocate attending the webinar who doesn't have the direct number you can contact the CLAS general line to be directed and ask for the number from Allison.

Information you must give to the Community Advocate Support Line:

- To access legal advice through CASL, you must provide lawyer Alison Ward with the full legal name, address and phone number (if any) of your client. You will also need to provide the full legal names of any opposing parties involved in your client's legal issue. All information will be kept confidential. Advocates and community workers should generally obtain client's consent to release this information to CASL before calling.

Slide 20: Sexual Harassment Advice, Response and Prevention for Workplaces ("SHARP Workplaces")

CLAS has partnered with Ending Violence Association of BC to address workplace sexual harassment through the SHARP Workplaces Program with funding from the Department of Justice Canada. Two components: legal advice clinic and public education.

Slide 21: SHARP Workplaces Legal Clinic Services

5 hours of free, confidential legal advice from a lawyer to anyone who has experienced workplace sexual harassment with the possibility of extension.

Lawyers may:

- Advise on how to address sexual harassment in the workplace
- Provide information on legal options
- Assist with reviewing or drafting documents
- Coaching through a complaint or legal process

Lawyer cannot provide full representation (due to funding restrictions).

Slide 22: SHARP Workplaces Intake Process

Clients can call or email our program. Application form is available on our website. Intake interviews occur over the telephone.

We have worked with intermediaries or support persons, during intake to collect the necessary information and avoid having the client tell their story more often than necessary. We have also had such individuals involved in the call for support.

When matching a client with a lawyer we consider a number of factors.

- E.g. geographical location, issues in case (criminal), language, preference for Indigenous lawyer if Indigenous.
- It is up to the lawyer to discuss with the client how they will meet.

As with all CLAS direct services, interpreters can be provided.

Slide 23: SHARP Workplaces Approach

- SHARP Workplaces takes a holistic, trauma informed approach. We provide referrals to support services.
- Developing referral network: build relationships with service providers to better serve clients.
- Building relationships and procedures to allow efficient referrals, to reduce challenges and trauma to clients.

Slide 24: SHARP Workplaces Public Education

SHARP Workplaces offers free education sessions and training workshops to:

- Non-profits,
- Indigenous organizations, and
- Small businesses

Training is on preventing and addressing sexual harassment in the workplace. Training is currently provided via Zoom, will be available through online platform.

Slide 25: SHARP Workplaces Roster Opportunity

How lawyers can get involved in offering services through this program:

- SHARP Workplaces is currently recruiting province-wide to add lawyers to our roster to assist us in providing our services. Lawyers are compensated based on Legal Aid BC tariff hourly rates. Interested lawyers must be insured practicing members of the Law Society of BC in good standing.
- Preference may be given to lawyers with practice experience in the following areas of law: provincial human rights, federal human rights, employment and labour, workers compensation, criminal harassment and sexual assault. Experience dealing with

underserved or vulnerable populations, including Indigenous peoples, LGBTQ2S+ people, people from ethnic or cultural minorities, and persons with disabilities.

- Experience and/or training in cultural competency and trauma-informed approaches.
- CLAS is a Law Society CPD approved training provider.
- Lawyers interested in joining the roster may email SHARPWorkplaces@clasbc.net or contact me call CLAS at 604-673- 3143 for further information.

Slide 26: SHARP Workplaces Contact Information

This is SHARP Workplaces' contact information. It links to a page on our website with application form and resources: videos explaining workplace sexual harassment, brochures in 13 languages and posters. Clients do not need to complete the application form beforehand, although it assists to speed up the intake process.

Anyone contacting SHARP Workplaces legal clinic will most likely be connecting with our intake coordinator, Angela Leung.

Slide 27: Eligibility Overview

Eligibility for CLAS programs:

- As outlined, each CLAS program has its own eligibility criteria.
- CLP, MHLP and HRC have financial eligibility for new clients. CASL and SHARP have no financial eligibility requirements for new clients (CASL is not directly accessed by clients).
- Several factors are reviewed for financial eligibility and the exact requirements change from time to time, which is why we are unable to give exact numbers.
- Please contact the appropriate program and they'll assist you with any eligibility requirements.

Slide 28: CLAS Funders

We recognize and thank our funders. CLAS also receives donations through our Foundation.

Slide 29: Presenters' Contacts

If you'd like to contact either of today's presenters directly, this is our contact information.

Both myself and Coral are from the SHARP Workplaces program at CLAS.

Slide 30: CLAS Contact Information

This is CLAS' main contact information and website where information about all our programs can be found.