



**Le 9 juin 2021**

Les facultés de droit canadiennes ont mis en place une variété d'initiatives pour assurer un engagement important et efficace aux appels à l'action de la Commission de vérité et de réconciliation. Les résumés ci-joints ont été préparés par les doyens et doyennes des facultés de droit canadiennes dans le but de partager des informations sur les nouveaux développements survenus au cours des deux dernières années. Ces brèves déclarations complètent notre première série de résumés qui ont été préparés en 2017.

Comme l'indiquent ces résumés, les réponses des facultés de droit canadiennes sont variées, avec des initiatives au curriculum et aux programmes d'études. Celles-ci comprennent de nouveaux cours, l'intégration de matériaux pertinents à l'ensemble des programmes d'études de la faculté de droit, et une exposition accrue à la culture et les pratiques autochtones.

Les initiatives actuelles des facultés de droit canadiennes en réponse aux appels à l'action de la CVR, démontrent que les facultés de droit s'appuient sur diverses initiatives déjà en place, souvent depuis longtemps. Ces initiatives font preuve d'engagement et de créativité. Il est également clair que le voyage vers la réconciliation est complexe et à multiples facettes, et que la voie à suivre pour les facultés de droit et la profession juridique nécessitera un dévouement et de la persévérance. La profession juridique devra s'engager sur une longue période. Nous comprenons qu'il y aura des défis et de faux pas, et nous nous engageons à y faire face avec franchise et honnêteté.

Pour de plus amples renseignements sur les réponses des facultés de droit canadiennes aux appels à l'action de la CVR, veuillez communiquer avec les facultés de droit ou le Conseil canadien des doyens des facultés de droit.



## University of Alberta Faculty of Law - Law Responses to the TRC Calls to Action

Located in Treaty Six Territory and the Métis Homeland, the University of Alberta Faculty of Law has taken numerous steps to implement TRC Call to Action 28. The Faculty recently created a standing Indigenous and Aboriginal Law Committee to advise on the continued development of curricular offerings in Indigenous and Aboriginal Law and to support the continued integration of Indigenous Law into the existing curriculum. The Faculty also altered its existing upper year course requirements to include a mandatory course in Indigenous or Aboriginal Law for all students. The Faculty's continuing Indigenous initiatives include:

- *The Indigenous Law Students Association Speaker Series*: this annual event, sponsored by the Alberta Law Foundation and ATCO, features a series of five lectures by lawyers, legal scholars and other subject matter experts, and includes the presentation of the Aboriginal Justice Award.
- *Foundations of Law*: A mandatory course for first-year students, which includes a concentrated unit on Indigenous legal traditions and incorporates the widely acclaimed KAIROS Blanket Exercise, in which students are walked through hundreds of years of Indigenous and Canadian history.
- *Gladue Seminar and Externship*: This experiential-learning course delivered in partnership with Alberta Justice provides law students with a deeper understanding of the legal, social, cultural and economic contexts for implementing Gladue principles, including the relevance of individual social and historic factors, the TRC final report, and the relationship of Gladue principles to Indigenous laws, Indigenous healing and ceremonial processes and restorative justice practices.
- *Indigenous Laws--Foundations & Methods*: An interactive intensive seminar exploring current challenges in accessing, understanding and applying Indigenous legal traditions today, this course engages students in critical examination of legal theories about the nature and sources of law and the work of justice and reconciliation in inter-societal contexts.
- *Indigenous Peoples and the Law*: This course introduces students to the legal issues faced by Indigenous peoples pertaining to Indigenous lands, rights, and governance within Canada through a survey of case law relating to Aboriginal rights and title; treaties; federal/provincial jurisdiction with respect to Indigenous peoples; child welfare jurisdiction; criminal justice; treatment of Indigenous women; and Indigenous citizenship and membership codes.
- *Kawaskimhon National Aboriginal Moot*: Participation in Canada's only national law school forum focused on Indigenous legal issues, which takes the form of a non-competitive multi-party negotiation process aimed at generating a range of potential solutions to complex issues.
- *Wahkohtowin Law & Governance Lodge*: A joint initiative of the Faculty of Law and the Faculty of Native Studies, this project supports the identification, articulation and implementation of Indigenous laws and governance; develops, gathers, amplifies and transfers wise practices, promising methods and research tools; and produces useful and accessible practical governance resources and public legal education.

## THE UNIVERSITY OF CALGARY AND THE CALLS TO ACTION

In 2017 our faculty established a committee to develop responses to the TRC Calls to Action and *ii' taa'poh'to'p*, the University's Indigenous strategy. The committee, which includes Indigenous students and alumni in addition to faculty and staff, has consulted extensively with the IBA, Indigenous students and alumni, other law faculties, and the CBA in developing these responses. Some of the things that we have done/are doing include the:

- Programming in the first weeks of 1L that includes: a welcome from an Elder, a visit to the TsuuT'ina Nation or the Blackfoot Crossing historical park (where Treaty 7 was signed), and the Kairos blanket exercise
- Continuing to expand the breadth and depth of Aboriginal and Indigenous law content in the curriculum generally, especially in the mandatory curriculum. Across the mandatory curriculum students now get a full course worth (36 credit hours) of instruction in these topics. Across the entire curriculum no fewer than thirty-four of our courses contain content dealing with issues of Aboriginal and Indigenous law
- Working closely with the student run Indigenous Law Club to understand student concerns and ensure they have a voice in our decisions (which is formalized by providing two seats for students on our Indigenous strategy committee and engaging alumni frequently)
- Funding students to complete the University of Calgary First Nations Leadership program as part of their law degree;
- Playing a partnership and hosting role in the "Dare to Dream" Aboriginal high school student program;
- Offering a suite of online summer lectures for incoming Indigenous students;
- Working with the Treaty 7 Nations and other First Nations communities to boost the number of First Nations and Metis students attending law school, and actively raising funds for scholarships and bursaries to support them;
- Our Indigenous strategy committee has added the Indigenous Initiative Liaison from the Law Society of Alberta to assist us in our work;
- We have developed a strategy for the recruitment and hiring of Indigenous faculty and staff and a strategy for the recruitment of Indigenous students;
- Our faculty has created and filled a new staff position: Coordinator, Indigenous Initiatives and Reconciliation;
- Developed a formal relationship with a western Canadian Tribal Council for collaboration on research and student opportunities;
- Provide funding to Indigenous students for IBA memberships and to participate in the IBA conference;
- Worked with the Law Society of Alberta to provide Indigenous students access to mentorship program and access to legal practitioners;
- Hosted a number of public lectures on Aboriginal and Indigenous law issues, including talks by Kent Roach, Heidi Kiiwetinepiinesiik Stark, and Doug White III;
- Working to develop a certificate in Indigenous Legal Studies;
- Developing relationships with local Indigenous nations to support these initiatives and find ways for our faculty to encourage reconciliation and bring value to those communities.

**Schulich School of Law, Dalhousie University: Reconciliation Initiatives & Responses to the TRC Report**

Our efforts date back to establishing the Indigenous Blacks and Mi'kmaq Initiative (IB&MI) in 1989 at Dalhousie Law School, which is an access and support program for Mi'kmaq and African Nova Scotian students. The IB&MI holds six dedicated spaces for Mi'kmaq students in each incoming first-year class and is supported by the University and the provincial and federal governments. This was in part a response to issues identified in the *Royal Commission on the Donald Marshall Jr. Prosecution* report that, like the TRC report, called for widespread changes to address issues of systemic racism in the justice system. There have been approximately 220 graduates from IB&MI in the last 32 years. Our IB&MI graduates are working as lawyers throughout Canada, changing the face of the justice system and legal profession in a variety of roles. In 2019, there sixty-four practicing members of the Nova Scotia Bar who self-identified are Mi'kmaq or Aboriginal and there are currently five Indigenous judges appointed to the courts of Nova Scotia.

We have an active Dalhousie Indigenous Law Students Association. We give our students financial support every year to attend the national Indigenous Bar Association Conference. We have a relationship with Unama'ki College at Cape Breton University, which includes supporting potential Mi'kmaw candidates to apply for law school. Supports include LSAT preparation and information sessions, including free LSAT preparation instruction and materials to all interested Mi'kmaw and other Indigenous applicants. A number of workplaces in the province have a dedicated summer employment and articling position for our IB&MI students, including the NS Department of Justice, NS Legal Aid and NS Court of Appeal has a designated articling clerk.

In 2016, we formed a TRC Committee, made up of faculty and students, which has been instrumental in the design and execution of the faculty's response to the TRC recommendations. To date, a large focus of the TRC Committee's work has been on enhancing our curriculum. This has taken the shape of introducing several new courses to our calendar, as well as supporting the pervasive integration of Indigenous content into existing courses. To the latter end, we committed new resources, including the hiring of Research Assistants, to build a collection of materials that faculty members can use to integrate Indigenous subject matter in their teaching.

The courses we have added since 2016 include a mandatory two-credit intensive course for our first-year students, *Aboriginal and Indigenous Law in Context*, aimed providing foundational knowledge about the history and contemporary experiences of Indigenous peoples (particular Mi'kmaq people as we are located in Mi'kma'ki) and their relationship with Canada, as well as introduction students to the various ways Aboriginal and Indigenous law intersect with Canadian law. Beyond this, we now offer seven upper-year courses in Aboriginal and/or Indigenous law, which has further enabled us to offer our students a Certificate in Aboriginal and Indigenous as of September 2020. Eight of our 2021 graduates have successfully completed the requirements of the Certificate.

As of June 2021, we will have three Mi'kmaq tenure-track professors at Schulich. Plans for the future include continuing to enhance the curriculum, including the addition of more mandatory content, introducing a graduate certificate, as well as situating Schulich as a regional leader in supporting local Mi'kmaq and other Indigenous communities in the revitalization and implementation of their laws and governance practices.

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### **Truth and Reconciliation Calls to Action: Bora Laskin Faculty of Law Responses**

The Bora Laskin Faculty of Law at Lakehead University was established in the fall of 2013 with the blessing and support of Indigenous communities, including Fort William First Nation, Nishnawbe Aski Nation, Anishinabek Nation (formerly the Union of Ontario Indians), Grand Council Treaty #3, and the Metis Nation of Ontario. Since it opened, the faculty's three mandates have served the legal needs of Northern Ontario: 1) Aboriginal and Indigenous Law; 2) Natural Resources and Environmental Law; and 3) Small Town Practice with the Integrated Practice Curriculum. Even before the Truth and Reconciliation Commission released their final report in 2015, Bora Laskin faculty and staff have been responding to many of the TRC Calls to Action.

Since opening our doors, first-year students have been required to take two courses in Aboriginal Worldviews and Indigenous Law. The first is LAWS 1530 (Indigenous Legal Traditions) introducing students to the worldviews and perspectives of Indigenous peoples in Canada examining laws and legal traditions of various Indigenous nations. It covers the history and legacy of residential schools, treaties understood from an Indigenous perspective, Indigenous law, Aboriginal-Crown relations, and skills-based training in using talking circles as a form of conflict resolution. The second is LAWS 1535 (Indigenous Perspectives) requiring law students to engage in thirty-six (36) hours of activities approved by the Director of Indigenous Relations. The approved activities introduce law students to FNMI culture, traditions, and perspectives through speakers, dialogue, media, and experience-based opportunities to interact with Indigenous communities. In second year, all law students are required to complete a full year course, LAWS 2000 (Aboriginal Legal Issues) which covers Canadian laws applied to Indigenous Peoples, addressing historical and current interactions affecting Indigenous Peoples including Aboriginal-Crown relations, treaties and Aboriginal rights. The course also introduces all Lakehead law students to the UN Declaration on the Rights of Indigenous Peoples. Beyond these mandatory courses, we also offer electives with Indigenous and Aboriginal Law content including IP and Indigenous Knowledge Governance, Federal and Aboriginal Law of Work, and Land Use in the North. All instructors are encouraged to also weave Indigenous contents into all their courses where possible and Lakehead University has recently appointed an Indigenous Curriculum Specialist to help with further curricular developments in these areas.

Not only are Indigenous content and concerns integrated throughout our curriculum, but also throughout our building and every major event we host. Our Restorative Justice Room, Aboriginal Law classroom, and Indigenous Law Students' Association Resource Centre all provide culturally safe and comfortable spaces for students. We also include Elders, drummers/singers, and cultural teachings in our Welcome Day, Orientation, Graduation, and other significant events. In addition to the Anishinaabe Oma-Minowaywin (the Faculty's Indigenous advisory council which provides guidance to the Dean and faculty), the Ogimawin Indigenous Education Council (the university's Indigenous governing body which provides guidance to the President on all Indigenous programs and services at Lakehead), and the position of Director of Indigenous Relations (established in September 2017 to coordinate the Indigenous Perspectives course, the Elder-in-Residence program, chair the Indigenous Admissions Committee and serve on others, conduct student & faculty recruitment activities as well as other events in the region, such as the annual Indigenous High School Law Day and the annual Indigenous Legal Traditions field trip, and liaise with the Native Law Centre at the University of Saskatchewan College of Law along with other Indigenous legal supports across the country), the Bora Laskin Faculty of Law currently employs one Indigenous faculty member and is committed to hiring more as we grow. Further, we have a ProBono Students Canada chapter at our law school focused on Indigenous legal issues, as well as a very active

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Indigenous Law Student Association which hosts various cultural workshops, film screenings, feasts, social gatherings, mentorship and networking opportunities, and academic panels and presentations.

Entering our ninth year, the Bora Laskin Faculty of Law continues to build on the mandate of Aboriginal and Indigenous Law. We have many initiatives that have been generously funded by the Law Foundation of Ontario and the federal Department of Justice to further our efforts in strengthening relationships with Indigenous communities and organizations. Continued initiatives include annual participation in the Kawashkimohn Moot, expanded Pro Bono Students Canada projects with Indigenous partners and content, an increased number of Debwewin student internships, and volunteer and employment opportunities with Lakehead University Community Legal Services, Kinnaaweya Legal Clinic, and Nishnawbe Aski Legal Services. New initiatives since the current COVID-19 pandemic moved everything online include monthly check-ins with Indigenous students conducted by the Director of Indigenous Relations, collaboration with the newly formed National Advocates for Indigenous Law Students to discuss and address issues around student support, admissions, recruitment, online learning, and finally, the launch of an Indigenous Law and Justice Institute on April 1, 2021. The Institute will focus on research, including engaging students with community members and elders and building on our series of Indigenous law conferences; strengthening relationships with Indigenous communities and organizations to revitalize Indigenous laws; and on curriculum development for land-based learning and a law camp.





## Response to the TRC “Calls to Actions”

Law Faculty, Université Laval, Québec

The endeavours carried on by our Faculty in response to the TRC are manifold and benefit from a wider institutional response outlined in an Action Plan adopted last December ([In Action with First Nations](#)) by ULaval’s Board of Directors. In the stream of the TRC Report, our Law Faculty implemented a series of measures destined to increase aboriginal participation and inclusion in all spheres, with a special emphasis on French speaking Huron-Wendat Nation located nearby Quebec City. Last April, an internal *ad hoc* Faculty Committee formed in 2018 turned in a very thorough Report that shall set the scene for years to come. In parallel, a pan-campus Permanent Committee on Aboriginal Nations will foster the bundle of faculty measures already in place: they target promotion and admittance, teaching & research, and mentorship & education.

**Promotion & Admittance.** In fact, we have had a tradition of admitting self-identified aboriginal students in our bachelor degree for quite some years. Above-quota seats are reserved for applicants who hold a college or university diploma, are Québec residents, and are recognized Inuit or registered members of a First Nation. Four (4) were admitted in September 2020, and three (3) are expected next Fall. Pursuing this goal, we collaborate on an ongoing basis with the Education Commission of the Assembly of First Nations Quebec-Labrador in order to identify the best measure to support our aboriginal students, as well as to develop targeted recruitment strategies. Towards this end, we also promote our programme at the Kiuna Institution, located in Odanak, the first aboriginal post-secondary college (CEGEP) in Québec. Another intended measure is to foster mentorship by our aboriginal graduates. We also plan to organise cultural reconciliation retreats for aboriginal students in nearby aboriginal communities such as Odanak or Wendake.

**Teaching & Research.** Our LL.B. already includes an optional course on Aboriginal People and the Law (*Droit et peuples autochtones*) regularly taught by an LL.M. graduated aboriginal lecturer. In addition and in the context of the ongoing programme revision imposed by the Ministry of Education, we plan on integrating aboriginal law & culture knowledge more systematically through a series of compulsory courses (such as *Introduction to law*, *Constitutional law* and *Public international law*, as well as an interdisciplinary aboriginal law & culture compulsory class yet to be programmed. Besides, one professor is entirely dedicated to aboriginal law studies (Geneviève Motard); many others add a quite significant aboriginal dimension to their classes and researches (e.g. natural resources, criminal law, family law). One graduate seminar was recently created: *Droit, territoire et peuples autochtones*; another new aboriginal law online course is now offered in our short degree in law (Certificate): it is intended to non-law students and the public in general, including Aboriginals themselves. Finally, conferences are regularly organised around aboriginal law & culture, inspiring Native models are sporadically honored and valued (e.g. Romeo Saganash was granted an honorary degree last year)

**Mentorship & Education.** The University will set forth a First Nation Circle that will support, assist and gather aboriginal students. Also, our Faculty has offered all our administrative staff a half-day of continuing education surrounding Native’s culture and history in order to enhance sensibility and awareness towards Aboriginal students’ issues and needs.

## Reconciliation Initiatives in response to TRC Call to Action #28 – May 2021

The Law Faculty Council at the University of Manitoba (UM) continues to respond to Call to Action #28 as follows:

**Curriculum – First Year:** Mandatory courses incorporating Indigenous perspectives, legal issues and topics highlighted by the TRC include: Constitutional Law, Criminal Law and Procedure, Legal Methods, Legal Systems and Property. For example, Constitutional law through case law, legislation, international treaties and historical and modern treaties explored Aboriginal peoples and Crown relations, Aboriginal and Treaty Rights, Aboriginal Title and the Duty to Consult and Accommodation. The Criminal law section included an examination of *The Royal Commission on the Donald Marshall Jr Prosecution* as well as an exploration of Racism and Court Dynamics, including Gladue sentencing principles and incarceration issues. Property law included modules on Aboriginal Rights and Aboriginal Title. The Legal Methods course specifically examined the TRC Calls to Action #27 and #28. The Legal Systems course explored Canada's Indigenous legal traditions and provided an introduction to Canada's Indigenous Legal Orders.

**Curriculum – Upper Years:** Modules/lectures/readings within **mandatory** upper year courses included: Administrative Law (Indigenous Rights and Administrative Law); and Evidence (Indigenous Oral Tradition in the Courtroom). Modules/lectures/readings within **elective** upper year courses included: Advance Legal Research (researching Indigenous Law); Bankruptcy and Insolvency (*Indian Act*, Sections 89 and 90 ); Construction Law (construction projects on Indigenous Land); Family Law (matrimonial property on Reserve); Français Juridique (Gladue principles); Intellectual Property Law (Indigenous Intellectual Property and IP protection); Public International Law (*United Nations Declaration on the Rights of Indigenous Peoples*); Tax (taxation of Indigenous Peoples and *Indian Act*, sections 87 and 89 ); Canadian Legal History (water advisories in First Nation communities; Rights and Indigenous Peoples in Canada); Children, Youth and the Law (intercultural competencies and anti-racism including TRC Calls to Action, history and legacy of residential schools, MMIWG Calls to Justice, Inquiry of Phoenix Sinclair); Human Rights Law (Qualitative, Indigenous, and Decolonizing Research Methods); International Criminal Justice (TRC Summary of the Final Report, MMIWG National Inquiry); Law and Religion (*Ktunaxa Nation v British Columbia* and *Servatius v Alberni School District No. 70*); Sentencing (Sentencing and Indigenous Peoples); Transitional Justice (TRC Summary of the Final Report); Clinical Crim Externship (interviewing for Gladue submissions; Gladue handbook); Intensive Crim (Gladue and sentencing). **Upper year courses with specific focus on Indigenous issues** offered for the 2020-2021 term included: Aboriginal Law – Criminal Justice and Family Law; Aboriginal Peoples and the Law; Indigenous Economic Development and the Law; and Oral History, Indigenous Peoples and the Law.

**Extra-curricular:** Students take part annually in the **Kawaskimhon Moot** and did so again this year, March 12-13. Robson Hall hosted the event in the winter of 2020, with much engagement throughout Manitoba's practicing legal community. Open to both the practicing professional legal community of Manitoba and law students, we offered the seminar series, "**Indigenous People and the Criminal Justice System: a seminar series answering TRC Call to Action #27**" on January 16, 23, 30, and February 6, 2021. A total of 27 participants registered for the seminar including 16 lawyers/articling students, and 9 Juris Doctor students. **Orientation week** included activities and sharing experiences with University Elders and other Indigenous individuals active in the legal community. The **Manitoba Indigenous Law Students Association (MILSA)** organizes speaker and extra-curricular learning events. The Faculty of Law encourages applicants of Métis, First Nations and Inuit heritage, making available an **admissions category** with an individualized process for these students. The Faculty employs an **advisor for Indigenous students** as part of an Academic Support program, and Financial Support is available as part of our comprehensive **needs-based financial aid** and bursary program, including entrance awards for Indigenous students.

**Research & Dissemination:** This year's annual Distinguished Visitors Lecture Series (held virtually) included: [Al Benoit, Chief of Staff and Senior Advisor to Manitoba Metis Federation President and Cabinet speaking on "Manitoba 150 – The Unfinished Business of Reconciliation"](#), and [Dr. Megan Davis, Pro Vice-Chancellor Indigenous and Professor of Law at the University of New South Wales, Australia, speaking on "Global Reflections on the Right to Indigenous Self-determination after the Trump Era"](#).



## Responses to the Final Report of the Truth and Reconciliation Commission

McGill Faculty of Law – May 2021

### Process

- Survey of Indigenous Issues (February 2016, drafted by then law student Molly Churchill)
- *Taskforce in response to the Truth and Reconciliation Commission's Calls to Action* (2016–17)
- Subcommittee of Curriculum Committee (2017– )

### Initiatives

#### Teaching

- Multi-pronged response to call-to-action no. 28, including:
  - Creation of a mandatory, three-credit course in Indigenous Legal Traditions for all first-year BCL/JD students beginning in Fall 2020
  - Integrated modules on Indigenous law in all existing mandatory courses
- Existing Indigenous content in mandatory courses:
  - Introduction to Indigenous ways of knowing as part of intensive weeks for first-year students
  - Criminal Justice course (6 cr.) integrates common law, civil law and Indigenous laws, and explores the impacts of criminal justice on Indigenous communities in Canada
  - Property course (6 cr.) integrates common law, civil law and Indigenous laws
- Indigenous faculty:
  - John Borrows, Professor at the University of Victoria Law School, and Canada Research Chair in Indigenous Law, appointed Tomlinson Distinguished Visiting Professor for 2017-18
  - Aaron Mills, from Couchiching First Nation, appointed Assistant Professor in August 2018
  - Kerry Sloan, Metis law scholar, appointed Assistant Professor effective August 2019
  - Joshua Nichols, from Treaty 8 territory, appointed Assistant Professor effective August 2021
  - Ongoing call for external researchers working on Indigenous Legal Traditions
- Combined Law (BCL/LLB) program with Minor concentration in Indigenous Studies

#### Experiential Learning Opportunities for Students

- Field courses:
  - One-month interdisciplinary Indigenous Field Studies Course in collaboration with Social Work, Medicine and Anthropology, which includes one week spent in Kahnawà:ke, Mohawk Territory
  - Anishinaabeg Law Class: 3-day intensive land-based course taught by John Borrows on territory of Chippewa of the Nawash First Nation (Ontario)
- Outreach:
  - Participation in the annual Eagle Spirit High Performance Camp run by McGill's First Peoples' House (FPH)
  - LEX high school outreach program (partnership with Kahnawà:ke Survival School and other Montreal area schools with 10 dedicated lesson plans)
  - Developing partnership with Connected North to broadcast lessons to remote and northern schools
- Internships and legal clinics:
  - Maliiganik Tukisiiniakvik Legal Services (Nunavut)
  - Wiyasiwewin Mikiwahp Native Law Centre (Saskatoon)
  - Mohawk Council of Akwesasne Justice Department (Ontario/QC/NY border)
  - Justice and Correctional Services of the Cree Nation Government (Waswanipi, James Bay)
  - Yukon Human Rights Commission

- Native Women's Shelter of Montreal
- Native Friendship Centre of Montreal
- Academic exchange opportunities:
  - University of Arizona Indigenous Peoples Law and Policies program
  - Osgoode Hall Law School's Intensive Program in Aboriginal Lands, Resources and Governments
  - University of British Columbia's Indigenous Legal Studies program
- Student research: Aboriginal Human Rights Initiative run through the Centre for Human Rights and Legal Pluralism
- Kawaskimhon Aboriginal Law Moot (hosted in 2018)

#### *Student Experience & Support*

- Hire of Assistant Dean (Inclusion – Black and Indigenous Flourishing) (spring 2021)
- Recruitment:
  - Annual visit to [Kiuna Institution](#) (First Nations CEGEP)
  - Admissions workshop in collaboration with Faculty of Medicine in Fall 2018
  - Welcome Days for students at Kahnawà:ke Survival School
  - Lunch events for Indigenous undergraduate students at First Peoples' House to introduce students to faculty members and relevant resources
  - Language training for admitted Indigenous candidates to improve abilities in English or French before or during the law program
- Indigenous Law Students:
  - Creation of an Indigenous Initiatives Coordinator position (part-time student)
  - Indigenous Law Association / Association de droit autochtone (ILADA)
  - *Rooted* (publication run with ILADA)
  - Dedicated bilingual pages [on the Faculty website](#) (explaining admissions process, available resources and sources of financial support)
  - Annual inter-tribal welcome for all first-year law students during orientation and welcome lunch for Indigenous students at First Peoples' House
  - Survey of Indigenous students to identify needs and desired support measures
  - Annual career panels featuring Indigenous legal practitioners and lawyers in Aboriginal law
  - Development of mentorship program and creation of a database of summer job and internship opportunities
  - Installation of RedDress project commemorating missing and murdered Indigenous women in March 2019
  - Development of an Indigenous awareness workshop with university's Social Equity and Diversity Education Office for all law students
- Funding:
  - For Indigenous student participation in professional and academic conferences (e.g. annual IBA conference)
  - Funding available for ILADA initiatives
  - Donor-funded bursaries and scholarships with preference for Indigenous students
  - Dedicated funding for Indigenous graduate students
  - Developing student essay competition in Aboriginal law

#### *Decolonization of Space*

- Addition of Indigenous artwork in law library, main lobby, and space outside Student Affairs Office

- Proposals for Indigenous learning classroom underway

## **Inventaire des interventions et initiatives relatives aux questions des droits des peuples autochtones à la Faculté de droit de l'Université de Moncton**

### **1. Admissions au programme de J.D.**

La Faculté de droit a en place des conditions d'admission spéciales pour les personnes autochtones. Le règlement 1.1.3 prévoit ainsi qu'en reconnaissance de la discrimination systémique subie par les autochtones au Canada, la Faculté tiendra compte de ce facteur dans l'évaluation des candidatures d'autochtones et pourra admettre à titre exceptionnel ces personnes même si elles ne satisfont pas aux exigences minimales d'admission.

### **2. Au sein du programme de Juris Doctor**

- Le cours DROI3033, « Droit des peuples autochtones » fait partie du programme du J.D. et est offert sur une base biannuelle. Voici le contenu de ce cours : « L'enseignement comprend trois parties d'importance relativement égales : la première étudie dans quelle mesure l'application des droits des peuples autochtones est actuellement reconnue dans le système juridique canadien; la seconde porte sur une analyse de ces droits en mettant l'accent sur les rapports de droit privé; la troisième, enfin, envisage les problèmes que pose l'extension de l'autonomie des droits des peuples autochtones dans le contexte d'une approche pluraliste du droit. »
- Dans le cadre du cours DROI1221, « Droit constitutionnel », au moins trois heures d'enseignement sont consacrées à l'enchâssement constitutionnel des droits des peuples autochtones au Canada (y compris les droits ancestraux et les droits issus de traités) et, plus précisément, les fondements en common law de la reconnaissance constitutionnelle des droits des peuples autochtones. De plus, il y a eu un survol des conclusions de la Commission de vérité et réconciliation du Canada.
- Au cours « Droit des biens » (DROI 1017), environ six heures d'enseignement sont consacrées à la question du titre ancestral à l'aide de la jurisprudence et des sources de doctrine pertinentes, à l'art. 35 de la Loi constitutionnelle de 1982, à la reconnaissance juridique du titre ancestral, ainsi que l'obligation de la Couronne de consulter et d'accommoder les peuples autochtones en matière des projets de développement économique.
- On aborde dans le cours DROI3120, « Droits linguistiques » la question des droits linguistiques des peuples autochtones.
- Le cours DROI2321, « Histoire du droit » traite de questions en lien avec la colonisation et la réception du droit au Canada, et donc des droits des peuples autochtones.
- DROI3533, « Droit de l'environnement », examine la reconnaissance des droits ancestraux de chasse et de pêche en droit canadien.
- Des éléments des droits autochtones sont également étudiés dans les cours DROI2231 « Procédure pénale », DROI1224 « Droit international public », DROI2322 « Philosophie et sociologie du droit », DROI3023 « Modes de règlements de conflits » et DROI35 « Droit maritime ».
- Annuellement, des étudiants de notre programme de J.D. travaillent sur des questions autochtones dans le cadre de leurs mémoires.
- Publication d'articles des membres du corps professoral sur les questions des droits des peuples autochtones.

### **3. Centre de traduction et de terminologie juridiques (CTTJ)**

Le CTTJ est le principal traducteur, pour le compte du gouvernement du Nouveau-Brunswick, des décisions de justice publiées dans les deux langues officielles. Parmi ses autres travaux à contrat, il a aussi [...] fourni des services d'expert en jurilinguistique, notamment au gouvernement de la Colombie-Britannique et au ministère des Affaires indiennes et du Nord canadien concernant les accords avec des peuples autochtones;

### **4. Bibliothèque de droit Michel-Bastarache**

Depuis le dépôt du Rapport de la Commission de vérité et de réconciliation, la Bibliothèque de droit Michel-Bastarache enrichit davantage sa collection en matière de droit autochtone / droit des autochtones. Elle développe la collection en la matière de manière plus large qu'auparavant (qui était de maintenir une collection appuyant les cours offerts par la Faculté de droit sur le sujet). La Bibliothèque suit de près les travaux du Comité des questions autochtones de la Fédération canadienne

des associations de bibliothèques (FCAB), notamment ses travaux relatifs à la mise en œuvre de la 5<sup>e</sup> recommandation du Rapport et recommandations du Comité de vérité et réconciliation de la FCAB

## Indigenous & Reconciliation Initiatives Update for CCLD – May 14, 2021

Osgoode Hall Law School of York University remains committed to taking specific actions to advance the larger Canadian imperative of Reconciliation with Indigenous peoples envisioned by the report of the Truth and Reconciliation Commission of Canada (TRC).

As set out in the 2021-2025 Strategic Plan, the Law School has committed to Advancing Reconciliation and Justice as one of its 6 Key Focus Areas. Osgoode aims to take a leadership role in this endeavour through the establishment of various programs, including the development of an Elder-in residence program. These initiatives build on others the Law School has accomplished over the past few years, including<sup>1</sup>

- Establishment in August 2020, of the Kendaasowin Gchi-Naakinigewin (which means “the Art of Learning Law”), an Indigenous Student Success Program.
- Establishment of Osgoode's Office of Indigenous and Reconciliation Initiatives in October 2018 led by the Program Manager & Special Advisor, Indigenous & Reconciliation Initiatives which includes a full-time staff person.
- Development of the Indigenous and Aboriginal Law Requirement (IALR), which requires all graduating students to have taken one of a number of courses, offered in all three years of law school, which significantly expose students to Indigenous perspectives on law.
- Creation of a separate and additional honour ceremony for our graduating Indigenous students on the same day as Convocation.
- Increasing the number of indigenous faculty members for a total of 4 (including a CRC shared with York's Faculty of Environmental and Urban Change).
- Annual Anishinaabe Law Camp held over 4 days each September (since 2014) at Neyaashiinigmiing (Cape Croker) in collaboration with the Chippewas of Nawash.
- A second 3-day Indigenous camp added in 2018 in collaboration with the Rama First Nation.
- Debwewin Summer Internship program in collaboration with the Ontario Ministry of the Attorney General.
- 25<sup>th</sup> anniversary of the Intensive Program in Aboriginal Lands, Resources, and Governance celebration in 2019.
- Programming in Skennen'kó:wa Gamig (formerly Hart House) as a stand-alone centre for Indigenous community life at York University and other pan-University collaborations.
- Augmenting available funding sources for Osgoode Indigenous faculty, including the CRC in Indigenous Environmental Justice, as well as Osgoode's Indigenous Students Association (OISA) for community projects and events, and proactive outreach for the recruitment of Indigenous faculty, staff and students.
  - Renovation of the space used by members of Osgoode's Indigenous Students Association in the Osgoode building to facilitate smudging ceremonies.

Osgoode's commitment to Reconciliation builds upon our past initiatives and reflects our shared goal for the Law School to play a leadership role among Canadian law schools in engaging with Indigenous communities, students and scholars and ensuring that our curriculum reflects Indigenous legal traditions and Indigenous justice issues.

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<sup>1</sup> Note that due to the Pandemic, some activities did not occur this year. They will resume once permitted and deemed safe.



## Initiatives de la Section de droit civil, Université d'Ottawa, 2020-21

### **Historique**

La Faculté de droit, Section de droit civil de l'Université d'Ottawa est une pionnière dans l'enseignement du droit autochtone au Canada. En effet, depuis 2006, nous offrons une école d'été en territoire innu dans le cadre de laquelle une moyenne de 50 étudiants par année sont initiés à l'ordre juridique innu. De plus, de 1990 au début des années 2010, nous offrions un programme d'admission pré-droit de sept semaines en français pour les candidats autochtones. Sur le plan de la recherche, nous comptons plusieurs anciens et actuels professeurs spécialistes du droit canadien applicable aux autochtones et du droit autochtone dont une Chaire de recherche du Canada de niveau 1.

### **CVR**

À la suite des appels à l'action de la CVR, nous avons mis en place les nouvelles mesures suivantes :

- Création d'un comité permanent sur la vérité et la réconciliation composé de professeurs et étudiants chargé de développer un plan d'action et des mesures. Notre comité étudie notamment la possibilité de créer un cours obligatoire de 2<sup>e</sup> année sur le droit et les peuples autochtones à compter de 2022;
- Développement de liens avec la communauté algonquine de Kitigan Zibi et participation des aînés à nos cérémonies officielles (rentrée solennelle, collation des grades, etc).
- Embauche d'une professeure atikamekw nehirowisiw (entrée en fonction le 1<sup>er</sup> janvier 2020);
- Offre d'un cours intensif obligatoire d'initiation au pluralisme juridique et aux ordres juridiques autochtones de 12 heures offert à tous les étudiants de première année en droit au début janvier depuis 2018;
- Embauche d'une mentor.e pour les étudiants autochtones;
- Participation de la Faculté dans le concours de médiation Kawaskimhon;
- Création d'un programme de bourses pour étudiants aux parcours de vie exceptionnels y compris pour les étudiants autochtones;
- Formation du corps professoral et discussion facultaire entourant la réconciliation en territoire (activité suspendue en raison de la pandémie, remise en 2022);
- Cours intensif d'été pour les nouveaux étudiants autochtones (sera offert en juillet 2021 pour la première fois);
- École d'été en territoire atikamekw qui s'ajoute à notre école d'été en territoire innu portant sur les visions innue et atikamekw du monde et le rapport avec la terre, la gouvernance, les rapports juridiques de types privés, la transformation et la continuation de l'ordre juridique;
- Offre de cours optionnels en droit autochtone : traditions juridiques atikamekw, traditions juridiques anishnaabe (en common law); Droit autochtone;
- Projet communautaire de murale autochtone dans le pavillon Fauteux en collaboration avec la Section de common law.

## **uOttawa Faculty of Law Common Law Section**

We are continuing our decolonization and indigenization efforts in a variety of ways. Building on the work of years past, we continue to develop modules, workshops, and seminars for our 1L orientation program, ensuring that incoming first-year students are required to engage in anti-oppressive, decolonial, and trauma-informed learning from their first days at the Faculty. Additionally, first-year students in our English Program may opt to take their elective in Aboriginal Legal Mechanisms. For upper-year students, we offer an option in Aboriginal Law and Indigenous Legal Traditions in both the French Common Law Program (PCLF) and the English Common Law Program. Students in this option take one compulsory course, at least 15 units in optional courses, and obtain a transcript notation of the specialization upon completion of their JD.

Our Indigenous Learner support programming continues to evolve, building on initial appointments of our first Indigenous Affairs Coordinator in 2015 and later with the evolution of the role into the Office of the Indigenous Learner Advocate in 2018. Taking what we have learned and translating knowledge into action, we have grown our staff complement and restructured our Indigenous Education team creating two new roles within our Faculty to both support and serve Indigenous Learners and advance decolonial and anti-colonial approaches to legal education. Our Coordinator of Indigenous Learner Programming focuses exclusively on providing whole-Learner wrap-around support to Indigenous Learners. She coordinates our Bannock and Diplomas Professional Development Workshop Series, academic and legal writing mentorship programming, and our Brothers and Sisters-in-Law Peer Mentorship Program. In addition to offering individual academic planning and mentorship to Learners, she also hosts weekly community drop-ins, beading circle, and two public lecture events per semester. Our Director of Community and Indigenous Relations occupies a hybrid administrative and academic role encompassing a six-credit teaching load focused on Indigenous Legal Traditions and an out-facing community-building and Indigenization mandate. The directorship is broad in scope and encompasses external liaison activities, work within the central administration of the university, active participation in the governance of the Faculty, advisory responsibilities to the Dean, and management of several EDI-related portfolios including anti-racism and anti-oppression initiatives.

The law school continues its well-established pro-active admissions procedures for Indigenous students. A holistic approach to review of candidate files for our Indigenous Applicant Stream is undertaken by Indigenous staff and faculty, and we offer renewable entrance scholarships to eligible Indigenous candidates in the English JD Program and the PCLF. We have also established upper-year bursaries and an emergency fund for Indigenous Learners, and recently entered in partnership with Indspire to increase the scope and reach of our funding opportunities.

Our Indigenous Legal Traditions Committee (ILTC), established in 2018, is populated by staff and Faculty who work collaboratively to design and develop thoughtful, sustainable, and culturally informed extra-curricular learning opportunities for all members of our community. These initiatives include our Sage Advice Series offered in conversation with Canada's Indigenous Senators, our RedTalks Lecture Series, and a RedReads community reading circle, amongst others. The ILTC is also working collectively to facilitate curriculum reform and develop new learning opportunities for all students.

Queen's Law is committed to advancing the vital work of reconciliation. To achieve this, we foster a community that welcomes, respects and supports Indigenous students and celebrates Indigenous legal perspectives.

## Modelling a safe, equitable, and welcoming academic environment

- In October 2020, following consultations with stakeholders, especially including Indigenous students and alumni, Queen's Board of Trustees approved the decision to remove the name "Sir John A. Macdonald" from the law school building.
- In the Winter Term 2021, we launched a recruitment for a full-time Director of Indigenous Initiatives and Equity, Diversity and Inclusion (replaced a previous half-time position).
- In April 2021, Queen's announced the selection of The Honourable Murray Sinclair as the 15th Chancellor of Queen's University. His experience as a leading advocate for Indigenous peoples in Canada, and former lead of the Truth and Reconciliation Commission, will be immensely valuable to the university's efforts to advance reconciliation and Indigenous representation within our university and law school.
- Indigenous candidates may access alternative pathways for admission. We have about 620 in-program students in the JD program, and 23 self-identify as Indigenous.
- The Douglas Cardinal Bursary and Indigenous Law Student Awards provide needs-based and merit-based financial support to Indigenous students in the J.D. program.
- In the summer of 2021, Queen's Law is partnering with the Smith School of Business to deliver the *Future Leaders Launch*, a virtual camp for Indigenous high school students from the communities of Wiikwemkoong, Akwesasne, and Tyendinaga. The camp supports students in shaping their educational future, and promotes opportunities available in business and law.

## Innovative approaches to teaching and learning about Indigenous law

- After a first phase of curricular reform in response to the TRC, Aboriginal legal issues are taught as components of the mandatory first-year program to all students. We are about to launch a second phase of curricular reform that will focus more squarely on Indigenous law and Indigenous perspectives. We are exploring innovative approaches to teaching and learning about Indigenous law, including 'on the land' teaching and learning classes in Indigenous communities.
- We presently offer upper-year electives in Aboriginal Law, Aboriginal Child Welfare, and First Nations Negotiations.
- We have taken steps toward establishing a named Professorship in Indigenous Law, and we recruited for an Indigenous legal scholar in the Winter Term of 2021 (the outcome of this process is still pending at the time of this report).
- Oluwatobiloba (Tobi) Moody is joining the Law Faculty July 1, 2021, and brings a specialized knowledge of international intellectual property law, with a focus on the protection of traditional knowledge held by Indigenous and other societies.

## Supporting engagement with Indigenous knowledge and legal traditions

- Queen's Law participates in the Debwewin Internship, co-funded by the Aboriginal Justice Division of Ontario's Ministry of the Attorney General, providing student placements in Indigenous communities.
- In March 2021, Queen's Law and Smith School of Business hosted over 80 virtual participants as part of the *Queen's Conference on Indigenous Reconciliation*, a virtual symposium, focused on economic reconciliation.
- In March 2021, Queen's Law hosted Chief Cadmus Delorme of Cowessess First Nation in a virtual session to discuss their community's assert of sovereignty over child and family welfare.
- The Queen's Chapter of Pro Bono Students Canada has a partnership with the Akwesasne Justice Department to assist newly appointed Justices of the Peace to the Akwesasne Mohawk Court in their training.
- Queen's Law has a deeply committed alumni base, including former Indigenous law students, who are now agents of change in the profession, and helping to mentor current students.
- Building on the experiential learning opportunities of our pro bono clinics, we are exploring a clinic program that focused on providing Indigenous legal services.

## **Indigenous Initiatives and Responses to the TRC Report: Lincoln Alexander School of Law, Ryerson University**

May 2021

In keeping with our commitment to diversity, inclusion and justice, the Lincoln Alexander School of Law at Ryerson University has made it a priority to build relationships with and to serve Indigenous communities and has embedded this commitment as a core value in our Academic Plan. To that end, we have undertaken significant steps in our inaugural year to meet the TRC's Calls to Action and contribute to the important work of reconciliation.

### **Indigenizing Law School Space**

With the recent move to our new law school space, we established the Indigenous Space Sub-Working Group (ISSWG) — a sub-working group of the university's TRC working group — to identify how the space can effectively represent Indigenous peoples and cultures and provide a welcoming space for Indigenous students and faculty.

### **Indigenizing Curriculum, Teaching and Learning Practices**

**Curriculum:** The Indigenous and Aboriginal Law course is mandatory for first-year students and covers the impact of Canadian laws and colonizing policies on Indigenous people; Indigenous legal traditions and their modern practice; and the legitimacy of Aboriginal rights, including land title and self-determination rights. The course is taught by an Indigenous faculty member and practitioner and is designed to achieve the learning outcomes prescribed by the TRC's Call to Action #28. We are also developing a course on Indigenous theory and legal practice, and will be hiring a graduate student to integrate Indigenous legal education into the general curriculum (e.g., first-year torts). In addition, training and support has been provided to faculty on how to bring Indigenous knowledge and research methodologies into the classroom and curriculum.

**Teaching:** Our faculty includes two tenure-track members who are Indigenous with research interests and expertise in Indigenous law and legal theory, and two Indigenous practitioners/co-teachers. As we continue to grow our faculty over the coming years, we plan to recruit more Indigenous faculty members.

**Clinical and Experiential Programs:** We have assigned a director for our new Indigenous Economic Development Clinic, a program focused on Indigenous economic development. The director will play an important role in supporting the clinical program and shaping its parameters and content. We are also pursuing opportunities within Aboriginal Legal Support Services of Legal Aid Ontario to have students assist through clinical opportunities, and have partnered with Level Justice to allow students to participate in the Indigenous Youth Outreach Program and to create a new chapter. Finally, we have partnered with the Indigenous Justice Division of the Ministry of the Attorney General to send three students to the summer 2021 Debwewin Summer Law Program, an intensive summer internship for students interested in providing legal education and assistance to First Nations, Inuit and Métis communities and organizations in Ontario.

### **Admissions and Recruitment**

The law school will continue to refine our admissions and recruitment strategy to attract and retain Indigenous students. We will continue to develop our student mentoring and pipeline projects.

### **Student Support**

**Co-curricular Activities:** Our student services team has created a mentorship program for Indigenous students, and the recently formed Ryerson Indigenous Law Students Association (ILSA) is committed to providing a strong social support network for Indigenous students and to bringing awareness to legal issues affecting Indigenous communities through events, visiting speakers and other forms of knowledge sharing.

**Awards and Scholarships:** The Torys LLP Scholarship is a \$60,000 entrance scholarship for Indigenous students entering their first year (offered in partnership with Indspire). Other awards, such as the Dr. Anver Saloojee Anti-Discrimination award, the Kathleen Wilson Award for Indigenous Law students and the Santan and Omega De Mello Community Leadership Award will be given with a preference for an Indigenous student.

### **Future Initiatives**

Our future plans include hiring a Director of Indigenous Education and Reconciliation Initiatives; fundraising for student development and support (intensive courses, land-based learning, peer support and mentorship); co-curricular programming (lecture series in access to justice and Indigenous law, and opportunities for increasing awareness of Indigenous legal traditions).

## University of Saskatchewan College of Law: Responses to the TRC Calls to Action

The College of Law has a very long history of supporting Indigenous legal education. For over 40 years the Native Law Centre (now the Indigenous Law Centre) ran the Program of Legal Studies for Native People (PLSNP) which had over 1000 graduates, and over 75% of all practicing Indigenous lawyers in Canada began their legal education in this Program. The College retired the Program in 2019 and will be launching a new certificate program in 2022 with the aim of making programming on indigenous and aboriginal law available to a wider range of students than just those accepted to law school. The courses will be “for credit” classes and should allow indigenous students to use these credits towards further educational goals. As an interim measure the College of Law offered 8 credits of instruction to 26 indigenous law students from across Canada in the summer of 2021 in the areas of Property Law and our TRC Call to Action 28 response course, Kwayeskastasowin.

The College continues to welcome a significant number of indigenous students into its J.D. Program. In 2020-21 over 17% of our students self-identified as indigenous. We also continue to support indigenous students in our LL.M Program and have on-going support from the Law Foundation of Saskatchewan to fully fund indigenous LL.M students. At present 40% of the students in our LL.M Program self-identify as indigenous.

The College has responded to the TRC calls to action in many ways:

1. The College has had a Cultural Advisor since September 2015. Maria Campbell is a highly respected Metis author and playwright and is based in the Indigenous Law Centre. Maria provides cultural advice to the students, faculty and staff of the College and teaches a course on traditional indigenous laws.
2. In September 2018 the College introduced the first major change to its first-year curriculum in decades with the introduction of a compulsory 3 credit unit course called ‘Kwayeskastasowin’ [‘setting things right’ in the Cree language] which is our formal response to Call to Action Number 28. (In the Summer of 2021, this course was offered to all Faculty and Staff as part of improving understanding and awareness of Call to Action 28 and the issues facing our indigenous students).
3. In addition, all students in the College must take a 3 credit unit upper year course chosen from a basket of offerings that provide perspectives on Indigenous law and Indigenous perspectives on the law. (Currently 7 upper year courses are offered). All students attending the College from the fall of 2018 onwards must complete these 6 credit units to receive our J.D. degree. In the Fall of 2021, a session on Anti-Racism and Anti-Discrimination education will be added to the Orientation Program for 1L’s and the College has created a Committee to develop programming on Anti-Racism for all 3 years of our J.D. students and for Faculty and Staff. A class on Critical-Race Theory has also been added to our Upper Year offerings in 2021.
4. In 2021, the College of Law successfully completed the Nunavut Law Program in partnership with Nunavut Arctic College and the Government of Nunavut. 25 students started the Program in 2017 and 21 students based in Iqaluit received a University of Saskatchewan J.D. degree in

June 2021. A significant majority of the graduating class are Inuit and speak Inuktitut. (It is hoped that 2 more students will graduate in the Fall of 2021). The College will remain actively engaged with the students and has worked with our partners to secure articles for many of the students. The College has sought an extension to its contract enabling us to provide financial and other supports to the students until they complete their articles. All of the students intend to stay and practice law in the North and this cohort will fundamentally change the legal profession in Nunavut. The College viewed it as an enormous privilege to run this program and view its success as a key part of our Reconciliation initiatives. In recognition of its work, the Program was awarded an Arctic Inspiration Prize in 2020.



## **Mesures prises par la Faculté de droit de l'Université de Sherbrooke suite au dépôt du rapport de la Commission vérité et réconciliation**

La Faculté de droit a posé une série de gestes qui visent à attirer et retenir des étudiants autochtones, à sensibiliser la communauté facultaire aux enjeux autochtones ainsi qu'à mieux préparer nos étudiants aux défis et opportunités liés au droit autochtone dans leur future pratique. Voici sommairement les mesures prises :

1. Refonte en 2015 des cours obligatoires de droit constitutionnel pour introduire un important bloc obligatoire sur les droits des peuples autochtones (équivalant à environ 2 crédits);
2. Introduction en 2011 d'un cours optionnel dédié au droit des autochtones;
3. Création en 2016 d'un comité droit autochtone au sein de notre association étudiante de premier cycle;
4. Développement, par ce comité, d'une riche programmation annuelle incluant conférences et autres activités visant une meilleure compréhension des enjeux autochtones;
5. Première participation en 2017-2018 de la Faculté au concours Kawaskimhon, concours national de plaidoirie en droit autochtone;
6. Création en 2017 d'un programme d'accès aux études en droit pour les candidats autochtones. Ce programme d'accès à l'égalité vise à permettre à des candidats autochtones qui n'auraient pas des résultats académiques suffisants d'accéder aux études en droit. De plus amples informations sur ce programme sont disponibles à l'adresse suivante <https://www.usherbrooke.ca/droit/etudiants/autochtones/>
7. Création d'un poste de coordonnateur au recrutement et aux affaires autochtones depuis 2017. Son rôle est de mieux faire connaître notre programme d'accès ainsi qu'à nous aider à mettre en place les mesures requises pour donner toutes les chances de succès aux étudiants qui auront été admis.
8. Offre d'activités cliniques (activités pratiques) créditées en 3<sup>e</sup> année.
  - a. Justice autochtone : participation d'un étudiant ou une étudiante aux activités des cours de justice en contexte autochtone.
  - b. Clé de vos droits : information juridique variée octroyée par un étudiant de troisième année aux membres du Regroupement des Centres d'amitié autochtone du Québec.

9. Développement d'une série de mesures visant à soutenir nos étudiants autochtones :

- a. Formation d'un comité consultatif comprenant des partenaires autochtones ou proches des réalités autochtones;
- b. Création de bourses d'études destinées à nos étudiants autochtones;
- c. Organisation d'un tutorat spécialité permettant de jumeler un nouvel étudiant autochtone à un étudiant de 2<sup>e</sup> ou 3<sup>e</sup> année afin de fournir un support académique;
- d. Adaptation particulière du programme Coach-recrue et du centre d'entraide à l'étude pour offrir un accompagnement personnalisé;
- e. Mise en place d'un programme de mentorat par des juristes autochtones;
- f. Création d'un regroupement des étudiants autochtones de l'Université de Sherbrooke;
- g. Offre de conférences d'avocats et d'avocates autochtones spécifiquement pour les étudiants autochtones;
- h. Création d'un espace d'études et de repos spécifique aux étudiants autochtones de la faculté de droit.



## Brief Summary of the Faculty of Law, University of Toronto Responses to the TRC (May 2021)

Since Fall 2015, the Faculty has had a standing committee charged with providing advice to the Dean on the TRC's Calls to Action, and Indigenous Initiatives at the Faculty more generally. The committee is comprised of students (including two members of the Indigenous Law Students' Association), staff (including the Faculty's Manager, Indigenous Initiatives) and faculty. The committee is co-chaired by former Dean Mayo Moran and Professor Douglas Sanderson, Decanal Advisor on Indigenous Issues. What follows is a non-exhaustive list of the Faculty's approaches to curricular and co-curricular programming:

### Curricular Responses:

From 2015-2020 the Faculty's approach to Call to Action (CTA) 28 was fulsome integration of Indigenous topics, perspectives, and laws, as well as Aboriginal law cases, across the curriculum. The administration has provided all teaching staff with research assistance to assist with these improvements. Since taking office in January 2021, Dean Jutta Brunnée has been working towards a mandatory 1L course in response to CTA 28, with the intention to launch the course in Fall 2022. We also want to expand our upper year course offerings with Indigenous content. The following is a list of courses offered in 2020-21 that had *primarily* Aboriginal or Indigenous law content. There are a number of courses offered by the faculty that include significant Indigenous topics, perspectives and laws but these are not included below.<sup>1</sup>

- [Externship: Aboriginal Legal Services](#) – Christa Big Canoe and Jonathan Rudin
- [Issues in Aboriginal Law and Policy](#) – Bryce Edwards
- [Indigenous Law Journal](#) – Douglas Sanderson
- [Kawaskimhon Moot](#) – Bryce Edwards and Sara Faherty
- [Aboriginal Law Practicum](#) – Kerry Wilkins
- [Externship: ON Human Rights Commission: Human Rights & Indigenous Peoples](#) – Matthew Horner
- [Discerning Law in the Fur Trade](#) – Douglas Sanderson
- [Indigenous Legal Traditions and the Imperial Response](#) – Douglas Sanderson
- [Indigenous Peoples and the Constitution of Canada](#) – Kerry Wilkins
- [Intensive Course: Law and Visual Culture](#) – Simon Stern and Cheryl Suzack
- [Intensive Course: Kayanerenkó:wa, The Haudenosaunee Law of Peace](#) – KayanesenhPaul Williams

Students have the option of earning a [Certificate in Aboriginal Legal Studies](#).

### Co-curricular Activities

Since September 2010, U of T Law has housed an Indigenous Initiatives Office (IIO) currently overseen by the Manager, Indigenous Initiatives, Amanda Carling (JD, 2012). This fulltime staff position recruits and supports Indigenous students and assists in the Faculty's response to CTA 28, among other things. Further, U of T Law students engage in opportunities to learn about Indigenous issues and advocate for Indigenous individuals and communities through clinical and volunteer work. What follows in a non-exhaustive list of those activities:

- The [KAİROS Blanket Exercise](#) is mandatory for all JD students and usually runs during orientation.
- Reconciliation Reading Circles – all 1L students are required to read a book or report from a carefully curated reconciliation reading list and are divided into small groups on the basis of their selection.

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<sup>1</sup> See, for example, [Fish, Forests and Fuel: Natural Resources Law in Canada](#); [International Law Theory and the Rules of Law](#); [Children, Youth and the Law](#); [Critical Race Theory and the Law](#); [Sentencing and Penal Policy](#); [Wrongful Convictions](#)



Following circle ceremony protocols, students learn about Indigenous worldviews, medicines and discuss their reading. The circles are led by the Faculty's Elder-in-Residence, Constance Simmonds.

- Each year some part of the mandatory Joint Professionalism and Ethics Training is dedicated to Indigenous Issues. In 2021, 1L students learned from Justice Shawn Nakatsuru about, *inter alia*, Gladue and Cree-Métis lawyer Myrna McCallum about [Trauma Informed Lawyering](#).
- The IIO hosts a Speaker Series and an Indigenous Law and Legal Ethics Teaching Series, both of which are archived on the [IIO YouTube Channel](#).
- In addition to the 1L Reading Circles, Elder Constance Simmonds offers monthly Teachings on the Bundle to Indigenous and Settler Students. She also offers one-on-one appointments with Indigenous and settler student upon request.
- The IIO and SLS issue an annual [Reconciliation Resolution Challenge](#) to the entire faculty. This year the challenge was to complete the University of Alberta's [Indigenous Canada](#) course. In 2021, 117 students, staff and faculty members participated.
- In 2020 the [Justin Basinger Memorial Award](#) was created to recognize outstanding writing on Indigenous issues.
- The IIO and members of the Indigenous Law Students' Association (ILSA) created [28: A Call to Action a podcast](#) response to the TRC.
- All 1L and 2L JD students can apply to work with the Debwewin Summer Program and Indigenous students can create their own summer work experiences through the [June Callwood Fellowships](#).
- Recent efforts to represent Indigenous community in the physical space of the law school include the commission of [A Meeting Place for All Our Relations](#) by Jay Bell Redbird and the creation of an [Indigenous Languages Art Installation](#) outside the ILSA office. We are currently exploring the possibility of planting a medicine garden on law school grounds.
- Three spaces – the IIO, the ILSA office and the Rowell Room – are outfitted to safely accommodate ceremony and the burning of medicines.
- The Asper Centre for Constitutional Law hosts regular roundtable discussions on Indigenous topics. In 2020-21 topics included [UNDRIP](#), [Reconciling Justice and the Rule of Law with Jean Teillet](#), [Substantive Equality in Sentencing](#), [Beaver v Hill](#), and the [murder of Colten Boushie](#).
- Students participate in Asper Centre Working Groups on Indigenous Rights (in 2020-21, the working group studied and made recommendations to Parliament about Bill C-3, An Act to amend the Royal Canadian Mounted Police Act and the Canada Border Services Agency Act...), assist with interventions on precedent setting cases (in 2021-21 *R v. Chouhan*) and contribute to the Asper Centre [newsletter](#) and [blog](#).
- In January 2021, Pro Bono Students Canada (PBSC), headquartered at U of T Law, in partnership with the Ontario Federation of Indigenous Friendship Centres (OFIFC) launched the first [Indigenous Human Rights Program in Canada](#). JD students work on cases and also on the [podcast Indigenous. Human. Rights.](#)
- The Law in Action Within Schools (LAWS) Program, headquartered at U of T Law, offers [scholarships for Indigenous Youth](#) to participate in the [law Youth Summer Program](#) (YSP).



# PETER A. ALLARD SCHOOL OF LAW

THE UNIVERSITY OF BRITISH COLUMBIA

## **Peter A. Allard School of Law at UBC – TRC Responses**

The Allard School of Law currently has a J.D. cohort of 560 students, of whom approximately 10% have identified themselves as Indigenous. The School has a long-standing Indigenous Legal Studies program focused on admissions and cultural support, and we currently aim to admit 20 Indigenous students each year (in a class of 195-200). These students come from across the country, and it is clear that there is no single Indigenous perspective or experience.

Our faculty now includes 6 tenured or tenure track members who are Indigenous over the 4 previously reported. (We also have an upcoming retirement, which we are planning on replacing with a dedicated Indigenous hire.) Several Indigenous members of the legal profession in Vancouver regularly teach for us as adjunct professors. For over twenty years, Allard Law students have staffed our Indigenous Community Legal Clinic. The clinic serves hundred Indigenous clients every year, including approximately 400 full representation files, with 21 student clinicians in each twelve-month period. We also have one full-time staff position dedicated to supporting Indigenous students and initiatives.

Beginning in 2011-12, all of our first year students have taken a mandatory course on Aboriginal and treaty rights, as a component of their Canadian constitutional law requirement. This is a two-credit course.

Beginning in 2020-21, we also added a 3-credit Indigenous Settler Legal Relations course to our mandatory first year curriculum. This course covers the topics recommended by the TRC for inclusion in law school education, providing a critical examination of the history and legacy of colonial legal orders in Canada.

We have also worked on the following new activities:

The law school is funding a dedicated Indigenous Strategic Plan development process (delayed until the 2021/22 academic year due to the pandemic).

An ILS Summer Intensive program first launched in 2020 is being expanded this summer to offer an orientation program for incoming Indigenous students to build community and provide in-depth academic programming and student support prior to the regular start of the first-year program, as well as credit for a full course in Torts.

The law school secured external grant funding for a term position providing strategic support in a process of curriculum review and development in the direction of integrating the topics in Call to Action No. 28 across the law school's JD curriculum. After completing a curriculum scan, the position focused on the development of an online toolkit as a resource for instructors to introduce Indigenous perspectives and issues into their courses and curriculum.

Our non-credit Indigenous Cultural Competency Certificate program, originally piloted in response to TRC Call to Action No. 28, continues to run in eight modules throughout the academic year—this year it was offered virtually—and it is now open to faculty, students and staff of the

law school. We are considering whether to expand this program into a formal certificate credential.

We have strengthened support of our Indigenous students as they progress through law school with our Indigenous Legal Studies (ILS) Academic Leadership Certificate, a co-curricular program exclusively available to Indigenous students which focuses on academic and leadership skill development and community building within the Indigenous student body.

We are allocating places to Indigenous students in a free LSAT preparation course first offered to Black undergraduate students last summer.

As we emerge from the pandemic, we will consider how we will systematically meet the TRC's call to action across the breadth of our curriculum, rather than simply relying on individual instructors to each address the call as appropriate, or alternatively segregating the material into designated courses.

We expect that future areas of focus and new initiatives will emerge from the upcoming strategic planning process, bolstered by the campus-wide UBC Indigenous Strategic Plan that was endorsed in 2020-21. Fundraising efforts continue to target financial aid for Indigenous students, as well as identified priority areas such as an Elder-in-Residence program.

May 21, 2021



Mise en application des recommandations de la Commission Vérité Réconciliation;

Initiative du département des sciences juridiques de l'UQAM

Projet d'accueil d'étudiant.e.s des premières nations et de formation du corps professoral.

Ce projet s'inscrit dans les efforts entrepris à différents niveaux afin de donner suite aux recommandations de la Commission de vérité et réconciliation du Canada.

Le projet-pilote était composé de deux volets soit l'accueil des étudiants et étudiantes autochtones recrutés sur le fondement de cette base d'admission et l'organisation d'activités de formation dédiées au corps professoral.

- 1) Entre mai 2018 et mai 2020, le volet 1 du projet a conduit au recrutement de sept étudiant.e.s sur la base des expériences autochtones et à la mise sur pied du programme des homologues. Ce processus de recrutement nous a conduit à bâtir des contacts au sein des communautés autochtones qui se situent sur le territoire du Québec et à effectuer une visite à l'Institut Kiuna, seul cégep autochtone au sein de la province. Le processus de sélection des candidat.es est effectué par un comité de sélection paritaire, composé d'un.e avocat.e autochtone diplômé.e du baccalauréat en droit, d'un.e étudiant.e autochtone et d'un membre du corps professoral. Ce comité fait une évaluation sur dossier et effectue des entrevues avec chacun des candidat.es retenus sur dossier. Ces entrevues se déroulent en personne ou de façon virtuelle en vue de s'adapter au contexte d'éloignement de plusieurs candidat.es. Pour cette étape de la sélection, il a développé un schéma d'entrevue propre à la sélection des candidat.es pour la base d'admission des expériences autochtones et s'assure que l'expérience d'entrevue se déroule dans un contexte positif et culturellement sécurisant. Parmi les sept étudiant.e.s recruté.e.s, six sont actuellement inscrits au baccalauréat en droit et un.e a quitté le programme.

- 2) Le volet formation a donné lieu à trois activités qui ont touché spécifiquement les professeurs du Département. D'autres occasions de formation se sont présentées sur une base volontaire, par exemple, la participation rendue possible à deux reprises à l'exercice des couvertures, une activité organisée à l'hiver 2019 et à l'automne 2019, en collaboration avec l'Association des étudiant.e.s en droit et à laquelle les professeur.es du Département ont été invités. D'autres expériences encore ont permis aux membres professeurs du comité d'accueil des étudiant.e.s autochtones de mieux comprendre les défis du cheminement des étudiant.e.s autochtones au baccalauréat en droit et le cheminement préalable de ces étudiant.es, notamment par le biais de rencontre avec les partenaires autochtones du projet et par le biais d'une visite à l'Institut Kiuna en mars 2020.

Le programme des étudiant.e.s homologues a été conçu afin de favoriser la réussite des étudiant.e.s autochtones admis sur la base des expériences autochtones. À l'époque, il a été important de rendre disponible un accompagnement individualisé pour chaque étudiant.e admis.e au baccalauréat en droit. Cet accompagnement, de nature pédagogique et adapté aux besoins des étudiant.e.s autochtones, voulait optimiser la capacité des étudiant.e.s à cheminer dans le programme et à diplômer.

En vue de la mise en œuvre et de l'évaluation du projet-pilote, un comité d'accueil des étudiantes et des étudiants autochtones du Département des sciences juridiques a été mis sur pied. Ce comité tripartite réunit des étudiant.e.s, des partenaires autochtones externes, les Services à la vie étudiante de l'UQAM et deux professeur.e.s du Département.

## TRC implementation at the University of Victoria Faculty of Law

### *Academic Program*

- UVic Law has successfully launched the world's first joint degree program in Canadian Common Law and Indigenous Legal orders, which directly responds to TRC Calls 28 and 50.  
<https://www.uvic.ca/law/admissions/jidadmissions/index.php>
- UVic law will be graduating the first cohort of JD/JID students in spring 2022 and beginning September 2021 will have students in all four years of the joint degree.
- The Faculty has several indigenous faculty members who teach in both the joint degree and the JD degree.
- UVic Law has launched the National Centre for Indigenous Laws, virtually, in advance of the construction of the physical centre, to be completed in 2023.  
<https://www.uvic.ca/campaign/national-centre-indigenous-laws.php>
- The National Centre includes a National Next Conversations Engagement Hub in order to facilitate conversations around revitalizing indigenous legal traditions.  
<https://uvicindigenouslaws.ca/>

### *Curriculum and Student Support*

- On the first day of the program all students are welcomed to the territory by local Elders
- The compulsory, full-time, two-week introductory Legal Process class includes a half-day introduction to indigenous legal traditions. In the Spring Semester, there is an additional day long session in Legal Process on the calls to action.
- Our first year JD students are invited to participate in an Indigenous Perspectives Camp, which has just celebrated its 25<sup>th</sup> anniversary. It attracts a large number of student participants.
- Substantial indigenous content including indigenous legal traditions, the history and legacy of residential schools, Treaty and Indigenous Rights and Indigenous-Crown relations is incorporated into compulsory courses in Constitutional Law, Criminal Law, Law, Legislation & Policy, Legal Research & Writing, Property, Torts, Administrative Law, and Legal Ethics & Professionalism, and into elective courses such as Family Law, Intellectual Property, International Human Rights and Dispute Resolution, and, Taxation.
- The Faculty of Law offers an intensive summer course in Indigenous Legal Methodologies.
- The Faculty's Academic and Cultural Support Program provides direct support for Indigenous students.

### *Research and Community Participation*

- The Faculty's Indigenous Law Research Unit works with communities in the recovery and renaissance of indigenous Laws. They partner with and support work by Indigenous peoples and communities to ascertain and articulate their own legal principles and processes, in order to effectively respond to today's complex challenges.  
<https://www.uvic.ca/law/about/indigenous/indigenouslawresearchunit/index.php>
- The Faculty's Environmental Law Centreworks with indigenous communities researching and advocating for respect and stewardship of traditional lands including a case for Indigenous Guardian Programs.  
<https://elc.uvic.ca/>



## Summary of TRC Implementation to May 2021

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Western Law formed a Working Group in early 2016 to implement the TRC Calls to Action and other reconciliation projects. The Working Group is comprised of the Dean and 4-5 faculty members.

We have adopted the approach that Indigenous content and perspectives should be embedded throughout the curriculum. We want our students to be aware of Indigenous rights and perspectives, regardless of and, perhaps, tailored to the practice areas they plan to pursue. In addition, beginning with the 2020-21 academic year, every second-year student is required to take the compulsory course in **Indigenous Law**. We have also developed a number of co-curricular activities so that Indigenous law and current issues are highlighted to the student body throughout the academic year. Selected activities are described below.

### Curriculum

- Conducted inventory of Indigenous content embedded in existing courses in 2016.
- Reviewed and amended official (Senate-approved) course descriptions to make Indigenous content explicit where possible (eg Sentencing, International Human Rights, Constitutional Law).
- Introduced new first-year Property Law module, Indigenous Conceptions of Property.
- Introduced compulsory course, Indigenous Law, for all second-year students beginning in 2020-21.
- Offer annual group “Reading and Study” courses centred on relevant books, including Borrows’s *Canada’s Indigenous Constitution*, McNeil’s *Flawed Precedent: The St. Catherine’s Case and Aboriginal Title*, and Borrows’s *Freedom and Indigenous Constitutionalism*.

### Other Student Experiences

- Debwewin summer law internships (in partnership with the Ministry of Attorney General’s Indigenous Justice Division); three summer interns provide legal education and advice in Indigenous communities.
- Extractive and Indigenous Affairs Moot Competition.
- Joint Indigenous Cultural Education Events with the Schulich School of Medicine and Dentistry.
- Annual Indigenous Law “Camp” held at a local First Nation community, including Chippewas of the Thames and Walpole Island. Participants include faculty, JD and graduate students, and some graduate students from other Faculties at Western.
- Students lead the LEVEL Indigenous Youth Outreach Program at Chippewas of the Thames.

### Admissions and Recruitment

- Special law school information sessions held at the Indigenous Student Centre.
- Free LSAT-preparation course for Indigenous candidates in the spring of each year. This course attracts candidates from across southern Ontario. (This course is now also open to Black and low-income students.)
- Special Admissions category for Indigenous students.
- Several named entrance scholarships for Indigenous candidates.

### Other

- In 2016-17, Western Law hosted a Law Foundation of Ontario Community Justice Fellow, Brenda Young from Chippewas of the Thames. Ms Young organized numerous activities at the Faculty, including a symposium, “Attaining Economic Justice for Indigenous Peoples” (Feb 2017).



Windsor Law continues to build on the important work undertaken prior to and, in response to, the Truth and Reconciliation Commission (TRC) Report. The actions in play are based on the Faculty's commitment to social justice that seeks fairness, equity and dignity, with particular focus on relationships with Indigenous peoples as a guiding value.

With respect to curriculum and programming, Windsor Law continues to implement a variety of meaningful offerings and initiatives. As of 2018, the first-year Indigenous Legal Orders course became mandatory for all Windsor Law students. First-year students also participate in the Blanket Exercise at orientation and this training is offered for other Faculties at UWindsor as well. Additionally, several unique opportunities have been established for students who may elect to expand their Indigenous knowledge and practice, such as the chance to achieve a specialized Indigenous Law Stream Certificate as part of their studies; participating in the Indigenous Legal Studies Program; getting involved in the Indigenous Legal Orders Institute; or, opting to participate in experiential learning programs like the Indigenous Law Student Summer Program which provides an immersive 13-week experiential learning placement with an Indigenous-focused organization or community.

In support of such initiatives, and as part of our broader pursuits towards the TRC call to action, Windsor Law's leadership and instructors hold central roles including current Acting Dean and Associate Dean (Academic), Dr. Beverly Jacobs, who is an accomplished Indigenous scholar, author and advocate. Further efforts to increase Indigenousization include the retention of three Indigenous professors and three Indigenous sessional instructors on roster to authenticate curricular learning and broaden our students' experience. A full-time Indigenous Legal Studies Coordinator position has also been created and the supports of an Elder-In-Residence is available to counsel students, faculty and staff for mental, spiritual, emotional and physical health needs from a holistic Indigenous perspective. Additionally, Windsor Law's TRC Steering Committee remains engaged within the Faculty with a focus on relationship building and education.

The collective knowledge of our Indigenous colleagues informs educational events that share knowledge and awareness throughout the campus, local community and beyond. The World Indigenous Law Conference in 2018 was cohosted by Dr. Beverly Jacobs and Eleanore Sunchild and the Water Conference was led by Dr. Valarie Waboose. Other events include The Annual Orange Shirt Day; Indigenous Scholars Lecture Series; Anishinaabe Law Camp for faculty, staff and also offered as a credited course in Walpole Island First Nation.

Our students also take pride in leading a variety of initiatives such as the Shkawbewisag Student Law Society's student organized panels; Annual Red Ribbon Tie Up for MMIWG2S; Annual Mini Round Dance MMIWG2S and student organized National walk-outs. We have implemented Indigenous focused recruitment strategies and provide access to supports in a variety of government, institutional and Faculty specific awards and bursaries to the tune of \$14,600 for Indigenous students annually.