

Legal Aid III - Condensed Proposal

1. This initiative will continue from Phase I and from Phase II, to address the current climate for women on Prince Edward Island, in relation to social justice, with the specific focus on Family Law Legal Aid.
2. The importance of this initiative was indicated by the response the Coalition received from the data compiled and published in The Best Practices Research, and, also from the Interviews with the Focus Groups and private interviews. This created a heightened awareness of the need for Legal Aid for Family Law on Prince Edward Island.

As the Coalition approached the various experts in the Legal and Justice System concerning the legal aid issue, it became painfully aware that the Legal Aid system on PEI needs dramatic changes regarding Family Law.

Prince Edward Island's Chief Justice Carruthers has just retired. In his farewell speech on National TV he stated that this (lack of funding for Legal Aid especially for Family Law) is one of the biggest issues that needs to be addressed on Prince Edward Island. He noted that so many are losing out of what is just and fair because they cannot afford legal representation. Since that time, a Task Force was created. We submitted our research to the Task Force and it was considered and quoted in their report. Attached is a copy of their final report showing the need for changes to the legal aid system.

Daphne Dumont, Past-President (2000-2001) of the Canadian Bar Association (CBA), has acted as an advisor to the Coalition's Advisory Committee. She was the Key Note Speaker and panelist at our Conference "*Designing Family Law Futures: A Dialogue on Needs, Challenges and Best Practices.*" In her position with the CBA, she has made it clear that this is a major issue and concern across the country. The fact is that all the provinces in Canada are crying for more money for legal aid and most Provinces cover a lot of Family Law in their Legal Aid system. Prince Edward Island is one of two Provinces in Canada that doesn't cover Family Law under Legal Aid except in severe cases of emergency. Currently, the CBA is considering moving forward with a Charter Challenge against the federal and provincial governments under Section 15 of the Charter of Rights and Freedoms for their inadequate funding of family law legal aid.

When the Coalition started working on the Legal Aid issue, a number of organizations, individuals and justice and legal experts said, " Finally a reputable group has taken on this work in promoting policy and legislative changes to our legal aid system for Family Law. This should have started 20 years ago."

We have been told that if anyone can do this it could be us. The Coalition continues to build momentum and power as each month we have more support from numerous professionals involved in the private and public sector. To add support to this we have requests each month for new members to join the PEI Women's Coalition and the project's Advisory Committee.

3. Through this Initiative , all four objectives of the Women’s Program will be addressed either directly or indirectly:

- to promote policies and programs within key institutions that take account of gender implications, the diversity of women’s perspectives and enable women to take part in decision making processes,
- to facilitate the involvement of women’s organizations in the public policy process,
- improving women’s economic status, and
- eliminating systemic violence against women and the girl child.

The specific area of focus for this initiative will be: achieving social justice by improving women’s access to, and treatment within , the judicial system, and focusing particularly on Family Law Legal Aid. This initiative will support activities aimed at removing systemic barriers, helping P.E.I. women to affect policy changes and contribute to the public discourse on social justice. This initiative will directly impact women and their children by improving women’s access to, and treatment within, the judicial system on P.E.I.

4. The beneficiary of this project will be women and their children from across P.E.I. in need of the services provided by Family Law Legal Aid. This will be particularly relevant to those women living on Social Assistance, those with limited financial resources who do not qualify for Social Assistance and women victims of violence.

Section C: Action Plan

1. Purpose :

The Women’s Coalition of P.E.I. , in partnership with relevant experts, will continue to move the Phase II strategic plan forward in order to create and present new policies for legislative changes which will allow Family Law Legal Aid on P.E.I.

Objectives:

1. Development of Recommendations:

By way of a consultative process, develop recommendations for program, policy and legislative change to influence the Provincial Government to provide Family Law Legal Aid on P.E.I.

Strategies:

The key strategies employed by this initiative include:

1. Women’s Coalition and Legal Aid experts working in partnership.
2. Working collaboratively through consultation with government and community (ie.Provincial Government Employees and Coordinator of Family Law Division, and policy advisors from the Attorney General’s office).
3. Develop recommendations for program, policy and legislative change.

4. A complete external participatory evaluation of the process and outcomes.

We see these strategies as being effective because they will allow both women's organizations and community experts to work in partnership, therefore developing a greater ownership for both the issues surrounding Family Law Legal Aid and the potential solutions. With the Consultative process from Phase I completed and the initial work with the strategic plan, we now have a wider variety of perspectives that have given us the data to prepare recommendations for program, policy and legislative change to the Provincial Government in order to implement Family Law Legal Aid for women on P.E.I.

3. Schedule of Activities:

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Objective # 1 - By way of a consultative process, develop recommendations for program, policy and legislative change to influence the Provincial Government to provide Family Law Legal Aid on P.E.I.

Activities:

January 13, 2003 then ongoing:

- * The Project Partners for this initiative are Women's Network PEI and the East Prince Women's Information Centre.
- * The Project Partners will continue to meet with the Advisory Committee to oversee the progress of the initiative.
- * The Project Partners will continue contact with the women's equality -seeking organizations to solicit their involvement in this initiative.
- * Throughout the initiative the Project Partners will continue to keep the members of the PEI Women's Coalition apprized of activities through bulletins, newsletters and web site updates.

Activities:

February 1, 2003 then ongoing:

- * The Project Partners will continue to create a list of potential new partners for this initiative. (i.e. Attorney General and Community Services , Canadian Bar Association, LEAF, Task Force on the Judicial System, the PEI Law Society, Premier's Action Committee on Family Violence, etc.)
- * The Project Partners will coordinate a regular meeting schedule for the Steering Committee. They will be responsible for administrative support for the meetings.
- * The Project Partners will ensure that all members of the advisory committee will remain in place for this phase of the Initiative.
- The Legal Aid Advisory Committee for Phase II have completed an evaluation stating their

ownership for the process and outcomes and strong interest in remaining part of the project. We also have others interested in joining the committee as a result of our previous work. These partners are:

Family Support Orders
Transition House Association
Senior Policy Advisor for the Provincial Government
PEI Law Society
Private Practice Lawyer/Canadian Bar Association
PEI Advisory Council on the Status of Women
Board Members from EPWIC and Women's Network PEI
Community Representative
Community Legal Information Association
l'Association des femmes acadiennes et francophones de l'Ile du Prince
Edouard
Office of the Attorney General
LEAF (Legal Education and Action Fund for Women)

Advisor : Daphne Dumont, President of the Canadian Bar Association

- * The Project Partners will continue to include and ensure that women victims of violence are part of the policy making changes with our contacts within Victim Services, EPWIC, Abuse Protocol Initiative, Premier's Action Committee on Family Violence, Transition House, etc.
- * The Project Partners will continue to contact relevant government departments and solicit their interest in addressing Family Law Legal Aid on P.E.I.
- * The Project Coordinators will liaise with Atlantic representatives of this issue including the Legal Aid lawyers at Dalhousie University and Mary DeWolf with Nova Scotia Coalition of Women for Justice on the Move.

Activities

March 1, 2003 then ongoing

- * The Advisory Committee and Project Partners continue to address the issues as outlined in the Phase II strategic plan.
- * The Project Partners and Advisory Committee will meet on a regular basis to address the issues raised in the strategic plan and act on issues raised.
- * The Project Partners and Advisory Committee have met with the Attorney General's office of the Provincial Government to present the Strategic Plan. We will continue to work with them to further these objectives.
- * The Project Partners will facilitate a consultative process with the Provincial Government Policy Advisors and Makers, The Attorney General's Office, and Community Services.

This initiative has created a large following of support since the PEI Women's Coalition has started work (ie. The Canadian Bar Association, The PEI Law Society, Federal Department of Justice,

Dalhousie Law School Legal Aid Experts, and Senator Catherine Callbeck, the Justice Task Force, NAWL conference, LEAF conference, meetings with the PEI Attorney General's office, etc) . CBC TV and Radio have both come on board doing intervals every 2 months updating the public. We have received lots of media attention with radio and TV, we found out that Daphne Dumont, President of the Canadian Bar Association, was referring them to us. These are just a few of the reasons we feel the Coalition is going to make an impact on Legal Aid and Family Law on PEI. We can feel the momentum is building in our favor to get policies changed.