



The Law Society of
Upper Canada | Barreau
du Haut-Canada

Equity Initiatives at the Law Society

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Report of the Director, Equity

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Background

1. In May 1997, the Law Society unanimously adopted the *Bicentennial Report and Recommendations on Equity Issues in the Legal Profession* (the *Bicentennial Report*). The *Bicentennial Report* reviewed the status of women, Francophones, Aboriginal peoples, racialized persons, gays, lesbians, bisexuals and persons with disabilities in the profession and the initiatives the Law Society had taken to address the identified barriers. The Report made sixteen recommendations that have since guided the Law Society as it seeks to advance the goals of equity and diversity within the legal profession.
2. The adoption of the *Bicentennial Report* led to a series of systemic changes to promote equality and diversity within the legal profession and within the Law Society. In the mid-1990's, the Law Society created a standing committee of Convocation, the Equity and Aboriginal Issues Committee (the "EAIC")¹, with a mandate to,
 - a. develop for Convocation's approval, policy options for the promotion of equity and diversity having to do in any way with the practice of law or provision of legal services in Ontario and for addressing matters related to Aboriginal peoples and Francophones; and
 - b. to consult with Aboriginal, Francophone and other equality-seeking communities in the development of such policy option.²
3. It also created the Equity Initiatives Department, with five permanent staff members and one articling student, and the Equity Advisory Group (the "EAG")³, consisting of expert lawyers in the area of equality rights and legal associations that promote equality and diversity. The Equity Initiatives Department is now part of the Policy, Equity and Public Affairs Division of the Law Society under the leadership of Executive Director Grant Wedge.
4. This report focuses on the activities of the Equity Initiatives Department and the EAIC in the last few years. In 2007, the Equity Initiatives Department also took on the responsibility of providing support to the Access to Justice Committee and activities of that Committee are also included in this report.
5. In 1998, the Law Society also established the Discrimination and Harassment Counsel (DHC) Program, first as a pilot project and in 2001 as a permanent

¹ The EAIC was not the first Law Society committee created to address equality issues in the legal profession. In 1988, the Law Society established a Women in the Legal Profession Subcommittee to consider emerging issues relating to women in the profession. In 1990, it became a standing committee of Convocation. In 1989, the Equity in Legal Education and Practice Committee was created. In 1996, the Women in the Legal Profession Committee and the Equity in Legal Education and Practice Committee were merged into the Admissions and EAIC, which later became the EAIC.

² By-Law 3 – Benchers, Convocation and Committees.

³ Formerly the Treasurer's Advisory Group.

program, to provide services aimed at enabling and supporting individuals who believe that they have been discriminated against and/or harassed by a lawyer. The program was later expanded to also apply to discrimination and harassment by paralegals. The DHC is accountable to Convocation but acts at arm's length from the Law Society. This report includes information about the services offered by the DHC.

6. The purpose of this report is to highlight the ongoing work of the Law Society in promoting equity, diversity and access to justice. The Law Society has committed itself to inclusiveness and access to justice and has shown great leadership in this area. The report is divided as follows:
 - a. The Equity Initiatives Department – Mandate and Goals;
 - b. Equity and Access to Justice Committees;
 - c. Working, Advisory and Monitoring Groups;
 - d. Programs and Initiatives;
 - e. Law Society as Model Employer.

Equity Initiatives Department – Mandate and Goals

7. The Equity Initiatives Department is charged with the following broad mandate: to promote equality and diversity within the legal profession; to ensure inclusion and equality within the Law Society; and to build and maintain relationships with diverse communities and stakeholders. The Department also promotes access to justice throughout its activities.
8. The Department adopted the following goals:
 - a. Policy and Program Development: To develop policies, resources and programs that promote equity and diversity in the legal profession, and access to justice, and to ensure equality principles inform all Law Society policies and programs.
 - b. External: To facilitate an ongoing inclusive dialogue between the public, the Law Society and the legal profession for the purpose of increasing access to justice for the public, and equality in the profession, and to develop and promote Law Society equality and diversity policies, programs and services in the interest of the public.
 - c. Internal: To embed equality and diversity principles within the operations of the Law Society so as to ensure equality of participation and representation of Aboriginal, Francophone and equality-seeking communities.

Equity and Access to Justice Committees

9. The core standing committees of Convocation that are mandated to promote inclusiveness, equity, diversity and access to justice are the Equity and Aboriginal Issues Committee (the EAIC) and the Access to Justice Committee.

10. The research and policy development activities of the EAIC and the Access to Justice Committee have been extensive and are presented below.

EAIC

11. In order to assist the legal profession in developing its own resources to enhance inclusiveness, the EAIC has developed a wealth of resources for the profession, including model policies and guides.⁴ Those resources address a range of topics, such as the following: the responsibility of lawyers and paralegals to advise their clients of their language rights⁵; creating an inclusive law firm work environment for the lesbian, gay, bisexual and transgender community⁶; fair hiring practices⁷; law firm obligations under the *Accessibility for Ontarians with Disabilities Act, 2005*⁸; preventing harassment, discrimination and violence in the workplace⁹; the provision of legal services in cases involving sexual abuse¹⁰; guidelines for Aboriginal residential school claims¹¹; and the duty to accommodate¹².
12. Since its inception, the EAIC has commissioned or conducted research about the legal profession to identify and understand trends. The following significant research projects, [available online](#), provide important and helpful information about the legal profession:¹³
 - a. *Change of Status Quantitative Survey*, April 2010, May 2011 and May 2013;
 - b. Professor Kay, *Leaving Law and Barriers to Re-entry*;
 - c. Professor Ornstein, *Racialization and Gender of Lawyers in Ontario*, April 2010;
 - d. Lawyer and Paralegal Annual Reports – Demographic Data Collection;
 - e. Career Choice Study.

⁴ Resources available online at <http://www.lsuc.on.ca/with.aspx?id=2147487014>.

⁵ *Advising Clients of their French Language Rights* (Toronto: Law Society of Upper Canada, 2013)

⁶ *Sexual Orientation and Gender Identity: Creating an Inclusive Work Environment – A Guide for Law Firms and Other Organizations* (Toronto: Law Society of Upper Canada, 2013)

⁷ *Summary of Fair Hiring Practice Guidelines* (Toronto: Law Society of Upper Canada, 2013)

⁸ *AODA Integrated Accessibility Standards, Legal Obligations of Law Firms* (Toronto: Law Society of Upper Canada, 2013) and *Guide to Developing a Customer Service Accessibility Policy* (Toronto: Law Society of Upper Canada, 2011).

⁹ *Preventing Harassment, Discrimination and Violence in the Legal Workplace* (Toronto: Law Society of Upper Canada, 2012).

¹⁰ *Guide for the Provision of Legal Services in Cases Involving Sexual Abuse* (Toronto: Law Society of Upper Canada, 2012).

¹¹ *Guidelines for Aboriginal Residential School Claims* (Toronto: Law Society of Upper Canada, updated 2011)

¹² *Guide to Developing a Law Firm Policy Regarding Accommodation Requirements* (Toronto: Law Society of Upper Canada, 2005) (being updated).

¹³ *Ibid.*

Change of Status Quantitative Survey

13. In 2008, the Law Society, through the Equity Initiatives Department, retained The Strategic Counsel to conduct a multi-year study with lawyers who change their professional legal status. The purpose of the study is to identify trends in the movement of lawyers in the profession, including gender based trends.
14. To date, three reports have been produced for the Law Society (2009, 2010 and 2013). The reports outline the findings of lawyers who changed their status from 2009 to 2012. Each year, between 5,100 and 5,700 lawyers changed their status. The response rate for the survey has been strong at about 30%.
15. The 2013 report discusses the respondents' characteristics, their previous and current work settings, influencers in a change of status, perceptions of previous and current positions, the reasons for a change of status and the factors considered important in the decision to make a change of status.
16. The report concludes that "women are leaving private practice in greater numbers than men, despite the fact that they represent a smaller proportion of lawyers in private practice. The stage at which women are most likely to be leaving private practice is when there are dependents in the home and the youngest dependent is under 6 years of age. This is also the case for men. What distinguishes men from women, however, is their behaviour after this stage of child rearing. Men are more likely to go back into private practice after their youngest dependent moves out of the pre-school stage, whereas women do not."¹⁴
17. The report further states: "Women and men appear to be moving within private practice and out of private practice into non-private positions for many of the same reasons. Further, for the most part, those reasons appear to be similar in influence as drivers of change. However, there are several exceptions. Women are leaving private practice to a greater extent than men are in order to find work environments that allow them to balance their career and family, that allow flexible work arrangements that do not require an unreasonably heavy workload, that are less stressful, and provide paid maternity/parental leave as well as other benefits."¹⁵
18. In 2012, the scope of the study was expanded to paralegals who change their professional status. A report on the findings related to paralegals is expected in 2015, once the profession has been surveyed for a period of three years.
19. The findings of the survey are helpful to inform Law Society committees in the development of policies and initiatives. The findings are also used in presentations and conferences about the legal profession and have received

¹⁴ *Change of Status Research 2010-2012* (Toronto: The Strategic Counsel, 2013) at 19.

¹⁵ *Ibid.*

media attention.

Professor Kay, Leaving Law and Barriers to Re-entry

20. Numerous studies, including as mentioned above the Change of Status findings, report that women are overrepresented in those leaving the profession, particularly from private practice. There have been, however, few studies that have explored the factors precipitating the departures, such as such as work life balance, discrimination and barriers to career advancement.
21. In this report, Professor Fiona Kay, Queen's University, analyzes data from a longitudinal study of nearly 1,600 Ontario lawyers, surveyed across a twenty-year period. She examines, through quantitative and qualitative data, factors precipitating exits from private practice and barriers for those seeking to return to private practice.
22. Professor Kay finds, like other studies, that women are leaving private practice at higher rates than men. Her study shows, however, that these departures appear to be largely the consequence of the legal profession's structures and practice culture that have not adapted to flexible schedules, time gaps between jobs, and parental and other leaves. Recently called lawyers appear to change jobs and move between areas of practice more frequently than the more experienced generation. The report examines broader issues of institutional barriers on career advancement of men and women lawyers. The study explores policy initiatives that could enhance the retention of lawyers in private practice and strategies to reduce barriers for lawyers seeking to return to private practice.

Professor Ornstein, Racialization and Gender of Lawyers in Ontario

23. Professor Michael Ornstein's report provides a statistical portrait of Aboriginal, racialized and women lawyers in Ontario, and a detailed profile of the profession based on the 2006 Canadian Census. The report compares age groups and examines changes in the number of Aboriginal and racialized lawyers since 1981 and women lawyers since 1971. A comparison of the number of lawyers and the number of university graduates with occupations in each community provides information about access to the profession. Lawyers in Ontario are also compared to lawyers in other provinces and territories and to other professions in Ontario.
24. The report also deals with the work environment of Aboriginal, racialized and women lawyers by considering who works at law firms, for government, and as counsel in other areas. The report also differentiates law firm associates and employees, partners and sole practitioners. Further analysis focuses on hours of work and earnings.
25. The report is based mainly on the 2006 Census, which provided very detailed information about Canadian households, including about 6,400 Ontario lawyers.

As Statistics Canada no longer conducts the long form survey used in 2006, the data collected through Canada Census is no longer sufficient to provide a reliable analysis of the legal profession. However, in 2008 the EAIC adopted a demographic data collection question for the Lawyer and Paralegal Annual Reports. The question has been included in the Annual Reports since the 2009 Lawyer and Paralegal Annual Reports and further information is provided below.

Lawyer and Paralegal Annual Reports – Demographic Data Collection

26. The Law Society included, beginning with the 2009 Lawyer and Paralegal Annual Reports, a self-identification demographic question based on membership in a racialized, Aboriginal, Francophone, gay, lesbian, bisexual, transgender or the disability community. The question also asked members to provide information about their religion. The question was refined in 2013 and now reads as follows:

The Law Society is committed to promoting equality and diversity in the legal profession and to enhancing legal services provided by and for Aboriginal, Francophone and equality-seeking communities. The following questions will help the Law Society to better understand demographic trends, to develop programs and initiatives within the mandate of the Law Society and to promote equality and diversity in the profession.

The question is voluntary and the information collected will be kept confidential. The information will only be available in aggregate form and will not be used to identify the demographic identity of individual lawyers and paralegals.

<p>1. Are you Francophone?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> I do not wish to answer</p>
<p>2. Are you an Aboriginal person? (select all that apply)</p> <p><input type="checkbox"/> First Nations, Status Indian, Non-Status Indian</p> <p><input type="checkbox"/> Inuk (Inuit)</p> <p><input type="checkbox"/> Métis</p> <p><input type="checkbox"/> Other – Specify _____</p> <p><input type="checkbox"/> No, not an Aboriginal person</p> <p><input type="checkbox"/> I do not wish to answer</p>
<p>3. Are you of the following race or ethnic origin?, (select all that apply)</p> <p><input type="checkbox"/> Arab</p>

- Black (e.g. African-Canadian, African, Caribbean)
- Chinese
- East-Asian (e.g. Japanese, Korean)
- Latin American, Hispanic
- South Asian (e.g. Indo-Canadian, Indian Subcontinent)
- South-East Asian (e.g. Vietnamese, Cambodian, Thai, Filipino)
- West Asian (e.g. Iranian, Afghan)
- White
- Other – Specify _____

I do not wish to answer

4. What is your religion or creed? (select all that apply)

- Atheist
- Buddhist
- Hindu
- Jewish
- Muslim
- Protestant
- Roman Catholic
- Other Catholic, such as Eastern Orthodox and Ukrainian Catholic
- Sikh
- Other religion – Specify _____
- No religion

I do not wish to answer

5. Do you have a disability?

- Yes
- No

I do not wish to answer

6. Are you transgender, transsexual, gay, lesbian or bisexual? (Select all that apply)

- Transgender
- Transsexual
- Gay
- Lesbian
- Bisexual
- Other – Specify _____
- No

I do not wish to answer

27. The response rate to the self-identification question for both lawyers and paralegals has been excellent, at between 51% and 62% of the profession for 2009 and 2010. The results provide detailed statistical snapshots of the profession, including data about the representation of women and men, racialized, Aboriginal, Francophone, lesbian, bisexual, gay and transgender lawyers and paralegals and lawyers and paralegals with disabilities. The findings are subdivided into regions, age range, year of call, professional status and business sizes. The results for 2009 and 2010 [Snapshots of lawyers and paralegals](#) are available online and provide useful information about the professions.¹⁶

Career Choice Study

28. In 2008, the Law Society retained the Strategic Counsel to conduct a survey of Licensing candidates and recently-called lawyers. The purpose of the survey was to investigate the preferences and experiences of new Licensees from their entry into law school to their entry into practice. More specifically, the study was conducted to better understand law school preferences, key factors that influence the choice of an articling position and the choice of post-call workplace setting and practice areas; sources used to pay for law school education; and debt among Licensing candidates and recent graduates. The first report was released in 2008 and is [available online](#). The EAIC decided to survey recent calls to the bar on an annual basis, beginning with the 2009 calls, for three years. A report was produced in 2013 and is [available online](#).

Access to Justice Committee

29. The Access to Justice Committee has been very active in the last few years, establishing its priorities and workplan and undertaking a significant research project, the Ontario Civil Legal Needs Project.

Ontario Civil Legal Needs Project

30. Beginning in 2008, the Law Society conducted with Legal Aid Ontario (LAO) and Pro Bono Law Ontario (PBLO) a joint research project to identify and quantify the civil legal needs experienced by low and middle-income Ontarians. The research had three phases: a phone survey to assess quantitatively the civil legal needs, a series of focus groups with front-line legal and social service providers to identify gaps and areas for collaboration, and a mapping exercise to show the availability and range of existing services. In May 2010, *Listening to Ontarians* was released and provides the findings of the first two phases of the project. In 2011, *The Geography of Civil Legal Services in Ontario* was produced and provides a

¹⁶ Available online: <http://www.lsuc.on.ca/with.aspx?id=1176>

comprehensive set of maps to help describe the market for legal services in Ontario, and to provide useful information in determining how this market might be structured differently to better serve middle and low-income Ontarians with civil legal needs.

Family Law Portal

31. The Access to Justice Committee refers to the Ontario Civil Legal Needs Project reports to develop its workplan and identify its priorities, which, in 2011 and 2012, included the development of an [online family law portal](#). The first module was launched in June 2012. The Association des juristes d'expression française de l'Ontario (AJEFO) also updated its family law portal to more closely reflect the English version.

Access to Justice Guide for the Public

32. The Access to Justice Committee also approved the development of an access to justice guide for members of the public. The *Handling Everyday Legal Problems* was released in June 2014 and distributed in French and English across Ontario. As of June 2014, more than 240,000 guides have been distributed in cities such as Toronto, Orleans, Peterborough, Midland and North Bay, and through various organizations such as the County and District Law Presidents' Association, the Iacobucci and Anishinabek Implementation Committees, the United Chiefs in Council of Manitoulin, Families in Transition and the Consent & Capacity Board. *Handling Everyday Legal Problems* is also [available online](#).

Legal Information for Everyone

33. Ensuring the public has access to free, accurate and reliable legal information is an important component of facilitating access to justice. In 2013, the Law Society responded to this need with the [LIFE - Legal Information for Everyone - A PLE Toolbox project](#). The project is a successful initiative of the Law Society and its partners, the Ontario Justice Education Network (OJEN) and the Community Legal Education Ontario (CLEO). The project was developed with the support of LAO, PBLO and The Law Foundation of Ontario.

Submissions by the EAIC and the Access to Justice Committee to Consultations

34. The EAIC and the Access to Justice Committee also make submissions to relevant consultations, such as the following:
 - a. The Access to Justice Committee made submissions to the Law Commission of Ontario on the interim report *Toward a More Efficient and Responsive Family Law System* (2012).
 - b. The EAIC made submissions to the Canadian Bar Association on the

- Measuring Diversity in Law Firms* consultation report (2011).
- c. The EAIC, in collaboration with the Equity Advisory Group (EAG), made submissions on the equity implications of the Federation of Law Societies' *Consultation Paper on Canadian Common Law Degree*.
 - d. The EAIC, with the advice of EAG, made submissions on the *Consultation on Continuing Professional Development* requirements (2009).
 - e. The EAIC and the Access to Justice Committee, with the advice of EAG, made submissions to the Law Foundation of Ontario about access to justice and equity considerations related to the *Linguistic and Rural Access to Justice Project* (2008).

Treasurer's Advisory Group on Access to Justice

35. In early 2013, the Law Society established the Treasurer's Advisory Group on Access to Justice (TAG)¹⁷ to define an enhanced role for the Law Society in addressing the mounting challenges Ontarians face in accessing justice.
36. Over the course of the year, the Law Society met with representatives from lawyer and paralegal associations, governments, the courts, academia and other justice-related organizations. TAG participants discussed how to best collaborate and build solutions.
37. The work of TAG culminated in October with a full-day symposium - *Creating a Climate for Change*. Eighty leaders and policy decision-makers in Ontario gathered at the Law Society for the day and committed to work together to bridge the implementation gap on access to justice issues.
38. Chief Justice Bonkalo; researcher Karen Cohl; Justice Thomas Cromwell, Chair of the federal Action Committee on Access to Justice in Civil and Family Matters, and Chief Justice Smith engaged the audience with compelling presentations. During afternoon workshops, attendees examined questions around particular themes, including how to engage the public, the role of the regulator and breaking down silos.
39. The TAG Working Group synthesized the discussions and ideas raised during the year and those captured in the report arising from the symposium to develop a proposal for a new framework for access to justice for the Law Society. This framework was approved unanimously by Convocation early in 2014.
40. In May, 2014, the Law Society created a Reference Group to oversee the planning for the TAG Forum as well as future access to justice initiatives. Members of the Reference Group include benchers of the Law Society, and representatives of the Ontario government, the judiciary, law schools and legal associations.

¹⁷ Now Treasurer's Action Group.

41. On June 3, 2014, the Law Society hosted the TAG Launch event. The event featured an update and information-sharing session with approximately 90 participants. The audience included TAG stakeholders who had participated in the October 2013 TAG Symposium, members of the TAG Reference Group, invited guests and benchers. The update and information-sharing session was followed by a reception.

Working, Advisory and Monitoring Groups

42. The Law Society has also created a number of working, advisory and monitoring groups to address equity and access to justice matters.

Equity Advisory Group (EAG)

43. EAG is a group of lawyers, paralegals and legal organizations with expertise in the area of equality and diversity. It is mandated to assist the EAIC in the development of policy options for the promotion of equity and diversity in the legal profession. EAG identifies and advises the EAIC on relevant issues and provides input to the EAIC on the planning and development of policies and practices related to equity within the profession and within the Law Society. EAG is a non-voting participant in the work of the EAIC. In the last three years alone, EAG has provided feedback on various issues and has been involved in projects and activities, including,
 - a. assisting with the development of the TAG and participating in the TAG Reference Group;
 - b. presenting submissions in response to the Law Society's call for input on the proposed amendments to the *Rules of Professional Conduct* (2012);
 - c. presenting submissions to the Law Society of Upper Canada's Articling Task Force (2012);
 - d. providing advice on Law Society submissions to the Canadian Bar Association's *Measuring Diversity in Law Firms* (2011);
 - e. providing advice on the *Guide to Developing a Customer Service Accessibility Policy* (2010/2011); and
 - f. providing advice and collaborating on the planning of Equality Public Education and Rule of Law Events.

Retention of Women in Private Practice Working Group

44. In May 2008, Convocation approved nine recommendations to enhance the retention of women in private practice, which in turn led to the creation of a number of programs and initiatives, including the Justicia project, the Career Coaching Program, the Parental Leave Assistance Program, the Contract Registry and the Women's Online Resource Centre. An overview of the programs is presented below and a more fulsome report, [*Retention of Women in Private Practice Status Report - 2012*](#), is available online.

Justicia Project

45. This innovative project — the first of its kind in Canada — was launched on November 17, 2008 and more than 55 firms, including one large out-of-province firm, participated throughout the project.
46. Through the Justicia Project, the Law Society, with the engagement of participating law firms, developed a wealth of resources for law firms and women practitioners. The resources are now available [online](#) and include practical guides on business development and leadership skills, career advancement into partnership (guide for law firms and for associates), flexible work arrangements and profitability models for flexible work arrangements, gender data collection, pregnancy and parental leaves, the development of parental leave policies for associates and partners.
47. During the Project, managing partners remained engaged by participating in annual Managing Partners' Summits in Toronto, Ottawa, Barrie/Orillia, Sudbury and Hamilton.
48. The success of the Law Society initiative in Ontario led to the launch of Justicia projects in other provinces, making this initiative a national project. For example,
 - a. the Barreau du Québec has more than 20 participating law firms in Justicia and has developed a number of resources based on the Ontario resources. The guides are available in French.
 - b. the Law Society of Alberta adopted Justicia in April 2012 and launched in June 2012, with all 14 of Alberta's national law firms.
 - c. the Law Society of British Columbia launched Justicia on November 20, 2012 with about 20 firms. Three working groups were created to develop resources on demographic collection, maternity leaves and flexible work arrangements. The next three topics to be addressed are business development, leadership and paths to partnership.
 - d. the Law Society of Manitoba held a Justicia Managing Partners' Summit on May 27, 2013 with former Law Society of Upper Canada Treasurer Laurie Pawlitza and Kirby Chown as keynotes. Over 30 partners and Managing Partners attended. Nine firms are participating in Justicia to date, including the six large Winnipeg firms and three medium-sized firms. Working groups were scheduled to be created by the end of 2013. They will be developing guides/policies on maternity and parental leaves and flexible work arrangements.
 - e. the Law Society of Saskatchewan has announced the launch of its Justicia project.
49. On May 28, 2014, the Law Society hosted a Justicia symposium with approximately 200 participants in person and 300 participants online. The symposium included concurrent workshops on Justicia topics such as mentoring, career coaching, parental leaves, flexible work arrangements and career

advancement. Chief Justice Bonkalo made a very inspirational keynote address at the networking reception.

Career Coaching Program

50. In December 2011, the Law Society created the Career Coaching Program, a program for women lawyers, and since 2012 paralegals, who meet specified eligibility criteria to receive, without charge, up to six hours of career coaching from a qualified career coach.
51. The purpose of the Career Coaching Program is to assist women lawyers and paralegals who are sole practitioners or in firms of five lawyers or five paralegals or fewer to maintain their practice while taking a maternity, parental or compassionate leave. The program is structured to allow for two hours of coaching prior to the leave to assist women in ramping down their practice, two hours during the leave to assist women in maintaining their practice during the leave, and two hours following the leave, to assist with the reintegration into practice.
52. The program was launched in April 2012, with coaches appointed across the province to provide the services. Services are available in French or English. Twenty women have joined the program to be coached.

Parental Leave Assistance Program

53. The three-year pilot Parental Leave Assistance Program (PLAP) was created to enable more lawyers to stay in practice after the birth or adoption of a child. Effective March 12, 2009, the PLAP provides financial benefits to practising lawyers who are partners in firms of five or fewer lawyers and meet the eligibility criteria.
54. Under the program, the Law Society provides a fixed sum of \$750 a week to eligible applicants for up to 12 weeks (maximum \$9,000 per leave, per family unit) to help cover, among other things, expenses associated with maintaining their practice during a maternity, parental or adoption leave.
55. As of January 1, 2014, to be eligible for benefits under the Parental Leave Assistance Program, the applicant must satisfy all of the following requirements:
 - a. Be a parent of a child.
 - b. Be a member in good standing.
 - c. Be a sole practitioner or a partner in a firm of five lawyers or less.
 - d. Have had an active law practice and earned income from providing legal services, advice or opinions to clients for a period of at least six months immediately preceding the event.
 - e. Have an active law practice with a business address in Ontario that is not a Post Office (PO) box.
 - f. With respect to the law practice in Ontario, have insurance against professional liability.

- g. Have no access to any other maternity/parental/adoption financial benefits under public or private plans, as defined in the Guidelines.
 - h. Have a net practice income of less than \$50,000 for the period of twelve months immediately preceding the event.
 - i. Cease to engage in remunerative work and to practise law during the leave for which he or she is receiving payment of benefits under PLAP.
56. Since the inception of the Program but before the implementation of the means test on January 1, 2014, the Law Society received on average 60 applications annually.

Contract Registry

57. The Contract Registry, created in 2008, is [available online](#) and includes resources and a list of available lawyers and paralegals from across the province who are interested and available to provide legal services on contract.
58. As of December 2013, there have been 304 applications made to the program, with 200 active postings online as of December 2013. Approximately 311 individuals have requested contact information for registrants and approximately 479 profiles have been requested. In 2013, the Law Society received 51 applications to be posted online, 36 from lawyers and 13 from paralegals. Eighteen clients have requested access to 41 profiles, 39 lawyers and 2 paralegals.
59. The site provides helpful resources for sole and small firm practitioners who require the assistance of a contract lawyer or paralegal while taking maternity, parental or other types of leave. The site is also used by lawyers or paralegals who require assistance for a large trial or a demanding file, or for any other reasons.
60. The Contract Registry offers specific tools to help lawyers or paralegals hire a contract lawyer or paralegal, including sample contract clauses, a contract checklist, as well as information about issues to consider when entering into a contract.

Women's Online Resource Centre

61. Launched in December 2010, the [Women's Online Resource Centre](#) (WORC) provides practical, online resources for women lawyers and paralegals, including information about,
- a. legal organizations for women lawyers and paralegals;
 - b. mentoring;
 - c. marketing for women lawyers and their businesses;

- d. resources available for sole and small firms;
- e. work/life balance;
- f. leaves, childcare and parenting;
- g. returning to practice;
- h. equity and diversity for women lawyers;
- i. retention of women; and
- j. the member assistance program.

Aboriginal Working Group

62. The Aboriginal Working Group was created in the mid-2000 and participates through its Chair, Bencher Susan Hare, and the Aboriginal Initiatives and Policy Counsel, Marisha Roman, in the EAIC. In January 2009, Convocation received the *Final Report of the Aboriginal Bar Consultation*.¹⁸ The report proposed the following action plan:
- a. To expand the Lawyer Annual Report (LAR) practice categories to include Aboriginal Law;
 - b. To continue to support the development of mentoring and networking programs for Aboriginal law students, Licensing candidates and lawyers;
 - c. To develop a Continuing Professional Development (CPD) course in Aboriginal law and issues for lawyers/paralegals who provide legal services to Aboriginal clientele;
 - d. To continue to support the development of a Certified Specialist program in Aboriginal Law and/or practice.

Expansion of LAR Practice Categories

63. Aboriginal Law was added as a practice category in the mandatory section of the 2009 LAR. According to data results for the 2009, 2010, 2011 and 2012 LAR reports, there were 653, 731, 774, and 792 lawyers respectively, who reported that somewhere between 1% and 100% of their practice was in Aboriginal law in Ontario. These reports have been used to establish a contact database for the promotion of Aboriginal Initiatives programming, including the Equity Public Legal Education events and Aboriginal Law Career Symposium programs.

Continue Mentoring and Networking

64. The Aboriginal Law Career Symposium program has been an annual event since 2004 and is held at the faculties of law at the University of Ottawa (since 2004) and University of Windsor (since 2008) and the Law Society (since 2004). The event is a 2-hour roundtable discussion on a practice or professionalism topic related to the practice of Aboriginal law and/or the provision of legal services to Aboriginal people. Since 2011, these programs have been CPD-accredited for professionalism hours.

¹⁸ Available on-line at <http://rc.lsuc.on.ca/pdf/equity/aboriginalBarConsultation.pdf>

65. The Law Society offers the Elders Program, a Licensing candidate support program. The Elders Program focuses on establishing and maintaining communication through email and the main components of the program include the following:
- a. access to local community Elders on an as-requested basis by Licensing candidates;
 - b. access to a contact list of Aboriginal lawyers from throughout Ontario who expressed interest in communicating with and mentoring Aboriginal Licensing candidates;
 - c. inclusion on the mail-list to receive information about community events, employment opportunities and events offered through the Aboriginal Initiatives program;
 - d. access to the Aboriginal Initiatives Counsel for information and referrals with regard to the Licensing program; and
 - e. an invitation to be acknowledged by a community Elder at the candidates' Call to the Bar ceremony.
66. In 2009, a schedule of networking events to promote the Aboriginal Bar Consultation report was developed. Bencher Susan Hare has acted as chair for the majority of the formal networking receptions. Invited participants have included Aboriginal law students, lawyers, paralegals and judges, as well as non-Aboriginal law students in the case of the Aboriginal Law Career Symposium receptions.

Continuing Professional Development (CPD)

67. Two of the Equity Public Legal Education events focus specifically on Aboriginal issues. Each June since 1999, there has been an event to celebrate National Aboriginal History Month (formerly National Aboriginal Day). Each November 16 since 2003 (with the exception of 2008), there has been an event to recognize Louis Riel Day.
68. The National Aboriginal History Month events are organized with a variety of partners from the Aboriginal cultural as well as legal community. Previous partners have included Aboriginal Legal Services Toronto, the Aboriginal Law Section of the Ontario Bar Association, the Indian Residential Schools Adjudication Secretariat and the Chiefs of Ontario. Since 2011, the National Aboriginal History Month events have focused their panel discussions on specific legal issues and have been CPD-accredited programs.
69. The Louis Riel Day events are hosted in partnership with the Métis Nation of Ontario (MNO). The Law Society event is scheduled as the last in a series of community events held throughout Toronto each year. The MNO's focus for the Law Society event is to provide information to both community members as well as the legal professions. For this reason, the MNO opts not to structure the

program to qualify for accreditation for professionalism hours, but rather to focus on the historical and substantive legal issues that impact the Métis community broadly. Lawyer and paralegal participants may opt to claim substantive hour credits for attending the Louis Riel panel discussion. On average, between 80 and 120 people attend.

Development of a Certified Specialist Program

70. The Law Society's Certified Specialist program is designed to help lawyers achieve recognition as leaders in their field¹⁹. The program enables lawyers to acquire the requisite skills and knowledge to qualify for certification as a specialist in a given practice area
71. In May 2013, the Law Society approved the proposal to create a Certified Specialty in Aboriginal Law. A working group of 8 Aboriginal Law practitioners with established experience in the specialty area and from varied jurisdictions, practice areas and practice environments has been struck. The group will be developing a definition for the specialty area, sub-specialties, the experience component of the standards for certification, and learning criteria.

Support to Aboriginal Students

72. The Aboriginal Initiatives Counsel coordinates Aboriginal students' symposia and works with Aboriginal Licensing Process candidates and lawyers. In 2013/3014, the Law Society continued to organize career symposia for Aboriginal students, giving Aboriginal students from all Ontario law schools an opportunity to meet with Aboriginal lawyers and leaders of Ontario's legal profession. In 2014, an additional program was offered at the faculty of Law at Lakehead University.
73. The relationship with Aboriginal law students continues into the Licensing Process through the Aboriginal Student Support Program and through the participation of Aboriginal Elders at the Calls to the Bar.
74. Since 2010, benchers and the Aboriginal Initiatives Counsel organized networking events across the province to meet Aboriginal members of the bar and establish networking and mentoring opportunities. Events were held in Kingston, Ottawa, Rama, Sudbury, Thunder Bay, Toronto and Windsor.

Human Rights Monitoring Group

75. The Monitoring Group was created in 2006. The original mandate of the Monitoring Group, approved by Convocation, was to,
 - a. review information that comes to its attention about human rights violations that target members of the profession and the judiciary, here

¹⁹ Excerpted from the Law Society website, 'About the Certified Specialist Program' webpage at <http://www.lsuc.on.ca/For-Lawyers/About-Your-Licence/About-the-Certified-Specialist-Program/>.

- and abroad, as a result of the discharge of their legitimate professional duties;
 - b. determine if the matter is one that requires a response from the Law Society; and
 - c. prepare a response for review and approval by Convocation.
76. On September 20, 2007, Convocation approved the recommendation that the Monitoring Group explore the possibility of developing a network of organizations, and work collaboratively with them, to address human rights violations against judges and lawyers.
77. Since its inception, the Monitoring Group has recommended interventions to Convocation in support of lawyers and judges generally through letters of intervention to foreign authorities and public statements. The Monitoring Group has received positive responses to its interventions.
78. To date, the Monitoring Group has recommended, and Convocation has approved, Law Society interventions in more than 75 cases on behalf of over 90 judges and lawyers originating from countries such as Algeria, Bahrain, Belarus, China, Colombia, Democratic Republic of Congo, Egypt, Georgia, Honduras, India, Iran, Kenya, Kyrgyzstan, Malaysia, Myanmar, Nepal, Pakistan, Philippines, Russia, Rwanda, Saudi Arabia, Sudan, Syria, Tunisia, Vietnam, Venezuela and Zimbabwe.
79. The interventions relate to cases of human rights violations against both judges and lawyers as a result of the discharge of their professional duties. Reports of the incidents indicate that the lawyers and judges have been subjected to various forms of persecutions, including,
- a. harassment and intimidation;
 - b. unlawful detentions and incommunicado detentions;
 - c. unlawful house arrests;
 - d. violence, abuse and torture; and
 - e. assassinations.
80. The legal profession reacted very positively to the Law Society's actions in support of lawyers in Pakistan, and numerous lawyers from foreign countries have noted that public interventions from organizations such as the Law Society are helpful in informing the community that human rights violations of lawyers and judges do not go unnoticed. The activities show support to the civil societies and legal organizations involved, enhance the public scrutiny of the authorities' treatment of lawyers and judges and increase the profile and awareness of cases within the legal profession.
81. The Law Society intervened for example in Justice Afiuni's case and received acknowledgements of the intervention. On December 9, 2009 Judge Maria Lourdes Afiuni was arrested by intelligence officers in Venezuela after ordering

the conditional release pending trial of Eligion Cedeno. She was eventually committed to house arrest. The Law Society intervened in the case in May 2010 through a letter of intervention and a public statement. On December 13, 2011, a judge extended the measure of house arrest against Judge Afiuni by two years. The Law Society intervened again through a letter of intervention. There was a positive response to the Law Society's intervention. The public statement was released in newspapers in Venezuela and read on television. Justice Afiuni was also informed of the public statement and expressed her gratitude for the Law Society intervention.

82. When Dr. Shirin Ebadi visited the Law Society in June 2012, she remarked on the importance of intervening, through letters to foreign authorities, in support of lawyers and judges. She noted that there are seven lawyers in prison in Iran and she congratulated the Law Society for its intervention work.
83. The Law Society learned in August 2012 that eleven lawyers in Myanmar had their license to practise law reinstated after the Law Society and other advocates for the rule of law and the independence of the legal profession intervened on behalf of 32 lawyers disbarred for political reasons. In April 2012, the Law Society wrote a letter to the President of Myanmar voicing concern that lawyers in the country had been targeted with criminal sanctions and had their licenses revoked in retribution for their political activities. In the letter, the Law Society acknowledged recent positive changes that had taken place in Myanmar and requested further information on the criminal offences that led to the disbarment. The Law Society indicated that it was considering issuing a public statement in support of the rule of law and the independence of the legal profession in Myanmar. In an email in June, one of the lawyers whose license has been reinstated thanked the Law Society for its actions and acknowledged that global support had played a part in the Myanmar Supreme Court's decision to reinstate the lawyers' licenses.
84. The Monitoring Group released, in June 2014, the [*Facilitating International Access to Justice through Intervention*](#) report which provides an overview of the Monitoring Group work over the years from an access to justice perspective by outlining the types of clients that persecuted lawyers serve.
85. Since 2009, the Monitoring Group has expanded its activities by launching a Rule of Law Education Series, which has been extremely successful Rule of Law Education Series. The events have been held each year since 2009. One significant rule of law event was held on June 14, 2012, with Dr. Shirin Ebadi as the keynote speaker. Dr. Ebadi was awarded the Nobel Peace Prize for her exceptional efforts fighting for democracy and human rights. An Iranian lawyer, a former judge and human rights activist, she was the first Muslim woman and the first Iranian to receive the award.

Challenges Faced by Racialized Licensees

86. In August 2012, Convocation created the Challenges Faced by Racialized Licensees Working Group (the Working Group). The Working Group is mandated to,
 - a. identify challenges faced by racialized licensees in different practice environments, including entry into practice and advancement;
 - b. identify factors and practice challenges faced by racialized licensees that could increase the risk of regulatory complaints and discipline;
 - c. consider best practices for preventive, remedial and/or support strategies;
 - d. if appropriate, design and develop preventative, remedial, enforcement, regulatory and/or support strategies, for consideration by the EAIC and other Committees as appropriate, to address the challenges described above.
87. The Working Group first met in October 2012. From October 2012 on, the Working Group met informally with a number of individuals and organizations to obtain viewpoints on challenges and best practices for racialized licensees and reviewed the data and literature available on this topic
88. In early 2013, the Working Group retained the services of Strategic Communications Inc. (Stratcom) and Michael Charles of Change DeZign© to formally engage the profession on this matter. This formal engagement included key informant interviews, focus groups and a survey. StratCom and Change DeZign© provided their report to the Law Society in January 2014.
89. The Working Group also engaged in a parallel process, the Community Liaison Process, to gather information from racialized licensees who may not have come forward during the formal consultation process.
90. Based on the findings of the informal and formal engagement process, the Working Group is developing a consultation paper that will include action items for the profession's feedback. The Working Group anticipates its consultation to begin in the fall 2014.

Programs and Initiatives

91. The Law Society has, over the years, as a response to the needs of an increasingly diverse profession, implemented a number of programs to promote inclusiveness and access to justice.

Public Legal Education

92. The Law Society holds each year about twelve Equality Public Legal Education and Rule of Law events for the public and the legal profession. The events are very successful and combine an educational component with networking opportunities. The events address legal topics of interest to the public and the

profession and include panel discussions with experts followed by networking events. The Law Society celebrates days and months of significance such as Louis Riel Day, Black History Month, International Women's Day, Journée des Franco-Ontariens et Franco-Ontariennes, Journée internationale de la francophonie, National Aboriginal History Month, National Holocaust Memorial Day, Asian and South Asian Heritage Month, Access Awareness and Pride. The Law Society also hosts events to promote the rule of law nationally and internationally. Each event welcomes between 80 and 250 participants.

93. The Equity Initiatives Department has broadened its network of partners and community engagements. Partners include the following: Aboriginal Legal Services of Ontario, Amnesty International, the Arab Canadian Lawyers Association, the Association des juristes d'expression française de l'Ontario, ARCH Disability Law Centre, B'nai Brith Canada, the Canadian Association of Black Lawyers, the Canadian Association of South Asian Lawyers, the City of Toronto, the Federation of Asian Canadian Lawyers, the Women Lawyers Forum of the Ontario Bar Association (OBA), the Hispanic Ontario Lawyers Association, Human Rights Watch Canada, Lawyers without Borders, Lawyers' Rights Watch Canada, Legal Aid Ontario, the Métis Nation of Ontario, the Official Languages Committee of the OBA, PBLO, the Sexual Orientation and Gender Identity Committee of the OBA, the South Asian Bar Association of Toronto, the Women's Law Association of Ontario; and many more.

Custom-Designed Education Programs for the Profession

94. The Equity Initiatives Department and the Discrimination and Harassment Counsel continue to custom-design education programs for law firms, legal organizations and law schools. In 2013/2014, a number of programs were delivered in law firms, law associations and law schools on topics such as addressing harassment, discrimination and workplace violence and providing legal services to persons with disabilities. With the amendments to the *Occupational Health and Safety Act* to address workplace harassment and violence, and the adoption of the standards under the *Accessibility for Ontarians Act, 2005*, a number of training programs were delivered to firms of all sizes on their legal obligations. Continuing Professional Development workshops were also coordinated by the OBA and delivered by the DHC and the Director, Equity, to members of sole and small firms in Toronto. The programs are usually CPD accredited. Each year, approximately 1500 members of the profession and the public attended the professional development programs.

Equity Mentoring Program

95. The Law Society offers a structured Equity Mentoring Program that promotes law as a career choice and assists law students and recent calls to the bar by matching mentors – experienced members of the bar – with new lawyers,

students-at-law, students in law school as well as university and high school students.²⁰ The program matches between 10 and 50 mentees each year.
Aboriginal Initiatives.

French Language Services

96. The percentage of lawyers who can provide legal services to their clients in French is higher than the Francophone community in Ontario. Four point eight percent (4.8%) of the Ontario population self-identifies as Francophone while 12% of lawyers indicate that they can provide legal services in French and three percent (3%) of paralegals indicate that they can provide legal services in French.
97. As the province's regulatory body for the profession, the Law Society has committed itself to providing services in French to its members and the public.
98. In June 2012, the Bench and Bar Committee released its *Access to Justice in French* report. Justice Paul Rouleau, Court of Appeal for Ontario, and Paul LeVay, Stockwoods LLP, co-chaired the Bench and Bar Committee. The Law Society was a member of the Bench and Bar Committee with for example judges of the Superior Court of Justice and the Ontario Court of Justice, representatives of the Ontario government, the National Judicial Institute and the Association des juristes d'expression française de l'Ontario ("AJEFO").
99. Two recommendations focus on the Law Society and indicate that the Attorney General, in cooperation with the Law Society and law faculties, should explore measures to support language rights education. In addition, it is recommended that the Law Society consider assessing language rights knowledge in the Licensing Process, develop strategies to enhance the knowledge of French language rights and services before the court system and promote language rights and access to legal services in French with the public. As described below, the Law Society is in the process of implementing those recommendations.
100. In November 2012, the Ministry of the Attorney General announced the creation of a steering committee with representatives from the justice sector and other organizations to review and develop an implementation plan that responds to the recommendations outlined in *Access to Justice in French* report. The Law Society accepted the Ministry's invitation to participate on the steering committee.
101. The Law Society makes ongoing efforts to enhance access to justice in French, including a bilingual Licensing Process, core regulatory information, forms, website information, numerous publications and various other communications materials in French. The Law Society also collaborates with many partners in the legal system to strengthen French language services within the justice system.

²⁰ Information available on Law Society website at www.lsuc.on.ca.

For the Profession

102. The following is a snapshot of services and activities for the profession:
- a. **Licensing Process:** Lawyer and paralegal licensing examinations, along with associated reference materials and other resources, are offered in French. The Law Society also assesses language rights knowledge in the Licensing Process, as recommended by the *Access to Justice in French* report.
 - b. **Rules of Conduct:** In 2001, the *Rules of Professional Conduct* were amended to include a commentary to Rule 1.03 (Interpretation – Standards of the Legal Profession) that discusses the obligation of lawyers to inform their clients of their linguistic rights when applicable. The *Paralegal Rules of Conduct* also include a Rule to that effect.
 - c. **Advising the Profession about the Rules:** The guides *Advising Clients of their French Language Rights – Lawyers’ Responsibilities* and *Advising Clients of their French Language Rights – Paralegals’ Responsibilities* have recently been updated and are [available online](#). This is the first step in the implementation of the *Access to Justice in French* recommendation to collaborate with associations of lawyers and paralegals where possible to develop strategies to enhance the knowledge of lawyers and paralegals of French language rights and services before the court system.
 - d. **Lawyer and Paralegal Annual Report:** The Lawyer Annual Report was modified to include the following voluntary questions (the Paralegal Annual Report also includes similar questions):
 - i. Can you communicate with your clients and provide legal advice to them in the French language?
 - ii. Can you communicate with your clients, provide legal advice to them and represent them in the French language?
 - e. **Continuing Professional Development:** In November 2012, the Law Society, in partnership with AJEFO, the Advocates’ Society and the Official Languages Committee of the Ontario Bar Association (“OBA”), organized a very successful CPD Program accredited for professionalism hours— *Plaider une action civile en français*. Approximately 60 lawyers and paralegals attended the program in person while 210 participated by webcast. A second accredited CPD was held on June 21, 2013 entitled *Droit au but- parlons grammaire*. The session was a success with about 165 members registered. The Law Society, in partnership with AJEFO and the Advocates’ Society, has held another very successful CPD program accredited for professionalism hours on January 20, 2014 entitled *Plaider une cause pénale en français*. Approximately 20 lawyers and paralegals attended in person and 70 online. In addition, the Law Society participates in the organizing committee of the annual AJEFO conference.
 - f. **Internal Capacity:** The Law Society offers services in French, including through the Call Centre, the Practice Management Helpline, the Law Society Referral service, the Registrar’s Office and the Policy, Tribunals (bilingual clerks and a number of adjudicators), Equity and

Communications Departments. The Senior Management Team also has bilingual capacity.

- g. **Communications in French:** The Law Society Portal enables all licensees to choose whether they would prefer to receive Law Society communications in French or English.
- h. **Law Society Programs:** Numerous programs offer services in French. For example, the Discrimination and Harassment Counsel Program, the Member Assistance Program and the Career Coaching Program have offered services in French and English since their inception.
- i. **Regulatory Forms:** The Law Society has translated most forms mandated under the *Rules of Professional Conduct* and the *Paralegal Rules of Conduct*, laws, regulations and by-laws, into French. The website has been updated to significantly increase the number of forms in French.
- j. **Collaboration with Associations:** The EAIC is the committee responsible for French language services. AJEFO participates in committee meetings and provides input in policy development. AJEFO is also a member of the Law Society's Equity Advisory Group. The Law Society also participates in meetings of the AJEFO board and the Official Languages Committee of the Ontario Bar Association.

For the Public

103. The following is a snapshot of services and activities for members of the public:
 - a. **By-law on French Language Services:** In May 2014, Convocation amended [By-Law 2](#) to establish the right of a person to receive services from the Law Society in French and English.
 - b. **Law Society Referral Service:** The Law Society Referral Service operates bilingually and provides the public with access to bilingual lawyers and paralegals.
 - c. **Call Centre:** Call Centre staff field public calls in both English and French, with equal response times.
 - d. **Directory of Lawyers and Paralegals:** The online directory of lawyers and paralegals is bilingual and indicates whether a lawyer or paralegal is able to offer services in French.
 - e. **Commenting about the Law Society Services:** Contact information is available on the Law Society website for anyone who wishes to comment about Law Society services in French.
 - f. **Public Legal Education:** The Law Society offers at least two public legal education programs in French annually. On September 25, 2013 the Law Society, in partnership with AJEFO and the OBA, celebrated the Jour des Franco-Ontariens et des Franco-Ontariennes by hosting an event with Pascale Daigneault, President of the OBA. The event was attended by at least 85 lawyers, paralegals and members of the public. On March 28, 2013, the Law Society, with the AJEFO and the OBA, celebrated the Journée internationale de la francophonie by hosting an event with Françoise Boivin, the Deputy for Gatineau for the New Democratic Party.

On June 19, 2013, the Law Society offered a public education program entitled *Legal Information for Everyone* in French. The program was organized in partnership with Community Legal Education Ontario, the Ontario Justice Education Network and AJEFO and was a success.

Networking with Law Societies

104. In 2005, the Equity Initiatives Department began strengthening its relationship with other law societies by working with provincial equity advisors and discrimination and harassment counsels - or equity ombudspersons. The first national meeting of law society equity advisors and equity ombudspersons was held that year at the Law Society of British Columbia in Vancouver. The objective of the meeting was to exchange information about initiatives undertaken by provincial law societies and to establish network and collaborative opportunities. Issues such as the role of law societies in promoting equality and diversity, education programs for the legal profession, mentoring programs and policy development were discussed. Following the first successful meeting, the equity advisors and equity ombudspersons continued to exchange information about successful initiatives and programs via teleconference calls, emails and meetings.
105. In May 2007, the Law Society of Upper Canada hosted the second national meeting of equity advisors and equity ombudspersons. The two-day meeting in Toronto provided an opportunity to exchange information about initiatives undertaken by law societies and allowed participants to develop strategies for further collaborations. The meeting was organized in conjunction with a national diversity summit conference held at the Faculty of Law of the University of Toronto. The summit meeting combined networking and professional development opportunities for equity advisors and equity ombudspersons.
106. In March 2008, the provincial equity advisors and equity ombudspersons held their third annual meeting at the Friends of Simon Wiesenthal Center for Holocaust Studies in Los Angeles. The meeting included two days of professional development on effective teaching pedagogy in the area of equality and diversity. The annual meeting led to further discussions about inter-provincial cooperation between the law societies in the area of diversity and equality.
107. In 2009, the annual meeting was held in Montréal at the Barreau du Québec. The Law Society of Upper Canada became chair of the group and the Montréal meeting led to the development of the Law Societies Equity Network, including Terms of Reference.
108. In April 2011, the Law Societies Equity Network met in Calgary. In addition to law societies' equity advisors and ombudspersons, two representatives of the Federation of Law Societies participated. The two day meeting allowed the Network to develop a short-term and long-term action plan.

109. In May 2012, the Law Societies Equity Network met in Ottawa. The Federation of Law Societies hosted the meeting and participated in the discussions. The two day meeting allowed the Network to present updates on ongoing projects, discuss ongoing collaborations such as the Justicia project and attend a workshop on best practices in assessing programs.
110. In October 2013 the Law Societies Equity Network met in Halifax. The meeting focused on enhancing the collaboration between law societies and provided a professional development opportunity on cultural competence.

Collaborating with Law Schools

111. The Equity Initiatives Department works closely with the six Ontario law schools. In addition to annual visits to law schools to discuss available resources at the Law Society and exchange information about law schools and the Law Society, staff members of the department have held meetings with career officers and staff involved in equity initiatives and academic support programs in law schools. The Equity Initiatives Department visits most law schools in Ontario on an annual basis and delivers mandatory programs on addressing harassment and discrimination and the diversity of the legal profession to all first year law students at the University of Ottawa (French and English Common Law).

Discrimination and Harassment Counsel Program

112. In June 2001, the Law Society adopted the permanent DHC Program. Funded by the Law Society, the program operates at arms' length, and is available free-of-charge to the Ontario public and lawyers. The DHC confidentially assists anyone who may have experienced discrimination or harassment by a lawyer or paralegal and may attempt to resolve issues through informal means or mediation with the consent of all parties. Since its creation, the person who has held the position of DHC has been bilingual (French and English). Since 2003, the DHC is Cynthia Petersen. In 2004, the position of Alternate DHC was created. David Bennett and Lynn Bevan hold the position of Alternate DHC. The Alternate DHC assume the functions of the DHC when she is unable to perform the function.
113. In January 2013, the DHC presented to the Law Society a ten-year report summarizing the data between January 1, 2003 and December 31, 2012. There have been a total of 1,765 new contacts with the DHC Program since January 1, 2003. There were 180 new contacts in 2003, 234 in 2004, 180 in 2005, 156 in 2006, 130 in 2007, 145 in 2008, 195 in 2009, 192 in 2010 and 188 in 2011 and 165 in 2012. The Program has received an average of 17.6 new contacts per month over the past ten years.
114. The DHC services are offered in French and English. Since January 1, 2003, 52 individuals have communicated with the DHC in French (3% of all new contacts).

115. Of the 1,765 contacts with the Program over the past ten years, the DHC dealt with a total of 583 discrimination and/or harassment complaints against lawyers and 3 discrimination and/or harassment complaints against Ontario articling students. (The remaining contacts with the Program involved general inquiries or matters outside the Program mandate.) There were a total of 66 complaints against lawyers in 2003, 78 in 2004, 60 in 2005, 56 in 2006, 35 in 2007, 43 in 2008, 66 in 2009, 70 in 2010, 44 in 2011 and 68 in 2012. In addition, since January 1, 2008, there have been 15 discrimination and/or harassment complaints against paralegals licensed in Ontario.
116. Out of the 583 discrimination and harassment complaints received against lawyers and articling students since January 1, 2003, there have been 318 complaints from the public and 265 complaints from within the legal profession (i.e., from lawyers, law students, paralegals or paralegal students). All three of the complaints against articling students were made by other articling students. Thus over the past 10 years, complaints from the public have constituted on average 55% of all discrimination and harassment complaints against lawyers.
117. A total of 60 law students²¹ have made discrimination and harassment complaints to the DHC Program in the ten years since January 1, 2003 (out of a total of 265 complaints from within the legal profession). Student complaints therefore constitute 23% of the discrimination and harassment complaints received from members of the legal profession over the past 10 years.
118. The overwhelming majority (75%) of complaints by lawyers, law students and paralegals arise in the context of the complainant's employment or in the context of a job interview. There have been some discrimination and harassment complaints from lawyers in non-employment contexts, such as complaints about the conduct of opposing counsel, mediators or investigators. There have also been a few complaints by lawyers who had retained other lawyers to act for them and were complaining as clients.
119. Of the 268 discrimination and harassment complaints against lawyers by members of the legal profession since January 1, 2003, 200 (75%) were made by women.
120. Of the 318 members of the public who have made discrimination and harassment complaints against lawyers to the DHC over the past 10 years, 210 (66%) were made by women.
121. There was a total of 586 discrimination and harassment complaints against lawyers and paralegals between January 1, 2003 and December 31, 2012. Of

²¹ Either articling students, summer students, or university law students. There have been no complaints against lawyers by paralegal students.

these,²²

- a. sex was raised as a ground of discrimination in 291 complaints (50%);
- b. disability was raised in 150 complaints (26%);
- c. race was raised in 95 complaints (16%);
- d. sexual orientation was raised in 31 complaints (5%);
- e. age was raised in 21 complaints (4%);
- f. family status was raised in 21 complaints (4%);
- g. religion was raised in 19 complaints (3%);
- h. ethnic origin was raised in 16 complaints (3%);
- i. marital status was raised in 8 complaints;
- j. ancestry was raised in 7 complaints;
- k. place of origin was raised in 5 complaints; and
- l. record of offences was raised in 4 complaints.

Law Society as Model Employer

122. The Law Society has committed itself to promoting equality of participation and representation of Aboriginal, Francophone and equality-seeking communities within the Law Society.
123. The Equity Initiatives Department works closely with other divisions in the promotion of equality and diversity. Most Law Society divisions have integrated these principles into their operations. The Director, Equity participates on the Senior Management Team. The activities are summarized below.

Education programs

124. The Department offers, with the Human Resources Department, workshops designed to promote a positive workplace environment for the Law Society. The following workshops are offered:
 - a. Preventing and Addressing Harassment and Discrimination in the Workplace – mandatory workshop for new employees.
 - b. Preventing and Addressing Harassment and Discrimination in the Workplace and the Duty to Accommodate – mandatory workshop for managers.
 - c. Preventing and Addressing Harassment and Discrimination in the Workplace and the Duty to Accommodate – mandatory workshop for Advisors appointed under the Harassment and Discrimination Prevention Policy of the Law Society.
125. The Department also works with the Human Resources Department to ensure that there is compliance with legislation. As such, it developed, in collaboration with Human Resources and the Director of the Client Service Centre, a

²² The sum of the numbers in this paragraph exceeds 404 and the sum of the percentages exceeds 100% because many of the complaints involved multiple grounds of discrimination.

Workplace Violence Prevention Policy, consistent with the requirements under the amended *Occupational Health and Safety Act*. The policy is reviewed annually as required by legislation. The Department also worked in cooperation with the Corporate Resource and Training Centre in the development of a training module for employees.

126. The Department also developed, with Human Resources, a policy to comply with the Customer Services Standards adopted under the *Accessibility for Ontarians with Disabilities Act, 2005*. Again, the Department worked with the Corporate Resource and Training Centre to develop a training module for employees.
127. The Director, Equity, also works with the Executive Director, Corporate Services, to address complaints of harassment and/or discrimination in the workplace.

Advisors Appointed under the Harassment and Discrimination Policy

128. Advisors are appointed under the harassment and discrimination policy to assist employees by answering employees' questions about harassment and discrimination and providing advice. Training is provided to Advisors and meetings are held quarterly.

Cooperation with other Law Society Divisions

129. The Department works closely with other divisions of the Law Society. Therefore, employees of the Law Society are increasingly aware of equality principles and how to implement equality programs and initiatives.
130. For example, the Department is often asked to assist when difficult cases of requests for accommodations are made or when updates to relevant policies and guidelines require the input of the Equity Initiatives Department. The Department also developed support initiatives for Aboriginal students.
131. The Department participates in the work of committees, including the Lunch and Learn Committee and the Repayable Allowance Program Committee.

Conclusion

132. Since the adoption of the *Bicentennial Report*, the Law Society has developed its infrastructure, through standing committees of Convocation and working and advisory groups, adopted a wealth of policies and guidelines, conducted numerous informative research projects and implemented successful programs to promote equity and diversity in the legal profession. These initiatives have assisted in making the profession more inclusive and diverse and have provided the processes to address harassment and discrimination and barriers to entry and advancement.