



Annual Report 2018-19

Table of Contents

- AGENDA** _____ **3**
- Minutes from 2017-18 AGM** _____ **4**
- Financial Statements Clinic** _____ **8**
- Financial Statements ALS Inc.** _____ **22**
- President’s Message 2019** _____ **35**
- Executive Director Report** _____ **36**
- Report of the Legal Advocacy Director** _____ **37**
 - Foreword (Christa Big Canoe) _____ **37**
 - Introduction (Emily Hill) _____ **37**
 - Direct Services/Casework _____ **38**
 - Systemic Advocacy _____ **39**
 - Outreach _____ **42**
 - Supporting staff success _____ **42**
 - Funding _____ **43**
 - Courtworkers _____ **43**
 - Acknowledgements _____ **43**
 - Appendix to the Legal Advocacy Director’s AGM Report _____ **44**
- Report of the Program Director** _____ **45**
 - Gladue Program _____ **45**
 - Community Council Program _____ **46**
 - Giiwedín Anang _____ **46**
 - Aboriginal Courtworker Program _____ **47**
 - Indigenous Knowledge Helper Program _____ **47**
 - The Road to Your Name _____ **47**
 - FASD Worker Program _____ **48**
 - Welcome Home Program _____ **48**
 - Not Just Another Case _____ **48**
 - Law Foundation of Ontario Catalyst Grant _____ **49**
 - Funders _____ **49**
- 2019 Report of the Nominating Committee** _____ **50**

ALS Annual General Meeting

Thursday, November 28, 2019
211 Yonge Street, Suite 500

AGENDA

- 1) Opening Thanksgiving
- 2) Adoption of Agenda
- 3) Adoption of Minutes from the 2018 AGM (held March 25, 2019)
- 4) Auditor's Report and Financial Statements
- 5) Appointment of Auditor
- 6) President's Report
- 7) Managers' Reports
- 8) Board Elections
- 9) Question Period
- 10) Other Business
- 11) Closing

Minutes from 2017-18 AGM

ABORIGINAL LEGAL SERVICES

Annual General Meeting

March 25, 2019 (note the 2018 AGM was held in 2019 because the audit was delayed)

DRAFT MINUTES

Present: Clayton Shirt, Brandon Jacko, Claire-Lise Beauchesne, Amanda Carling (Chair), Marisha Roman, Jonathan Rudin, Edith Moore, Emily Hill, Justin Basinger, Joseph Schuchert, Heather Young, Pamela McNeil, Genevieve Easton-Poole, Audrey Huntley, Sinéad Charbonneau, Doug Holt, Leslie Anne St Amour, Sunny Freeman, Jessie Stirling, Mayumi Jones

Phone: Sheila Warner

Regrets: Rose Cameron

1) Opening Thanksgiving

- Clayton Shirt led the meeting with an opening and thanks to all members for attending.
- We thanked OKT LLP for allowing us to hold our meeting at their office and the ALS staff who organized the AGM.

2) Adoption of Agenda

MOTION #1: To approve the March 25, 2019 agenda as amended.

Moved: Claire-Lise Beauchesne

Seconded: Genevieve Easton-Poole

Carried

3) Presentation from Audrey Huntley

4) Auditor's Reports and Financial Statements

ALS Clinic

- See tab 7 of the materials
- Paul Holt provided a review of the Clinic audit.

MOTION #2: To approve the 2017-2018 Auditor's Report for ALS Clinic.

Moved: Amanda Carling

Seconded: Genevieve Easton-Poole

Carried

ALS Inc.

- See tab 6 of the materials
- Paul Holt provided a review of the ALS Inc. audit

MOTION #3: To approve the 2017-2018 Auditor's Report for ALS Inc.

Moved: Amanda Carling

Seconded: Leslie Anne St Amour

Carried

5) Appointment of Auditor

- Hilborn LLP did not wish to be reappointed but did not give the board enough notice to find a new auditor in advance of the AGM. As such, the members will be notified once we find a suitable replacement and the appointment will take place as soon as possible, at a regular board meeting.

6) President's Report

- Delivered by President, Amanda Carling
- See President's Message 2018 at tab 5 of the materials

7) Managers' Reports

a) Report of the Interim Legal Advocacy Director – Emily Hill – *see tab 8 of the materials*

b) Report of the Program Director – Jonathan Rudin – *see tab 9 of the materials*

8) Board Elections

- The Nominating Committee provided a report in support of Board Elections. See *tab 10 of the materials*
- Marisha Roman has decided to resign from the board, she was acknowledged for her decades of service
- The following four directors will run for re-election on the recommendation of the nominating committee:

- Justin Basinger
- Genevieve Easton Poole
- Brandon Jacko
- Jessie Stirling
- The nominating committee recommends that the remaining position stay vacant until a suitable candidate is found
- Joseph Schuchert has expressed interest in becoming a shadow member of the board and the nominating committee will provide him with an orientation

Election of Members

Re-election of Justin Basinger, Genevieve Easton Poole, Brandon Jacko and Jessie Stirling for Two-Year Term

MOTION #4: To re-elect all members for a two-year term.

Moved: Amanda Carling

Seconded: Leslie Anne

Carried

- Board will elect the executive at the next regular meeting

9) Other Business

10) Adjournment

Clayton Shirt provided the closing

MOTION #5: To adjourn the 2018 Annual General Meeting of the Board of Aboriginal Legal Services.

Moved: Amanda Carling

Seconded: Leslie Anne

Carried

Financial Statements Clinic



ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Financial Statements

March 31, 2019



ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

March 31, 2019

Table of Contents

Auditors' Report	1
Statement of Financial Position	4
Statement of General Fund	5
Statement of Cash Flows	6
Notes to the Financial Statements	7

Independent Auditors' Report

To the members of the
ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Opinion

We have audited the accompanying financial statements of Aboriginal Legal Services - Legal Clinic (the "Clinic"), which comprise the statement of financial position as at March 31, 2019, and the statements of general fund and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Aboriginal Legal Services - Legal Clinic as at March 31, 2019, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Clinic in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Prior year Financial Statements

The prior year financial statements were audited by a predecessor auditor, who in a report dated March 23, 2019, expressed an unqualified opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Independent Auditors' Report

continued

In preparing the financial statements, management is responsible for assessing the Clinic's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Clinic or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Clinic's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Clinic's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

Independent Auditors' Report
continued

- Conclude on the appropriateness of management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Clinic's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Clinic to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Edward & Manning LLP Chartered Accountants

Licensed Public Accountants
Toronto, Ontario

September 26, 2019

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Statement of Financial Position

As At March 31, 2019

	Note	2019	2018
Assets			
Current Assets			
Cash		\$ 58,167	\$ 86,772
Amounts receivable		107,644	107,646
HST recoverable		35,032	60,607
Prepaid expenses		33,017	32,521
Total Current Assets		233,860	287,546
Capital assets	(6)	51,947	60,714
Total Assets		\$ 285,807	\$ 348,260
Liabilities and Net Assets			
Current Liabilities			
Accounts payable and accrued liabilities	(4)	\$ 62,071	\$ 85,121
Due to Aboriginal Legal Services Inc.	(5)	74,651	157,039
Total Current Liabilities		136,722	242,160
Net Assets			
Project fund	(7)	34,546	28,359
Capital fund	(8)	51,947	60,714
Legal disbursements fund	(9)	(1,648)	(1,445)
General fund		64,240	18,472
Total Net Assets		149,085	106,100
Total Liabilities and Net Assets		\$ 285,807	\$ 348,260

The accompanying notes are an integral part of these financial statements.

4

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Statement of General Fund

For the Year Ended March 31, 2019

	Note	2019	2018
Revenue			
Legal Aid Ontario			
Direct receipts		\$ 853,103	\$ 808,195
Indirect receipts		11,266	6,770
Other income		100	250
Court costs awarded		-	28,950
Total revenue		864,469	844,165
Expenditures			
Salaries and wages		514,513	499,709
Accommodations		123,153	124,237
Employee benefits		81,982	88,519
Supplies		39,206	40,638
Memberships and licenses		14,903	15,347
Travel		11,594	18,300
Indirect payments	(10)	11,266	6,770
Professional fees		9,341	11,009
Equipment		8,684	14,743
Telephone and telecommunications		2,750	4,128
Library		1,309	1,272
Total operating expenses		818,701	824,672
Excess of revenue over expenditures		45,768	19,493
Fund balance, beginning		18,472	(108)
Transfer to Capital Fund		-	(913)
Fund balance, ending		\$ 64,240	\$ 18,472

The accompanying notes are an integral part of these financial statements.

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Statement of Cash Flows

For the Year Ended March 31, 2019

	2019	2018
Cash flows from operations:		
Excess of revenues over expenses	\$ 42,985	\$ 31,073
Amortization	12,620	13,843
Decrease (increase) in amounts receivable	2	(104,981)
Decrease (increase) decrease in HST recoverable	25,575	(18,226)
Increase in prepaid expenses	(496)	(13,013)
Decrease in accounts payable and accrued liabilities	(23,050)	(5,932)
(Decrease) increase in due to Aboriginal Legal Services Inc.	(82,388)	162,448
Total net cash flows from operations	(24,752)	65,212
Cash flows from investing activities:		
Purchase of capital assets	(3,853)	(2,302)
Cash used in investing activities	(3,853)	(2,302)
Net cash increase (decrease) during the year	(28,605)	62,910
Cash at beginning of year	86,772	23,862
Cash at end of year	\$ 58,167	\$ 86,772

The accompanying notes are an integral part of these financial statements.

6

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Notes to the Financial Statements

For the Year Ended March 31, 2019

(1) About Aboriginal Legal Services - Legal Clinic

Aboriginal Legal Services - Legal Clinic (the "Clinic") is incorporated without share capital under the laws of the Province of Ontario. The Clinic was formed to provide quality legal services to low income individuals of the Aboriginal community in the Greater Toronto Area and is primarily funded by Legal Aid Ontario. The statements pertain to funds received from Legal Aid Ontario and not to other activities unless otherwise noted. The Clinic qualifies as a not-for-profit organization under the Income Tax Act and is exempt from corporate income tax.

(2) Basis of preparation

The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations.

(3) Significant Accounting Policies

(a) Capital assets

The costs of capital assets are capitalized upon meeting the criteria for recognition as capital assets; otherwise, costs are expensed as incurred. The cost of a capital asset comprises its purchase price and any directly attributable cost of preparing the asset for its intended use.

Capital assets are presented at cost less accumulated amortization and accumulated impairment losses.

Capital assets are tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. If any potential impairment is identified, then the amount of the impairment is quantified by comparing the carrying value of the capital assets to its fair value. Any impairment of capital assets is charged to operations in the period in which the impairment occurs.

An impairment loss is not reversed if the fair value of the capital assets subsequently increases.

Amortization is provided for using the declining balance method over the estimated useful lives as follows for the major classes of assets:

Computer equipment	3 years
Office equipment	5 years
Leasehold improvements	over the term of the lease

(b) Financial instruments and risk management

Financial assets and liabilities are carried at amortized cost, which approximates their fair value and are tested for impairment annually. It is management's opinion that the Clinic is not exposed to significant risk relating to financial instruments.

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Notes to the Financial Statements

For the Year Ended March 31, 2019

(3) Significant Accounting Policies continued

(c) Use of estimates

The preparation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates and may have impact on future periods.

(d) Fund accounting

The Clinic follows the restricted fund method of accounting for contributions whereby all contributions are recognized as revenue when received or receivable. All the funds described below, except as noted, are restricted as to use by various agreements between the Clinic and Legal Aid Ontario ("LAO") and title to the Clinic assets vests with the funder. The Clinic has established the following segregated funds:

- i) General Fund: These funds are used to provide a range of legal and paralegal services, including information, advice and representation, to low-income individuals and families.
- ii) Legal Disbursements Fund: These funds are used to provide for certain direct expenses incurred in representing the Clinic's clients in legal proceedings.
- iii) Capital Fund: This fund holds the capital assets of the Clinic that have been funded by Legal Aid Ontario.
- iv) Project Fund: These funds are received from non-LAO sources and are used to fund expenditures under separate project agreements.

(4) Accounts payable and accrued liabilities

Included in accounts payable and accrued liabilities are government remittances in the amount of \$20,164 (2018 - \$36,587).

(5) Due to Aboriginal Legal Services Inc.

Aboriginal Legal Services Inc. is an Organization under common directorship. The balance due to Aboriginal Legal Services Inc. is non-interest bearing and is due on demand.

The Clinic shares a number of administrative costs with Aboriginal Legal Services Inc. the most significant of which is the occupancy costs of 211 Yonge Street which was \$120,153 in 2019 (2018 - \$120,637). This cost sharing arrangement is recorded at an exchange value which approximates fair value.

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Notes to the Financial Statements

For the Year Ended March 31, 2019

(6) Capital assets

Capital assets consist of the following:

	Cost	Accumulated Amortization	2019 Net Book Value	2018 Net Book Value
Computer equipment	\$ 35,920	\$ (31,300)	\$ 4,620	\$ 2,479
Office equipment	36,773	(32,483)	4,290	8,573
Leasehold improvements	66,213	(23,176)	43,037	49,662
Total	\$ 138,906	\$ (86,959)	\$ 51,947	\$ 60,714

Total amortization of capital assets for the year was \$12,620 (2018 - \$13,843).

(7) Project fund

The Project Fund activity during the year is as follows:

	2019	2018
Project fund, beginning of year	\$ 28,359	\$ 4,686
Revenues, Ministry of the Attorney General	209,962	209,962
Program expenses	(203,775)	(186,289)
Project fund, end of year	\$ 34,546	\$ 28,359

(8) Capital fund

The Capital Fund activity during the year is as follows:

	2019	2018
Capital fund, opening balance	\$ 60,714	\$ 72,255
Indirect revenues, Legal Aid Ontario	3,853	1,389
Amortization	(12,620)	(13,843)
Interfund transfer from General Fund	-	913
Capital fund, closing balance	\$ 51,947	\$ 60,714

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Notes to the Financial Statements

For the Year Ended March 31, 2019

(9) Legal Disbursements Fund

The Legal Disbursements Fund activity during the year is as follows:

	2019	2018
Legal disbursements fund, opening balance	\$ (1,445)	\$ (1,806)
Revenues, Legal Aid Ontario	4,720	4,460
Legal disbursements	(4,923)	(4,099)
Legal disbursements fund, closing balance	\$ (1,648)	\$ (1,445)

(10) Indirect Payments - General Fund

Legal Aid Ontario administers and makes payments on behalf of the Clinic for the following expenditures:

	2019	2018
Supplies and services	\$ 9,013	\$ 4,364
Library expenses	2,204	2,251
Pension and group insurance	49	155
Total	\$ 11,266	\$ 6,770

(11) Commitments

The Clinic's total obligations, under the operating lease for occupied premise at 211 Yonge Street, Toronto, Ontario, exclusive of sales taxes and other occupancy charges, are as follows:

2020	\$ 43,195
2021	45,813
2022	49,478
2023	49,478
2024 and thereafter	127,819
Total	\$ 315,783

ABORIGINAL LEGAL SERVICES - LEGAL CLINIC

Notes to the Financial Statements

For the Year Ended March 31, 2019

(12) Financial instruments and risk

The Clinic does not face significant credit, currency, interest rate, liquidity or market risk exposure. The fair values of items that meet the definition of financial instruments approximate their carrying values. These items include cash, amounts receivable, deposit, and accounts payable and accrued liabilities

Exposure to credit risk

The Clinic is exposed to normal credit risk resulting from the possibility that a customer or counterparty to a financial instrument defaults on their financial obligations.

The maximum exposure to credit risk, as represented by the carrying amount of the financial assets, was:

	2019	2018
Cash	\$ 58,167	\$ 86,772
Amounts receivable	107,644	107,646
HST recoverable	35,032	60,607
Total	\$ 200,843	\$ 255,025

Financial Statements ALS Inc.



ABORIGINAL LEGAL SERVICES INC.

Financial Statements

March 31, 2019



ABORIGINAL LEGAL SERVICES INC.

March 31, 2019

Table of Contents

Auditors' Report	1
Statement of Financial Position	4
Statement of Operations and Net Assets	5
Statement of Cash Flows	6
Notes to the Financial Statements	7

Independent Auditors' Report

To the members of the
ABORIGINAL LEGAL SERVICES INC.

Qualified Opinion

We have audited the accompanying financial statements of Aboriginal Legal Services Inc. (the "Organization"), which comprise the statement of financial position as at March 31, 2019, and the statements of operations and net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, except for the effects of the matters described in the Basis for Qualified Opinion paragraph, the accompanying financial statements present fairly, in all material respects, the financial position of Aboriginal Legal Services Inc. as at March 31, 2019, and the results of operations and net assets and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Qualified Opinion

In common with many charitable organizations, the Organization derives revenue from donations and fundraising, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of the Organization. Therefore, we were not able to determine whether, as at and for the year ended March 31, 2019, any adjustments might be necessary to revenues, excess of revenue over expenses, assets and net assets.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Organization in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Prior year Financial Statements

The prior year financial statements were audited by a predecessor auditor, who in a report dated March 23, 2019, expressed an unqualified opinion.

Independent Auditors' Report

continued

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Organization's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

Independent Auditors' Report
continued

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Edward & Manning LLP Chartered Accountants

Licensed Public Accountants
Toronto, Ontario

September 26, 2019

ABORIGINAL LEGAL SERVICES INC.

Statement of Financial Position

As At March 31, 2019

	Note	2019	2018
Assets			
Current Assets			
Cash		\$ 426,542	\$ 171,177
Short term investments		5,408	5,408
Amounts receivable		104,453	127,123
Due from Aboriginal Legal Services - Legal Clinic	(4)	74,651	157,039
HST recoverable		161,856	228,007
Prepaid expenses		47,694	74,326
Total Current Assets		820,604	763,080
Capital assets	(5)	62,766	71,915
Total Assets		\$ 883,370	\$ 834,995
Liabilities and Net Assets			
Current Liabilities			
Accounts payable and accrued liabilities	(6)	\$ 383,051	\$ 404,143
Deferred contributions	(7)	282,559	337,199
Total Current Liabilities		665,610	741,342
Net Assets			
Unrestricted		217,760	93,653
Total Liabilities and Net Assets		\$ 883,370	\$ 834,995

The accompanying notes are an integral part of these financial statements.

4

ABORIGINAL LEGAL SERVICES INC.

Statement of Operations and Net Assets

For the Year Ended March 31, 2019

	2019	2018
Revenue		
Ministry of Attorney General	\$ 2,439,212	\$ 2,221,501
Legal Aid Ontario	1,263,297	1,198,591
Ministry of Children and Youth Services	458,647	450,013
Department of Justice	229,089	230,359
Donations, fundraising and other income	196,500	79,492
Mizwie Biik, Aboriginal Employment	158,606	130,090
Law Foundation of Ontario	66,186	29,469
Ontario Arts Council	63,000	-
Total revenue	4,874,537	4,339,515
Expenditures		
Salaries and wages	3,625,156	3,201,329
Accommodation	219,365	212,081
Office expenses	206,160	243,869
Travel expenses	187,878	135,902
Training and program costs	173,411	146,718
Telephone and telecommunications	130,066	173,579
Supplies	127,262	103,543
Professional fees	42,280	72,064
Fundraising	17,632	1,051
Amortization	13,125	13,716
Insurance	8,095	8,281
Total operating expenses	4,750,430	4,312,133
Excess of revenue over expenditures	124,107	27,382
Net assets, beginning	93,653	72,336
Prior year surpluses returned to Ministry of Children and Youth Services	-	(6,065)
Net assets, ending	\$ 217,760	\$ 93,653

The accompanying notes are an integral part of these financial statements.

5

ABORIGINAL LEGAL SERVICES INC.

Statement of Cash Flows

For the Year Ended March 31, 2019

	2019	2018
Cash flows from operations:		
Excess of revenues over expenses	\$ 124,107	\$ 27,382
Amortization	13,125	13,716
Decrease in accounts receivable	22,670	5,387
Decrease (increase) in HST recoverable	66,151	(84,305)
Decrease (increase) in prepaid expenses	26,632	(59,008)
(Decrease) increase in accounts payable and accrued liabilities	(21,092)	121,922
Decrease (increase) in due from Aboriginal Legal Services - Legal Clinic	82,388	(162,448)
(Decrease) increase in deferred contributions	(54,640)	182,223
Total net cash flows from operations	259,341	44,869
Cash flows from investing activities:		
Purchase of capital assets	(3,976)	-
Cash used in investing activities	(3,976)	-
Cash flows from financing activities:		
Prior year surpluses returned to Ministry of Children and Youth Services	-	(6,065)
Cash used in by financing activities	-	(6,065)
Net cash increase during the year	255,365	38,804
Cash at beginning of year	171,177	132,373
Cash at end of year	\$ 426,542	\$ 171,177

The accompanying notes are an integral part of these financial statements.

6

ABORIGINAL LEGAL SERVICES INC.

Notes to the Financial Statements

For the Year Ended March 31, 2019

(1) About Aboriginal Legal Services Inc.

Aboriginal Legal Services Inc. (the "Organization") is incorporated without share capital under the laws of the Province of Ontario. The Organization was formed to provide court worker services assisting Aboriginal people to deal with the criminal, family and young offender courts in Toronto. It also provides Alternative Justice Programs as an alternative to the court system.

During the year the Organization operated as a federally registered charity, a registered charity is exempt from income taxes and is able to issue donation receipts for income tax purposes.

(2) Basis of preparation

The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations.

(3) Significant Accounting Policies

(a) Capital assets

The costs of capital assets are capitalized upon meeting the criteria for recognition as capital assets; otherwise, costs are expensed as incurred. The cost of a capital asset comprises its purchase price and any directly attributable cost of preparing the asset for its intended use.

Capital assets are presented at cost less accumulated amortization and accumulated impairment losses.

Capital assets are tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. If any potential impairment is identified, then the amount of the impairment is quantified by comparing the carrying value of the capital assets to its fair value. Any impairment of capital assets is charged to operations in the period in which the impairment occurs.

An impairment loss is not reversed if the fair value of the capital assets subsequently increases.

Amortization is provided for using the declining balance method over the estimated useful lives as follows for the major classes of assets:

Computer equipment	3 years
Office equipment	5 years
Leasehold improvements	over the term of the lease

(b) Revenue recognition

The Organization follows the deferral method of accounting for contributions. Under the deferral method of accounting for contributions restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

ABORIGINAL LEGAL SERVICES INC.

Notes to the Financial Statements

For the Year Ended March 31, 2019

(3) Significant Accounting Policies continued

(c) Financial instruments and risk management

Financial assets and liabilities are carried at amortized cost, which approximates their fair value and are tested for impairment annually. It is management's opinion that the Organization is not exposed to significant risks relating to financial instruments.

(d) Use of estimates

The preparation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates and may have impact on future periods.

(4) Due from Aboriginal Legal Services - Legal Clinic

Aboriginal Legal Services - Legal Clinic (the "Clinic") is an Organization under common directorship. The balance due from the Clinic is non-interest bearing and is due on demand.

The Organization shares a number of administrative costs with the Clinic the most significant of which is the occupancy costs of 211 Yonge Street which was \$120,153 for 2019 (2018 - \$120,637). This cost sharing arrangement is recorded at an exchange value which approximates fair value.

(5) Capital assets

Capital assets consist of the following:

	Cost	Accumulated Amortization	2019 Net Book Value	2018 Net Book Value
Computer equipment	\$ 117,312	\$ (109,366)	\$ 7,946	\$ 7,377
Office equipment	73,820	(60,455)	13,365	16,706
Leasehold improvements	63,776	(22,321)	41,455	47,832
Total	\$ 254,908	\$ (192,142)	\$ 62,766	\$ 71,915

Total amortization of capital assets for the year was \$13,125 (2018 - \$13,716).

(6) Accounts payable and accrued liabilities

Included in accounts payable and accrued liabilities are government remittances in the amount of \$28,813 (2018 - \$84,458).

ABORIGINAL LEGAL SERVICES INC.

Notes to the Financial Statements

For the Year Ended March 31, 2019

(7) Deferred contributions

Details of deferred contributions are as follows:

	2019	2018
Legal Aid Ontario - Giwedín Anang Project	\$ 103,710	\$ -
Law Foundation of Ontario - Catalyst	95,340	-
Ministry of the Attorney General - FASD Worker Program	42,872	42,970
Ministry of the Attorney General, Dept. of Justice & Legal Aid Ont. - Gladue Court	33,564	53,830
Ministry of the Attorney General - Welcome Home Restorative Justice Program	7,073	56,760
Ministry of the Attorney General and Dept. of Justice - Community Council Prog.	-	7,052
Ministry of Children and Youth Services - Mental Health and Addictions Worker	-	5,728
Ministry of the Attorney General - Gladue Training Program	-	62,366
Law Foundation of Ontario - MMIWG Program	-	61,633
Law Foundation of Ontario - FASD project	-	25,232
Legal Aid Ontario - Gladue Expansion Program	-	19,308
Ministry of Children and Youth Services - Supportive Services Program	-	2,200
Ministry of the Attorney General - Aboriginal Courtwork Program Project	-	120
	\$ 282,559	\$ 337,199

(8) Commitments

The Organization's total obligations, under the operating lease for occupied premise at 211 Yonge Street, Toronto, Ontario, exclusive of sales taxes and other occupancy charges, are as follows:

2020	\$ 43,195
2021	45,813
2022	49,478
2023	49,478
2024 and thereafter	127,819
Total	\$ 315,783

ABORIGINAL LEGAL SERVICES INC.

Notes to the Financial Statements

For the Year Ended March 31, 2019

(9) Financial instruments and risk

The Organization does not face significant credit, currency, interest rate, liquidity or market risk exposure. The fair values of items that meet the definition of financial instruments approximate their carrying values. These items include cash, amounts receivable, deposit, and accounts payable and accrued liabilities

Exposure to credit risk

The Organization is exposed to normal credit risk resulting from the possibility that a customer or counterparty to a financial instrument defaults on their financial obligations.

The maximum exposure to credit risk, as represented by the carrying amount of the financial assets, was:

	2019	2018
Cash	\$ 426,542	\$ 171,177
Short term investments	5,408	5,408
Amounts receivable	104,453	127,123
Due from Aboriginal Legal Services - Legal Clinic	74,651	157,039
HST recoverable	161,856	228,007
Total	\$ 772,910	\$ 688,754

(10) Prior period reclassifications

Certain prior period balances have been reclassified to conform to current year presentation.

President's Message 2019

Welcome to all those in attendance at Aboriginal Legal Services' (ALS) Annual General Meeting!

This year, like the 28 years before it, was a busy and successful year for our organization. We welcomed our new Executive Director, welcomed back our Legal Advocacy Director and took steps towards changing the way the board of directors operates. I will use my report to expand on these achievements and express my gratitude to the people and organizations that helped with all our important work.

First and foremost, I want to express how grateful we are that Micheal chose to join the ALS team. Micheal comes with extensive leadership experience from Indigenous and non-Indigenous agencies in Northern Ontario. He and his family relocated from Timmins and we are so happy he did. The wisdom and knowledge he carries has already been of great assistance to ALS, and we look forward to working with him for many, many years. Thanks to the Law Foundation of Ontario and the Catalyst Grant for allowing ALS to create this important position and chi miigwetch Mike!

In July we welcomed Christa back from her role with the National Inquiry into Missing and Murdered Indigenous Women and Girls. We honour the important work she did on the Inquiry. I'm certain that what she learned in those years will help forward the advocacy work of our clinic.

Christa's leave would not have been possible were it not for Emily Hill. I would like to take a moment and recognize the incredible contribution Emily made in the two and a half years she served as Interim Legal Advocacy Director. Emily stepped in during a very difficult period in the life of the organization and her own life. She always found a way to make sure that ALS and her family were taken care of. Emily is among the most thoughtful, intelligent, generous and kind people I have ever known. She accepted and approached the work with enviable humility and bravery. She is patient, funny, a wonderful teacher and the best team member. She is already missed by the board and we are so grateful for the time we got to work with her. Thank you Emily.

While there is much that we have achieved, we are still dealing with growing pains related to the rapid expansion of our services in the last five years. We have taken difficult steps to restructure important management positions and we are undergoing a similar process at the board level. In October we held a successful strategic planning retreat for the board and I'm looking forward to using our new committee structure in a productive way in the new year. I would like to acknowledge Doug Harris of the Investment Industry Regulatory Organization of Canada for his time and expertise in facilitating our retreat. Thank you Doug!

ALS has many dedicated volunteers – including my fellow board members. I would like to thank everyone but, in particular, Genevieve Easton Poole who has continued her work as Treasurer despite the fact she's now taking care of two babies. I would also like to acknowledge that this AGM will be the last for Sunny Freeman and Claire-Lise Beauchesne. We are so grateful to each of them for their contributions to ALS.

Finally, I would like to recognize and thank our funders, Legal Aid Ontario, the Department of Justice Canada, the Ministry of the Attorney General, the Ministry of Child and Youth Services, the Ministry of Correctional Services, the Law Foundation of Ontario and Miziwe Biik.

As we go into 2020 – ALS's 30th year – I look forward to working closely with ALS staff and management in a good, kind and respectful way. I honour the work of all of our staff and feel grateful to be part of ALS. Happy holidays and here's to a good new year.

Marsee! Amanda

Executive Director Report

Since joining Aboriginal Legal Services in June 2019, I have witnessed firsthand the impact that the great work of the staff, management, and board of ALS has on indigenous peoples' lives who are involved with or may become involved with the justice system and fighting for their rights. The impact of AL's work; from legal rights advocacy, Court workers, Community Council, Gladue Court, to Litigation is not only seen at the local level but also at a provincial, national and international level.

It is an honour and a privilege to be serving as the Executive Director of Aboriginal Legal Services. The work the ALS and our counterparts have done in the field of Indigenous law, advocacy, and programming and services has set precedence in the way Indigenous people are seen and treated in the justice system. Much work has been done in the advancement and the recognition of Indigenous rights and more is needed. The number of Indigenous people in the justice system has increased as seen in the attached reports from both the program and clinic side. The programs ALS has established are aimed at supporting and preventing Indigenous people from entering the justice system at the same time resolving some legal matters via our cultural beliefs by way of our Community Council.

ALS has grown to over 70 staff in the last few years, and, with that amount of growth ALS is going through significant changes at all levels such as; increased demand for services, increased operational requirements and moving from a management board governance model to a policy governance model. My objectives over the next year are to build upon the strong foundation the board, management and staff have established by securing resources to build capacity which will, in turn, improve services to the indigenous population who access ALS' program and services and further strengthening our reputation as a leader in Indigenous law, advocacy, and programming that will improve the lives of indigenous people.

Chii-Miigwetch

Micheal Miller
Executive Director

Report of the Legal Advocacy Director

Emily Hill and Christa Big Canoe

Foreword_(Christa Big Canoe)

This report is largely authored by the Interim Legal Advocacy Director, Emily Hill. She has reported on activities from January – July, 2019. I have made minor additions of events and updates from the end of July until November 2019. The first thing that I would like to do in this report is to thank the Board of Aboriginal Legal Services for granting me two and a half years leave so that I could be Senior and then Lead Commission Counsel to the National Inquiry into Missing and Murdered Indigenous Women and Girls. The National Inquiry completed at the end of June 2019. It delivered its report on June 3, 2019. There is a one page Appendix to this report that include links to the report, video, podcast and information about the National Inquiry. The opportunity to learn, grow and work on the National Inquiry on an issue that is so crucial to our community was valuable. It was not an easy journey, and there was a steep learning curve but the skills, networks and development that I had the opportunity to gain will come into good use at ALS. Also one of the things that ALS Advocacy will continue to do under my direction is to advocate for the change required to make safer communities for Indigenous women, girls and 2SLGBTQIA+ and to push implementation of the Calls to Justice that fit within the mandate of ALS.

I was away from ALS from January 23 2017 to July 23, 2019. Returning to my position and the office was like a homecoming to family. The hard work that the staff does every day to assist Indigenous community is amazing. Each and every day we are helping people navigate through justice or administrative systems. Currently we have a full advocacy staff and we have a great Victim Rights Services program. We function so well because we have a strong team. Special thanks to Emily Hill, whose interim leadership was integral to operating the Advocacy (clinic) services in my absence. I am glad to be back in an office filled with so many diverse, strong and compassionate advocates!

Introduction (Emily Hill)

I am pleased to be providing this report as the *former* Interim Legal Advocacy Director. Christa Big Canoe resumed her role in July 2019 and so I am able to look back on the beginning of last year from the more comfortable position of Senior Staff Lawyer. As I reflect not only on the work of the agency in the first half of 2019, but also in the time since I stepped into this role, I continue to see healthy growth, important innovation, and increased stability. My goal as Interim Legal Advocacy Director was to keep ALS running smoothly until it could be returned to the Christa's capable leadership. With the support of the amazing staff, the dedicated Board, and a strong management team, I think this has been accomplished.

As you will see from the accomplishments of the legal clinic in the 1st half of 2019, the staff's continued commitment to the Indigenous communities of Toronto produces great success. This year with a larger-than-ever staff, the legal clinic continued to develop new skills and create better internal systems to meet the challenges they face every day. The clinic staff's individual

and collective energy, skills, intelligence, senses of humour, commitment and kindness serves the community well and makes ALS a great place to work.
Combined report:

Direct Services/Casework

The ALS Legal Clinic provides direct client services to financially eligible Indigenous Torontonians in areas including landlord and tenant law, social assistance, *Indian Act* registration, police complaints, human rights, and victim support services.

The ALS Legal Clinic is open for new cases every Monday, Wednesday, and Friday and intake staff field questions about every area of the law from people who are in a very stressful situations. Often ALS is their first call and so clinic staff serve not only as important legal system navigators, but also as compassionate listeners to people who are facing serious threats, such as an upcoming criminal court date, an impending eviction, a loss of social assistance benefits or an experience of direct racism in the workplace.

Clinic staff take on much of the work responding to these legal problems. From January – July 2019, staff represented clients at dozens of hearings at the Landlord and Tenant Board, the Social Benefits Tribunal, the Human Rights Tribunal, and the Criminal Injuries Compensation Board (CICB). They also successfully negotiated many settlements so such appearances are not necessary. This is often the best outcome and clients are relieved to have had the matter finally resolved in a process in which their experiences are understood and incorporated into a resolution. Staff also accompanied victims of crime to court to support them through that difficult process.

This good worked continued from July until now. In September 2019, our legal team, victim rights team and support staff was pressed to complete a number of CICB applications as the government announced the winding down of the CICB. On September 6, 2019 it was announced that we had until the end of the month to make applications to the board and then no more applications under the board process would be accepted. This meant that we all had to put in extra effort and time to assist victims complete their applications within these strict timeframes.

In circumstances where clinic staff cannot assist a client directly because the legal problem is outside the areas we practice in, they provide informed referrals, making sure clients are connected with the legal (and other) services they need. Maintaining knowledge of, and connection to, other agencies in Toronto and recent developments in law and policy is an important way the clinic staff ensure that ALS provides a high level of service to the community.

During her time as Interim Legal Advocacy Director, Emily often had the privilege of hearing the compliments clients, staff of other Indigenous agencies, and legal professionals pay to ALS clinic staff. For example, after our Victim Rights team provided support to a family through a murder trial of their son/brother, Emily received a letter from the prosecutors, which included the following:

The success of this case would not have been possible without the hard work of Mayumi Jones, Brandon Fenton and Dorothy Peters. Our relationship with the family as prosecutors started out on a rocky road. ... In this particular case, the family needed the support of those they believed they could trust. The trauma experienced beyond the scope of this homicide and the struggles each member had of their own, required a more culturally informed team.

...Your staff was there for them every step of the way ... We believe this is a role that your service and staff are uniquely qualified to provide and hope there will be opportunities for you to help other families like you will continue to be able provide this valuable and important service for other families.

In 2019, the ALS legal clinic played an essential role supporting and advocating for Indigenous people in Toronto.

Systemic Advocacy

This year, ALS continued its important work in the area of systemic advocacy, participating in cases which advance ALS' Vision and Mandate.

The National Inquiry into Missing and Murdered Indigenous Women and Girls

ALS made both oral and written submissions to the Commission. Ms. Emily Hill and Mr. Jonathan Rudin made the submissions. The written submissions of ALS can be found at <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/02/ALS-Written-Closing-Submissions.pdf>

The oral submission transcript is available at https://www.mmiwg-ffada.ca/wp-content/uploads/2019/04/20181212_MMIWG_Ottawa_Oral_Submissions_Vol_7_final.pdf

R. v. Bird (Supreme Court of Canada)

This decision was argued in March 2018 and the decision was released in February 2019. It can be found here: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/17514/index.do> The case was about how a long-term offender could challenge a residency requirement. Unfortunately, the Court did not adopt our arguments. The case increased ALS' knowledge of the practical operation of long-term supervision orders

R. v. Barton (Supreme Court of Canada)

In this high-profile case concerning the trial of the man who killed Cindy Gladue, ALS, along with a number of other interveners representing Indigenous organizations, made arguments about the role of a trial judge in a case where both the defence and crown relied on prejudicial stereotypes. The case was argued Oct. 11, 2018 and a decision was released in May 2019. It can be found here: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/17800/index.do>

Reading the decision, it is clear that ALS' contribution (along with those of other Indigenous interveners) played as significant role in shaping the outcome of the case. At para. 198 the court wrote:

Trials do not take place in a historical, cultural, or social vacuum. Indigenous persons have

suffered a long history of colonialism, the effects of which continue to be felt. There is no denying that Indigenous people — and in particular Indigenous women, girls, and sex workers — have endured serious injustices, including high rates of sexual violence against women.

The Court adopted ALS' argument that trial judges play an important role in keeping biases, prejudices, and stereotypes out of the courtroom and that Ms. Gladue should have been referred to by her name. The case will play an important role in educating all players in the criminal justice system about the harm caused by racism against Indigenous victims and what must be done to address it.

ALS's factum can be found here:

https://www.scc-csc.ca/WebDocuments-DocumentsWeb/37769/FM050_Intervener_Aboriginal-Legal.pdf

Kawartha-Haliburton Children's Aid Society v. M. W. and Curve Lake First Nation and the Office of the Children's Lawyer (Ontario Court of Appeal)

In July, the Court released this decision in which ALS intervened. The appeal raised important questions about the expanded definition of First Nations, Métis and Inuit children under the new *Child, Youth and Family Services Act* and how courts should consider the unique circumstances and needs of Indigenous children and families in their decision-making.

R. v. Sharma (Ontario Court of Appeal)

Also in July, ALS filed its factum in this case (which we had also intervened in at first instance.) Ms. Sharma, a young Indigenous single-mother, was sentenced to 17 jail for a single act of drug importation. This appeal is about whether she should have been able to receive a conditional sentence which she could have served in the community. Oral arguments will be presented in November.

R. v. Morris (Ontario Court of Appeal)

ALS was granted leave to intervene in this case about background reports prepared for sentencing of African Canadian offenders. ALS filed its factum in July. It focuses on the interpretation of s. 718.2(e) and the case law which guides courts in their consideration of unique circumstances of Indigenous offenders in the sentencing context. The date for oral argument has not yet been set.

R. v. Itturiligaq (Nunavut Court of Appeal)

For the first time, ALS sought leave to intervene in a case in Nunavut. In this case a sentencing judge struck down a mandatory minimum sentence, in part, because of how far the offender would be from his home community while serving his sentence. In its appeal, the crown also challenged the trial judge's use of the principles of Inuit Qaujimajataqangit and restorative justice. ALS provided a written submission and made oral submissions in September. A decision has not yet been released.

R. v. Turtle et al (Ontario Court of Justice)

This is a constitutional challenge to the mandatory minimum sentence for impaired driving. The specific focus of the case is on Indigenous people who live on remote First Nations and are convicted of a second impaired driving offence. The mandatory minimum for a second impaired is 30 days. In much of Ontario these sentences are served by way of an intermittent sentence allowing the person to stay at home and work during the week and serve the sentence on weekends. For Indigenous people in remote First Nations like Pikangikum this is not an option because they have to get themselves to the jail to serve their intermittent sentence and that is not feasible in fly-in communities. ALS has intervened to make

arguments about section 15 of the Charter (right to equality) and section 12 (cruel and unusual punishment.) ground. The factum has already been submitted and oral arguments will be made later this month in Pikangikum.

C.R. v. Her Majesty the Queen in Right of Ontario (Motherrisk case)

Jonathan Rudin and Cailyn Kasper sought intervention in this case in November. The Court did not grant intervention. We are disappointed at not being granted participation in this important case but will continue through other programs and routes of advocacy to promote and uphold the rights of parents and children.

Inquests

Staff lawyers have been working on 3 inquests which will be held later in the year. They are as follows :

Inquest into the death of Donald Mamawaka

Mr. Mamawaka was a First Nations man in his 40s from Kasabonika Lake First Nation. He died of diabetes-related complications in a cell in the Thunder Bay police detachment. He had come to the police's attention after police and EMS attended to a public location and Mr. Mamawaka was perceived to be intoxicated. During his encounter with police, he complained of physical pain but neither the EMS or the police completed a medical assessment, nor was he taken to hospital. He was placed in a cell overnight and subsequently passed away. The officer whose job was to check on him regularly did not do so. It is expected that this inquest will be heard with another related inquest.

Inquest into the death of Delilah Blair

The inquest concerns the death of Delilah Blair who died in May 2017 in the South West Detention Centre in Windsor, Ont. Delilah was 30 years old when she died. She is from Mosakahiken Cree Nation at Moose Lake, Manitoba. At this point, not much is known about her death except that she died by suicide and her family has many questions about how this could have happened in a correctional facility. ALS is representing her family and the inquest is expected to proceed in Windsor in spring 2020.

Inquest into the death of Moses Beaver

This inquest will also be held in Spring 2020, likely in Thunder Bay. ALS will represent the family of Moses Beaver. Mr. Beaver was 57 when he died in a jail in Thunder Bay. The inquest will consider the mental health services available in Nibinamik First Nation as well as what occurred in the jail.

Inquest into the death of Murray Davis, Floyd Deleary, and Justin Thompson

This inquest involves the death of three inmates, at different times at the Elgin Middlesex Detention Centre. In recent years there have been a number of overdoses and deaths out of this institution. We will be seeking standing on behalf of Aboriginal Legal Services to participate in this inquest. There are a number of systemic issues that impact Indigenous inmates that we believe are of value to argue and raise during the course of this Inquest.

Inquest into the death of Debra Chrisjohn

It is anticipated that this inquest will be called in 2020. Caitlyn Kasper represents the Chrisjohn family in this matter. She attended and supported the family during the recent trial and guilty verdict of Constable Nicholas Doering in London, Ontario. Constable Doering stood trial by judge alone, and was found guilty on Friday of one count each of criminal negligence causing death and failing to provide the necessities of life to Debra Chrisjohn in the hours before her death in September 2016 of causes related to a drug overdose. The Coroner's office will official announce the Inquest when dates are set.

Outreach

ALS staff presented information and shared our expertise in a number of settings including:

- At Colleges and universities; to professionals including housing workers and social workers and police service agencies; at community organizations such as: the Native Canadian Center, 2 Spirited People of the 1st Nations and the Native Women's Resource Center
- ALS held several Public Legal Education sessions on the 60s Scoop Settlement to ensure community members were aware of the upcoming deadline and could get answers to their questions about the settlement process.
- The Victim Rights team facilitated several cultural workshops including ribbon skirt and shirt making at the NCC and a beading workshop at ALS and are supporting an ongoing men's healing circle.
- A gathering for families who have a missing or murdered loved one was held in Toronto in April with funding from the Ministry of the Attorney General. The event was very successful and the 18 participants reported that they felt supported and appreciated the opportunity to heal together.
- Staff have been guest speakers and University lecturers in a number of events throughout the year. This has included conferences on housing and poverty law, criminal law, the Advocates society and classes at various Universities and Colleges. Senior staff have also delivered presentations or training at judicial conference or training sessions.
- Some staff attended the Indigenous Bar Association this fall and Christa presented CPD and sat on a plenary panel with two Commissioners of the National Inquiry.
- ALS continues to participate in an advisory capacity on the following:
 - LAO Aboriginal Issues Advisory Group
 - LAO Prison Law Advisory Group
 - Access As Justice Project: Enhancing Relationships Between Racialized Communities and Administrative Tribunals in Ontario
 - Not Okay Project: Breaking Down Barriers to Criminal Justice for Women who Experience Sexual Assault coordinated by the Barbra Schlifer Commemorative Clinic
 - Due Justice for All Project Steering Committee
 - The Toronto Police Service Police and Community Engagement Review (PACER)

Supporting staff success

Over the course of 2019, senior management and staff took a number of steps to support staff well-being. These include completing a renovation to the waiting room area and holding a River Ceremony and Feast in March to which all staff were invited. The response to the survey we invited staff to fill in overwhelmingly positive. We also received some helpful feedback about how to improve such events in the future.

We have also provided further training for staff throughout the fall and will continue to do so in the winter. There will be some staff wellness initiatives and opportunities for training on suicide awareness, vicarious trauma and compassion fatigue as well as coping with workplace stress.

Funding

In July, ALS Legal Clinic learned that it would receive a funding cut of 10% to the funding provided for “other operating expenses” (i.e. costs that are not related to personnel or rent/accommodations). This is a result of the funding cuts by the Provincial government to Legal Aid Ontario (LAO). LAO has indicated that there will be additional cuts in the clinic system in 2020-2021 funding allocations, but the impact to ALS’s funding won’t be known for several months. provided submissions to LAO on the impact of further cuts to ALS and Christa has also provided submissions on LAO’s modernization project. We both participated in consultation meetings with the LAO Board Chair and the Attorney General.

Courtworkers

As the Courtworker Supervisor, Emily, would like to acknowledge ALS’ incredible team of court workers in this report. They play a vital role in the success of ALS and the support of the community. They need to be able to work very independently as they are in different court houses across the city. Their skills, knowledge, and compassion greatly assist community members facing a stressful day in court and contribute to the success of the Community Council program by identifying and supporting clients who can be diverted. As their supervisor, Emily appreciates their individual initiative and collective ability to work well as a team.

Acknowledgements

On behalf of the ALS Advocacy team I would like to thank our funders who make our work possible. They are:

- Legal Aid Ontario;
- Miziwe Biik Aboriginal Employment and Training;
- Ontario Ministry of the Attorney General;
- Law Foundation of Ontario;
- The Ontario Arts Council; and
- Individual donors.

G’chi Miigwech,

Emily Hill
(Former) Interim Legal Advocacy Director

Christa Big Canoe
Legal Advocacy Director

Appendix to the Legal Advocacy Director's AGM Report

Reference and Resources of the National Inquiry into Missing and Murdered Indigenous Women and Girls

Final Report:

Executive Summary

https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Executive_Summary.pdf Volume 1a

https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf Volume 1b

https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

Transcripts and Exhibits: <https://www.mmiwg-ffada.ca/transcripts-exhibits/>

Submissions from Parties with Standing: <https://www.mmiwg-ffada.ca/submissions/>

Video of Evidence Overview by Lead Commission Counsel and Part 1 video compilation:

<https://www.facebook.com/MMIWG/videos/558606171309414/>

The Series: Truth Sharing Podcasts:

<http://www.sacredmmiwg.ca/>

This is easy to download and listen to. If you cannot listen to them all I suggest listening to the last one in the series because it provides a good overview.

R. v. Barton, 2019 SCC 33

<https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/17800/index.do>

The National Inquiry's Factum:

https://www.scc-csc.ca/WebDocuments-DocumentsWeb/37769/FM110_Intervener_National-Inquiry.pdf

April 2, 2015- Op Ed "Cindy Gladue suffered her last indignity at murder trial"

<https://www.cbc.ca/news/indigenous/cindy-gladue-suffered-her-last-indignity-at-murder-trial-1.3019500>

Report of the Program Director

2019 has been an exciting year – one where we continued to develop our innovative programming and took steps to build the organization to better handle the growth we have experienced over the past few years. Interest in our work continues to build not only across the country but internationally as well as I will highlight in this report.

Gladue Program

For the first nine months of 2019 we wrote 275 Gladue Reports and 112 Gladue Letters for a total of 387 reports and letters. We are on track to write over 500 Reports and Letters to the Ontario courts this year. This will once again be a record for us. The volume of work that we do is a statement of how much that work is valued.

Just this month we received an email from a lawyer whose client received no additional jail time (after pre-trial custody) based on our Gladue Report). The lawyer wrote “His Honour noted that without the Gladue report, he would have sentenced Mr. X to serve an additional lengthy period of custody.”

Emails like this make it clear that the Gladue Program is one of the most important ways courts have to address the reality of the over-representation of Indigenous offenders in prison. Providing the information the court needs to know about the circumstances of the offender - both their personal circumstances and some of the broader systemic issues that have impacted the person – allows the judge to arrive at an appropriate and proportionate sentence. And of course, supporting the recommendations that arise from a Report or Letter is the work of our Gladue Caseworkers who work with clients following their sentence.

Ongoing training and development of our Gladue team is very important which is why we meet as a group three times a year. In October we expanded our training to include all the funded Gladue programs in the province. Sharing information among programs is the best way to see that we all learn from each other. It is our hope that at least one of our three annual training sessions can include other programs as well.

We are also very interested in learning more about the impact of the program on our clients. For this reason we teamed up with Dr. Carmela Murdocca at York University on a research project. Dr. Murdocca interviewed approximately 15 of our clients to learn what it was like to be the subject of a Gladue Report. She presented some of her findings at the October training session and we look forward to seeing her published work in 2020.

There is also a lot of interest in our Gladue Program in Australia. Earlier this year, Dr. Anthony Hopkins of the Australian National University in Canberra visited Toronto for a few weeks to learn more about our program. The Australian Capital Territory is considering developing a Gladue type program and Dr. Hopkins is assisting in this work. As well, a pilot program to write Gladue type reports for Indigenous women in the state of Victoria has recently been funded. I will be travelling to Melbourne in February to meet with the team developing that project (I know its hard work here some time).

Finally, in April we hosted the 7th National Conference on Indigenous Criminal Justice post-Gladue along with Osgoode Professional Development. We were beyond capacity for the event and it was generally seen to have been the best conference we have held to date.

Community Council Program

In addition to being the first urban Indigenous justice program in Canada and the busiest one as well, the Community Council has expanded the programs and services it offers to its clients.

This year the Council started a Grief and Loss Circle to help clients and family members deal with recent and past losses that make moving forward with their lives a challenge. The need for the program was made apparent when we ran out of space in our large boardroom to accommodate the number of people who signed up for the first set of circles. We will now be running the program on a regular basis in addition to our Addictions and Expressing Feelings circles.

Recently Colette McCombs, the Manager of the Community Council was on the road. She was in Montreal for a community consultation with the First People's Justice Centre, who are hoping to establish a program based on the model we pioneered.

Colette was also in New York recently for a conference on Decarceration put on by the Incarceration Nations Network (INN) discussing the Community Council. If you are interested in the work of the INN you can find out more about it at <http://www.incarcerationnationsnetwork.com/>. If you go to their site visit The Platform page that lets you learn about innovative justice programs around the world – we're there of course.

Giiwedín Anang

Our innovative Giiwedín Anang program continues to help families whose children are involved with the child welfare system. The program remains as busy as ever. This year we expanded our reach to take on a case in the Peterborough area where the mother of the children involved lived in Toronto. The more we reach out to other communities, the more people see the unique aspects of our program.

As with the Gladue and Community Council programs, we have been doing training on the Giiwedín Anang approach. This year we delivered sessions on alternative ways to resolve child welfare matters with a number of Ontario First Nations,

Many clients of Giiwedín Anang are also part of the Dreams of Growing Children program. Dreams runs three times a year and focuses on helping people develop healthy relationships - both with their family and friends and also with service providers. The program has added a number of traditional ceremonies to help people let go of some of the burdens that are holding them back and those ceremonies have been very helpful.

A new addition to the range of programs we are able to provide in the child welfare area are Cultural History Reports. Thanks to funding from the Department of Justice we were able to hire a Cultural History Report Writer. Cultural History Reports are written for families who have matters before the family courts that are not able to be resolved by Giiwedín Anang. This is a very new initiative that arose in response to a need for Gladue type information in child welfare.

Because the child welfare context is very different from sentencing we just can't use the same model we use in criminal courts. The development of this initiative is being overseen by a committee of judges, lawyers and service providers from ALS and Native Child and Family Services that meet regularly at the

family court at 311 Jarvis. As with many of other new and innovative programs, we hope the lessons learned from this program will help other agencies develop creative responses to Indigenous families enmeshed in the child welfare system.

Aboriginal Courtworker Program

Although the Aboriginal Courtworker program was the first program at ALS, that does not mean that it has finished growing and evolving to meet the needs of those appearing before the criminal, youth and family courts. For the first nine months of 2019 our Courtworkers worked with over 1,000 clients.

This year we added yet another Gladue Court, this one at 2201 Finch. This means that now every Ontario Court of Justice criminal and youth courthouse in Toronto has a Gladue Court. The courts function differently at each location, but what is important is that now every courthouse has a Gladue Court. The first Gladue Court in Ontario, at Old City Hall, will be adding a third day in the New Year. These developments speak to the way in which Gladue Courts have become a place where Indigenous people - accused, offenders and victims - feel a bit more comfortable.

If you are downtown just west of City Hall by Chestnut and Centre Streets you will see a building starting to rise. That building is the New Toronto Courthouse (NTC). The NTC will replace all the existing criminal and youth courts in the city and is scheduled to open in the spring of 2022. Although 2022 seems a long way away, ALS has been very busy attending many meetings regarding the NTC and the Toronto Bail Centre, which will be located in what is now the 2201 Finch courthouse.

There is no question that reducing the number of courts in the city will have a largely negative impact on our clients. Those who do not live downtown will face a challenging commute to the NTC and those wishing to support people on bail or who are released on bail will have to try to figure out how to get to and from 2201 Finch. These are real concerns and we continue to raise them at the various committees we sit on.

The good news is that the NTC will feature two dedicated Gladue Courts which will be designed so that proceedings can take place in a circle. There will also be a conference settlement room on the youth floor so that sittings of the Aboriginal Youth Court can continue to take place in a circle. At the Toronto Bail Centre, there will also be a dedicated Gladue Court that will have a different configuration than the other courts. That court will also be able to deal with pleas from clients who are denied bail. All of the Indigenous courts, as well as the offices for ALS staff, will allow for smudging.

Indigenous Knowledge Helper Program

Toronto is not the only city with a Gladue or Indigenous Persons Court. Our staff work in these courts in Sarnia, Ottawa, Brantford and Niagara. In the latter two courts we also coordinate an Indigenous Knowledge Helper Program. Indigenous Knowledge Helpers open and close court sittings, meet with clients and their families and conduct sentencing circles. The particular tasks that Knowledge Helpers undertake are determined by the needs, capacities and wishes of those who attend the court and by the service providers to those courts.

The Road to Your Name

The Road to Your Name or Yoha:Te:Ne:Kahsen:Na is another of our innovative programs that operates in Brantford and services primarily, but not exclusively, people with links to Six Nations. Most of the participants are involved with the justice system or are their family members.

For adults there is a one night a week eight week program (with some weekend workshops included) offered four times a year. The program teaches people some of the cornerstones of Haudenosaunee culture – from language to lacrosse to literature and other things as well. The program has proven very popular – so popular in fact that we have had to establish waiting lists for entry to the program. For youth, the program deals with different topics of interest four times a year over weekends.

Facilitators for the program bring a wide variety of skills to the participants who learn a great deal – but in a way that ensures that the learning is always fun.

FASD Worker Program

For the past three years we have had a full time FASD Worker at ALS. The position works with all clients of the agency who have been diagnosed with FASD or are suspected of being FASD affected. Most of these clients are involved with the criminal justice system but some have other justice system involvement as well.

Working with FASD affected clients takes a special person and we are very fortunate that Charlotte King has been in this role since its inception. The program has developed organically over time as we learn what does and does not work. We are not aware of any other programs of this type that works primarily with Indigenous adults in an urban centre who are heavily involved with the justice system,

One of the unique aspects of the program is that our funding allows us to cover cost of an FASD diagnosis for approximately 10 people per year. FASD diagnosis is not covered by OHIP for adults and is therefore practically impossible to obtain for our clients. This aspect of the program is particularly helpful for those people going through the criminal courts because so often behaviour that may be due to the brain damage associated with FASD is seen by the courts as wilful behaviour. A comprehensive diagnosis can make a world of difference at sentencing but also for the client moving forward.

Welcome Home Program

Another program that we have had for the past three years is our Welcome Home program. Welcome Home provides traditional teachings and ceremonies to clients, staff and the courts. Dorothy Peters is our Traditional Teacher and the person responsible for making Welcome Home the success it has become. In addition to doing one on one counselling, Dorothy has conducted seasonal bundle feasts and has also brought other ceremonies to our staff and clients. She is in great demand as a speaker and attends many events throughout the GTA for Indigenous and non-Indigenous organizations.

Dorothy is also responsible for conducting sentencing circles in the criminal courts in Toronto. We have had nothing but positive feedback from the circles that we conduct. Thanks to Dorothy's skills, and those of the other staff that work with her on these cases, we are able to ensure that the circle is not just a safe space for offenders, victims and their families but that it can be a place of knowledge and healing.

Dorothy works with all the staff and programs at ALS. We work best when we work together and the Welcome Home program is a great example of the cooperation that we have throughout the agency.

Not Just Another Case

A couple years ago funding from the Law Foundation of Ontario allowed us to produce the documentary film Not Just Another Case. Written and directed by our own Audrey Huntley, the video was designed to help Indigenous families when tragedy strikes and a loved one goes missing. You can watch the film here - <https://www.aboriginallegal.ca/notjustanothercase.html>.

This year there have been two important developments with regard to the film. The first is that a 10 minute portion of the film has been used at least three judges' conferences. The judges find hearing directly from people who have lost family members and have often had their concerns ignored for many years to be very powerful.

The second development is that the federal government's MMIWG Commemoration Fund approved proposal to take the video across the country. This year and next communities from coast to coast will host special screenings of the film and discuss some of the important issues that it raises.

Law Foundation of Ontario Catalyst Grant

You will read elsewhere in this AGM booklet that we received funds from the Law Foundation of Ontario's Catalyst Grant program that allowed us to hire Mike Miller as Executive Director this summer. I am very pleased that Mike is with us. He shares our commitment to the work we do and the experience he brings will help us do that work better. We have grown a great deal over the past few years and we have not kept up as well as we might in terms of the organizational support for that growth. Mike brings the skills we need to that important task.

Funders

We are, as always, very grateful for the funding we receive to operate our programs from our funders:

The Indigenous Justice Division of the Ontario Ministry of the Attorney General;
The Ontario Ministry of Children, Community and Social Services;
Ontario Ministry of Health and Long Term Care;
Legal Aid Ontario;
The federal Department of Justice;
The Law Foundation of Ontario;
Delta Bingo;
Miziwe Biik Aboriginal Employment and Training; and
Private Donors.

To them, to our staff, to our volunteers and to our clients, from whom learn so much, chi miigwetch.

Jonathan Rudin
Program Director

2019 Report of the Nominating Committee

Date: November 28, 2019

The function of the Nominating Committee is to seek appropriate candidates to stand for election at the Annual General Meeting (AGM).

The current members of the Nominating Committee are Amanda Carling, Sunny Freeman and Rose Cameron.

Aboriginal Legal Services is governed by a Board of 10 Directors. At present, there is one vacancy. The following are currently Directors:

- Justin Basinger
- Claire-Lise Beauchesne*
- Rose Cameron (shadow Board Member)
- Amanda Carling*
- Sinéad Charbonneau*
- Genevieve Easton Poole
- Sunny Freeman*
- Brandon Jacko
- Leslie Anne St. Amour*
- Jessie Stirling
- Joseph Schuchert (shadow Board Member)

The five Directors whose terms expire at this AGM are indicated with an asterisk.

Sunny Freeman and Claire-Lise Beauchesne have decided to resign from the Board. The Board is grateful for their many years of dedicated service to Aboriginal Legal Services.

The Nominating Committee nominates the following candidates for the Board of Directors:

- Amanda Carling
- Sinéad Charbonneau
- Leslie Anne St. Amour
- Joseph Schuchert

The Nominating Committee recommends that the remaining positions be left vacant until outstanding candidates can be found.