Letters from the Law Commission of Canada

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Listen and Learn Roundtable at Western University.

Mid-February took me to London, Ontario for two distinct, yet connected, Law Commission "Listen and Learn" roundtable discussions. London is home to Western University and its Faculty of Law. Significantly for the Law Commission of Canada, the city is also home to Sarah Elgazzar, one of the LCC's part-time Commissioners.

The Listen and Learn roundtable coordinated and chaired by Sarah, and held at London's City Hall, marked the first time the LCC has brought together and engaged directly with community organization representatives. The individuals around the table shared the work they do related to children and youth, environmental challenges, welcome of refugees and other newcomers, post-incarceration reintegration, elder care, preparation of Gladue reports on behalf of Indigenous individuals in the criminal justice system, and housing needs. Joined by individuals from municipal government focused on anti-racism initiatives and community liaison work, the participants underscored how important they found the promise, feeling and culture of "justice". At the same time, they identified significant challenges to justice within their domains/sectors and in the lives of the people they work with. Around the table, they offered concrete examples of the kinds of support needed by individuals and communities to build and sustain hope for the future.

We heard stories of effective capacity building and community education. We also heard considerable frustration over limited resources and support for funding applications. Lack of legal literacy and limited charitable funding were noted as key barriers to effective work. Interesting and potentially fruitful concrete observations and suggestions included the teaching of law to agency leaders (who could then become "law teachers" themselves); the impact on equality in society of offering inspiring play and green space for all children in all neighbourhoods; and the need for building and sustaining trust between police and communities. One participant shared the heartbreaking experience of asking a teenager who had recently arrived what she would like to do when she grew up - and then realizing that the young newcomer had no way to answer and no capacity for imagining that far into the future.

At the Faculty of Law at Western University, our Listen and Learn session was integrated into an ongoing Legal Education series and thus attracted a cohort of scholars particularly interested in the teaching and learning of law. Host professor David Sandomierski kicked off the discussion with selected excerpts from an article by an Australian legal scholar focused on connections between law reform and legal education. As participants responded to the question of where they see law reform in their work as legal scholars and educators, four kinds of reform notions or projects appeared to emerge, each attached to specific underlying values or objectives: critical change (distributional justice), coherent codification (efficiency), change through judgments or policy (internal evolution), and harmonization (integration, unity). We discussed the challenge of making law more understandable to the Canadian public, and the desirability and feasibility of citizen interaction with law and legal texts. As Canadian legal education engages in ongoing self-analysis, there is an interesting opportunity to make explicit connections to the multi-faceted, justice-driven project of law reform. We ended with a reminder of the observation by Harry Arthurs, a leader in the field of Canadian legal education for decades, that "law schools are knowledge seeking, critique generating, change making institutions".

Three lessons or takeaways stand out from the two roundtable events that made this visit so enriching and enjoyable. First, there were significant points of overlap between what were expected to be very different discussions. In particular, the challenge of comprehension of law was raised by members of both circles. Legal academics realize that the judgments, pieces of legislation, codes, and pieces of academic writing with which they work all the time are largely inaccessible to non-jurists. That doesn't mean they don't have true value, but it may indicate a space for more effective "translation" in some cases. The fact that community-based groups note that the people they serve may need or want greater "legal literacy" or basic understanding of law in this country, highlights the important work done by public legal education organizations and invites the LCC to support their initiatives.

Second, it emerged that perhaps the greatest value of ongoing Listen and Learn roundtables comes from the LCC's providing of space for exchange and sharing. Participants realize the Commission doesn't have simple solutions to the problems they see and live with, but they appear to appreciate the opportunity to articulate those problems and to make connections to the work and ambitions of the Commission. In a nice coincidence, both the Chief Justice of Canada and the newest Justice of the Supreme Court, the Honourable Mary Moreau, spoke of the importance of education and outreach at Justice Moreau's swearing-in ceremony held on February 19th. Their words reaffirmed for me the priority for the Law Commission of finding ways to support critical comprehension and innovative engagement.

Third, over two busy days in London, Sarah Elgazzar and I were constantly surrounded by "law reformers", whether they wore the hats of community organization leaders, law teachers, policy actors, or academic scholars. It was both striking and crucial to be reminded that the work of law

reform, far from the exclusive domain of a federal agency, is shared across this country by a remarkable range of individuals, communities, and institutions. As we repeated to participants, the Law Commission of Canada does not have law-making authority or magical repair capabilities. But it can do powerful work in facilitating connections, grounding serious reflection, and envisaging fresh directions for law - hand in hand with its fellow law reformers across Canada.