

Terms of Reference

1. The Federation of Law Societies of Canada (the “Federation”) establishes the Truth and Reconciliation Commission Calls to Action Advisory Committee (“the Advisory Committee”).

Mandate and Process

2. The Advisory Committee is established with a mandate to make recommendations to the Council of the Federation (“Council”) on a response to the Truth and Reconciliation Commission of Canada’s Calls to Action (“Calls to Action”). In developing recommendations for consideration by the Council of the Federation, the Advisory Committee will take into account the role of the individual law societies in responding to the Calls to Action and the value in complementing any activities the law societies may undertake. In particular, the Advisory Committee will
 - a) Facilitate the exchange of information to the law societies about law society initiatives related to the Calls to Action and the initiatives of other stakeholders
 - b) Develop recommendations on a response to Calls to Action 27 and 28 as its first priority given their urgency and relevance to the regulation of the legal profession;
 - c) Work with the National Requirement Review Committee to consider whether the National Requirement should be amended to add a requirement that graduates receive cultural competency training and education on the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations as recommended in Call to Action 28;
 - d) Consider actions the Federation can take to support the establishment of Indigenous Law Institutes; and
 - e) Review other relevant Calls to Action and make such recommendations to the Council in relation to them as the Advisory Committee considers appropriate.
3. The Advisory Committee will provide a report in advance of each meeting of the Council, with the first report being submitted for the March 2017 Council meeting.

Advisory Committee Structure

4. The Advisory Committee membership should reflect a diversity of experiences and knowledge relevant to the issues under consideration, including knowledge of the history, cultures and rights of Indigenous peoples, Indigenous law, the Canadian justice system, legal education, and regulation of the legal profession.

5. The Advisory Committee will be broadly regionally representative and will be comprised of not more than eleven members as follows:
 - a) Five members drawn from the Council, past or present law society leadership or law society senior staff, one representing each of the five regions across Canada (Atlantic, Quebec, Ontario, West and North).
 - b) One to two members with experience in the legal academy in Canada.
 - c) Three to four members representing First Nation, Métis and Inuit communities or organizations.
6. The following qualifications will be represented on the Advisory Committee, although it is not necessary that each member possess all the qualifications:
 - a) Institutional knowledge of law societies and the Federation and an understanding of regulation of the legal profession and law society mandates.
 - b) Experience with and/or knowledge of the history and legacy of residential schools.
 - c) Familiarity with and an understanding of Indigenous law.
 - d) Familiarity with and an understanding of Constitutional law as it relates to Aboriginal Peoples.
 - e) Familiarity with and an understanding of Indigenous cultures.
 - f) Familiarity with and an understanding of broader justice issues impacting First Nation, Métis or Inuit people.
 - g) Experience in the legal academy.
 - h) Experience in engaging with a diversity of stakeholders.
7. The Advisory Committee will have two co-chairs, one chosen from the Council or law society representatives, the other chosen from the representatives of Indigenous communities or organizations.

Outside Participation

8. To fulfill its mandate, the Advisory Committee may seek the assistance of and engage with outside parties including representatives of national Indigenous organizations and communities, law societies, the legal academy, the legal profession, other Federation committees (such as the Law Societies Equity Network) and other justice-system stakeholders as it considers appropriate.

Resources

9. To ensure that the Advisory Committee is able to carry out its mandate effectively, it should receive appropriate staff and financial resources.