



1. Actively promote reconciliation

- a) Reconciliation is, among other things, a commitment to build trust. Trust encourages an open and full exchange of ideas, including disagreement, which is an essential part of any resolution or decision-making journey.
- b) Reconciliation requires genuine and ongoing dialogue, and active exploration of engagement opportunities with all relevant stakeholders. Ongoing dialogue and engagement are essential for building relationships and demonstrating inclusivity and respect for all participants.
- c) Reconciliation requires action at both the institutional and the individual levels.

2. Respect and make space for Indigenous legal orders

- a) Reconciliation requires that we acknowledge, respect and understand that Indigenous legal orders existed prior to the establishment of European systems of law in Canada.
- b) Reconciliation requires that we make space for Indigenous legal orders, processes and traditions as part of Canada's legal landscape, and recognize how such traditions connect to, or diverge from, the common and civil law systems.
- c) A legal system that fails to recognize and make space for Indigenous legal orders and the experiences of Indigenous peoples fails to properly serve Indigenous peoples.
- d) Like all living legal traditions, Indigenous legal principles are not fixed in time; they must be understood as evolving and changing.

3. Ensure institutional transparency and accountability

- a) There are many reasons for Indigenous peoples to distrust the justice system and its participants, including lawyers and legal education providers. Any work in this area must be transparent and demonstrate that meaningful action is taking place.
- b) There must be mechanisms for ensuring the accountability of legal regulators and legal educators in:
 - improving the knowledge and competency of legal professionals and students
 - implementing necessary policy, procedural and/or structural changes to better reflect and serve Indigenous peoples
 - making space for Indigenous legal orders in the practice of law
 - demonstrating active leadership and an ongoing commitment to reconciliation with Indigenous peoples in Canada

4. Respect diversity and jurisdictional differences

- a) Reconciliation requires respect for the diversity of Indigenous peoples, experiences, and legal orders in Canada.
- b) It is essential to recognize the unique experiences of Indigenous women, including both historical and contemporary harms caused by colonization.
- c) The Truth and Reconciliation Commission Calls to Action should be interpreted broadly to encourage a diversity of responses from legal and justice system stakeholders.
- d) Reconciliation activities should complement, support and encourage the variety of responses already occurring within law societies and law schools.

Guiding Principles for Fostering Reconciliation (cont'd)

5. Encourage individual and systemic responsibility for reconciliation

- a) Reconciliation requires thoughtful reflection and change at both a systemic and an individual level, including reflection on how one's own experiences, biases, and perspectives contribute to the process of colonization.
- b) Individual members of the legal profession have a responsibility to expand their knowledge and understanding of Indigenous perspectives and experiences and to take steps to ensure they are not contributing to the harms their Indigenous clients experience when engaging with the justice system.

6. View Competence through Indigenous perspectives

- a) Indigenous cultural competency requires an appreciation of the existence and intersectionality of:
 - Indigenous worldviews, perspectives, legal systems, laws, etc.
 - The unique legal context of Indigenous peoples in Canada
 - The history of colonization of Indigenous peoples in Canada
 - Systematic discrimination and unconscious bias against Indigenous peoples
 - Racism experienced by Indigenous individuals
 - The international legal principles that apply to Indigenous peoples in Canada
 - Diversity amongst Indigenous populations
 - Regionally significant information and events
- b) The depth of knowledge and understanding required to be competent varies depending on the context. Staff and leaders of justice system organizations and all members of the legal profession require at least a general level of knowledge and understanding. Those working in certain areas, including criminal justice and child protection, require a deeper understanding and awareness.
- c) General intercultural competence training or awareness does not sufficiently address the realities, experiences and needs of Indigenous peoples. Indigenous-specific cultural competency or awareness training is required.
- d) Becoming culturally competent requires ongoing learning.