

## Indigenous Initiatives and Responses to the TRC Report: Lincoln Alexander School of Law, Toronto Metropolitan University

In keeping with our commitment to diversity, inclusion and justice, the Lincoln Alexander School of Law at Toronto Metropolitan University (TMU) has made it a priority to build relationships with and serve Indigenous communities and has embedded this commitment as a core value in our Academic Plan. To that end, we have undertaken significant steps in the 2021–22 academic year to meet the Truth and Reconciliation Commission's Calls to Action and contribute to the important work of reconciliation.

### Organizational

To guide us in our efforts to Indigenize our curriculum, programming and institutional decision-making, we have established a committee dedicated to Indigenous legal education and the implementation of the TRC's Calls to Action 27, 28 and 50. The Indigenous Legal Education Committee (ILEC) has a broad mandate to coordinate the implementation of Indigenous legal education, research and service, and to advise the law school's Faculty Council on these matters. We are currently searching for a Manager of Indigenous Legal Education and Reconciliation who will work with the ILEC to support the development of programming and policies in consultation with Indigenous communities and service organizations. Until this position is filled, we will employ one or two students each term as Indigenization Support Assistants.

Law school correspondence includes a territorial land acknowledgement, based on consultation with TMU's Indigenous community, and we continue to participate in the Indigenous subspace working committee to Indigenize our current and future law school space. This year, this included installing a poem by Chief LaForme of the Mississaugas of the Credit First Nation in one of our student study areas.

### Admissions and Recruitment

As part of our Indigenous recruitment and outreach activities in 2021–22, we were on the planning committee for "Opportunities in the Legal Profession: Indigenous Perspectives and Reflections," an Indigenous lawyer panel and law school information session hosted by the National Advocates for Indigenous Law Students (NAILS) at Western University.

Five Indigenous students were admitted to our class of 2023, and six to our class of 2024. For the class of 2025, we made offers to ten Indigenous applicants, three of whom have accepted to date. An Indigenous staff member reviews all applications from Indigenous candidates, who are also eligible for the Kathleen Wilson Award, an entrance award for Indigenous students based on academic standing and financial need.

### Clinical and Experiential Programs

Last year, two students were placed with the Indigenous Youth-centred Justice Project, a new, cross-disciplinary project spearheaded by TMU's Faculty of Community Services that addresses gaps in services for Indigenous youth who are dually involved in the child welfare and youth justice systems.

In March 2022, six students participated in the Kawaskimhon Moot in Montreal, a consensus-based, non-adversarial moot competition that incorporates Indigenous legal orders alongside Canadian and international law. This year, our students were coached by lawyers practicing at Olthuis Kleeer Townshend LLP, a leading Indigenous rights law firm. We also created a distinct, culturally sound process for selecting students to participate in the Kawaskimhon Moot moving forward. In the summer of 2022, Kimberly Murray - Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools - created an opportunity for Lincoln Alexander School of Law students to further their work around Truth and Reconciliation through professional placements within her new office. As part of these placements, law students conduct legal research related to the investigation, identification, protection and preservation of unmarked burial sites of children who died while being forced to attend Indian Residential Schools. Thanks to support from an existing donor, we were able to fund positions for two students this academic year and plan to support an additional 8 student placements in the next academic year.

## **Community Engagement**

In 2022, the Lincoln Alexander School of Law welcomed Chief LaForme of the Mississaugas of the Credit First Nation to speak at our first-year orientation. All incoming students were given an opportunity to participate in an Indigenous walking tour of downtown Toronto, which included the TMU Indigenous medicine garden and other locations of present or historical significance to Indigenous communities in the city.

To commemorate the National Day for Truth and Reconciliation, Lincoln Alexander Law hosted a “fireside chat” with the support of the Indigenous Law Students’ Association, which invited Indigenous students and faculty to share their reflections on reconciliation and what it means to them. Other events included a smudging ceremony led by Scott Franks, an assistant professor at Lincoln Alexander Law who specializes in Indigenous and Aboriginal law. Professor Franks also offers mentorship and assistance to Indigenous and non-Indigenous students who are interested in Indigenous law and legal issues. And we have created mentorship opportunities for students to learn from Indigenous lawyers and legal professionals.

## **Curriculum**

Lincoln Alexander Law continues to require all first-year students to complete a mandatory course in Aboriginal and Indigenous law and a lecture in their first-year intensive on Indigenous law. We also offer seminars on Indigenous legal theory and practice, Indigenous persons and the criminal law, and Indigenous dispute resolution.

In addition to these dedicated courses, Professor Franks leads an initiative to integrate Indigenous issues, perspectives and law into the broader curriculum. To date, he has assisted faculty with the integration of Indigenous legal education into the following courses: administrative law; constitutional law; family law; criminal law; tort law; contract law; wills and estates; data, code and social innovation; legal research and writing; foundations of legal theory; property law; and ethics and professionalism. The law school also continues to offer placements in our integrated practice curriculum with Indigenous organizations and communities in Ontario, including through the Ministry of the Attorney General’s Debwewin Law Program.

## **Research**

Two of our faculty members focus their research on Indigenous and Aboriginal law. Professor Scott Franks specializes in Aboriginal law, Indigenous legal orders, Indigenous legal thought and Indigenous legal education, including the implementation of the TRC’s Calls to Action in law schools, and has received funding from the Social Sciences and Humanities Research Council for research related to defence counsel’s rhetorical strategies in criminal jury trials involving Indigenous victims. Associate Dean Sari Graben has published extensively in the field of Aboriginal law and resource governance, and most recently co-authored a paper examining the impact that wage-based income, business income and compensatory income has on women in Indigenous economies. Dr. Graben currently serves on the Interdisciplinary Working Group on Polar Bears for the Tornqat Wildlife, Plants & Fisheries Secretariat, Nunatsiavut.

## **Student Support**

Co-curricular activities: Our student services team has created a mentorship program for Indigenous students, and the recently formed Indigenous Law Students’ Association is committed to providing a strong social support network for Indigenous students and to bringing awareness to legal issues affecting Indigenous communities through events, visiting speakers and other forms of knowledge sharing.

Awards and scholarships: The Torys LLP Scholarship is a \$60,000 entrance scholarship for Indigenous students entering their first year (offered in partnership with Indspire). The Cassels Brock & Blackwell LLP Scholarships for Indigenous Law Students are renewable scholarships awarded to Indigenous students in their second year, worth \$5,000 per student. Other awards, such as the Dr. Anver Saloojee Anti-Discrimination Award, the Kathleen Wilson Award for Indigenous Law Students, and the Santan and Omega De Mello Community Leadership Award are distributed with a special preference for Indigenous students.

## **Future Initiatives**

Several initiatives are underway at Lincoln Alexander Law. The Indigenous Legal Education Committee will meet for the first term in the fall of 2022 to develop programming priorities for the next year. Discussion items will include Indigenous cultural competency training for staff, faculty and students; the development of Indigenous and Aboriginal law specializations; the recruitment of Indigenous faculty, staff and students; the development of relationships with Indigenous communities and service providers; and the creation of land-based learning opportunities.

Our future plans include fundraising for student development and support (intensive courses, land-based learning, peer support and mentorship); co-curricular programming (lectures in access to justice and Indigenous law, and opportunities for increasing awareness of Indigenous legal traditions). We also plan to participate in the Enbridge Law Mentorship Program, which will provide mentorship exclusively to first-year Black and Indigenous students in Ontario. Students who join the program will participate in workshops covering topics such as mindset, finances and networking.