

CALL/ACBD
Languages of Law | Langages du droit

Attendance Report



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25-28 June 2024
Montreal, Quebec

Canadian Association of Law Libraries Conference Montreal, Quebec – CALL/ACBD

Final Report by Ciara Ward, NCLA Library

I would once again like to express my gratitude to the OCLA Board for choosing me the recipient of this bursary to attend the Canadian Association of Law Libraries Conference, held this year in Montreal, Quebec. It is always inspiring to speak to other law librarians across the county and learn about what challenges they face and innovations they are working on – it helps me to see more clearly the difference and impact (law librarians in general) can have within our jobs and within the legal community.

I am very grateful for the support and investment of both the OCLA Board and the NCLA Board in my professional development; I am always striving to bring a fresh perspective and new ideas into both my library and the Ontario Court House Library community.

During this conference I was able to attend social and networking events, vendor demos, informational session, as well as the special substantive session which served to fuel my knowledge base and my imagination. I was especially interested in the substantive session as it was dealing with legal information and the incarcerated in Canada. Recently I was approached by Warkworth Jail (a federal correctional institution in my county), about partnership opportunities and we have been working together to imagine what these might look like. Below I have included summaries of the sessions I attended.

25 June 2024

Special Substantive Session:

Within Bars but Not Without Rights: Legal Information and Library Access for Incarcerated Persons

“prison libraries play a fundamental role in guaranteeing rights, not only by providing inmates with access to information about their legal rights as incarcerated persons, but also by providing the tools necessary to exercise these rights” – *Prisoner’s Right to Read*, Canadian Federation of Library Associations

This session opened with a brief discussion of the existing statistics of incarcerated people, specifically in Manitoba, which consists mainly of black and indigenous individuals – women’s prisons have even higher rates of these demographics. 75% of people being held in jails in Canada are being held in remand as they await trials. Information poverty is a huge issue in prisons as not all prisons have libraries, and there is no mandate or legislation in place for prisons in Canada to have libraries. There is also no access to internet and many of those incarcerated have low literacy skills. There are 6 provincial, and 1 federal prison in Manitoba. The Manitoba Law Association started a Prison Libraries Committee which is committed to actions outlined in the Truth and Reconciliation Commission report. During the pandemic they started an email reference program for inmates which is through literacy teachers in the prisons. The Legal Information for Incarcerated Manitobans also support these initiatives by building collections and programming for prisons. They do this by making a digital library available on USB keys, with electronic information and books for all incarcerated in Manitoba.

In Alberta some of the federal prisons have law books and a librarian, but access is very challenging. There are no options are presented to incarcerated people, and there is “no one to talk to” to even know where to look, which makes it hard to ask for help when you don’t know what’s available or

what you're looking for. The process of getting the information can take so long that many give up; there is nothing to explain what information is available or how to access it

In Saskatchewan there are 4,000 people in federal prisons; Saskatchewan also has the highest indigenous population in prisons. Public libraries actually work to provide information and assistance to the incarcerated in this province. There has been a drastic increase in the demand for information access so the Law Society of Saskatchewan launched a working group in 2021 to survey what help is available; they established a working group to provide better assistance to incarcerated persons.

Ontario has Cleo Connect; they have a very extensive website available publicly with free resources and support. In 2019 they created a working paper with research on the legal information needs of persons incarcerated. The paper included a literature review, scan of information, and also interviews focused on areas of custody, remand, serving a sentence, pre and post release resources, and more. This led them to create the JAIL Hotline with Ottawa University's law program; law students can volunteer to answer questions for incarcerated people. Overall, the theme in every province seems to be the same; information delivery channels inside prisons seem to vary widely, but more often than not there are no libraries available to incarcerated people at all.

This session concluded with Senator Kim Pate, who started a project called "Senators go to Jail", talking to other senators and taking them in to prisons. While there they meet with both staff and inmates to speak to them about the challenges they face. She stated that once in the prison the discriminatory impact is obvious and that she believes libraries are vital to inmates.

26 June 2024

Keynote Address:

If Bilingualism is such a Fundamental Canadian Characteristic, Why is it Still so Difficult to Make it a Reality? | The Honourable Thomas Mulcair

The Honourable Thomas Mulcair mainly spoke about Bill 96, and amendments to the Charter of the French Language, "to promote the use of French languages in the province and also affirm that French is the common language of Quebec". While section 18 of the Charter provides that English and French are Canada's official languages, in 1977 the Quebec Charter did away with the bilingualism requirement.

Mulcair was working at the Quebec Justice Department in 1979 when National Assembly reenacted the bilingual legislation. He shared that Quebec statues exist in both languages, and he also shared his belief that the upcoming amendments to the BNA Act will be struck down as unconstitutional but believes that sometimes it is just important to point out the flaws in the system in order to raise awareness; "seeking the lowest common denominators is not how you respect rights". He concluded his keynote with a discussion of the official languages act and its impact and debate regarding schools in Quebec.

Translating the Language of Law: Brining Legal Information Beyond Law Libraries | Natalie Rocheleau, Rachael Carlson

This session focused on the law matters program run through the British Columbia Courthouse Libraries. It is an outreach program partnering courthouse libraries with public libraries and is funded by the British Columbia Law Foundation. Founded in 2007 this program empowers public libraries to maintain a basic print collection of law materials; they create a collection development guide, provide training and legal resource skill kits. As the public are already going to public libraries for help providing them with supports is helpful to all parties.

In 2019 they began an enhancement project with the goal of public libraries in BC sustaining a foundation of access to legal information across the province for the general public. The project was adapted for what the communities needed more of; they worked to create a list of law books for kids, created legal display kits, books on social justice issues were also included, and some basic legal reference training. They used virtual training to promote consistency and to share online legal reference tools to support them

Increasing the Prominence of Indigenous Legal Orders in Library Collections | Amy Kaufman, Emma Scott

Truth and Reconciliation Call #27: Law Societies in Canada should require lawyers to receive appropriate cultural competency training. Because of this, the Law Society of Ontario now requires lawyers to work directly with indigenous communities. Call #28: mandatory learning in law schools. The discussion turned to how librarians can support this call, and the conclusion was simple: they needed to re-envision collections development policies and prioritize specific collection areas. Queen's University partnered with the University of Victoria libraries to create a new classification system to map out where indigenous law books should be placed; some nations are not represented at all in the current KI system. They described their process for re-classification:

1. Determine content
2. Locate best "class" for the title
3. Assign new call number
4. Review by cataloguing team

They also made an effort to also collect from smaller press indigenous books. Queens also has lib guides available for other libraries to use for free.

27 June 2024

Keynote Address:

Navigating Bill 96: Legal, Linguistic, and Societal Perspectives | Mtre Julius Grey, Prof. Jean-Pierre Corbeil

This keynote began with a discussion of redefining Quebec and immigration while de-ethnicizing the notion of linguistic groups. The contributions of immigrant and English speaking and indigenous communities to the Quebec Francophone are what makes Quebec's history unique. Mtre Julius Grey spoke about a just, inclusive and pluralistic society anchored in a common history and culture. It would take into consideration the diversity and inclusion/complexity of language behaviors, as well as the distinction between the family sphere and public sphere. He acknowledged the promotion of predominance of French as common public language, and recognized the presence of French/English as the de facto public language in Montreal.

In Quebec the court will allow you to speak in English or French, while Bill 96 seeks to amend the constitution and how it is applied in Quebec. However, per the notwithstanding clause Montreal has very much become a bilingual/multi-lingual city. "I don't know how French is promoted by being told 'you don't have to speak any English'"; it is in the interest of all Quebecers to know English and French.

Openness, Inclusivity and Accessibility in Legal Writing and Citation Guides | Alexia Loumankis, Ann Marie Melvie, Michelle Terriss, Kelti McGloin

This session was a detailed description of a large-scale project to change the legal citation guides, with respect to the Truth and Reconciliation Commission's calls to Actions #50-52. The plan was to reconsider

how indigenous people are referenced in a legal context. Spearheaded by Dalhousie University this working group brought together large and small groups over zoom; everyone voted to get things done. They believed it was important to have a diverse representation in the working group to be able to view issues from all sides. They linked to other citations guidelines as well and asked important questions like: how we cite indigenous traditions helps legitimize indigenous traditional laws?

They spoke about several reasons for this project: librarian expertise, open access and Access to Justice, improved long-distance management, drawbacks of traditional publishing. One big challenge they are facing is accommodating various legislative issues and anticipating future use. “This isn’t finished, it’s begun”; although its in English, it takes French into account as well, and throughout the process they tried their best to maintain respect for indigenous communities with the production of these flexible and adaptable guidelines.

Creating Connections: How Archival Collections can Support Learning and Research in the Law Library **| Emily Nickerson, Jessie Lampreau, Sarah Miller**

This session was mainly focused on the special collections of the Diana M. Priestly Law Library; they have a selection of rare law monographs that includes other legal, archival collections in conjunction with SSUA, with selected subject areas such as the anarchist archives. The presenters took turns speaking about different collections they have made displays for in the library such as the Dr. Wilton Littlechild collection which consists of the personal archives of a lawyer who is also a residential school survivor. His collection represents over 40 years of international advocacy of indigenous peoples. They also spoke about the Neil Sterritt collection, which are personal archives and writings on land title case for rights 1970-2012. This collection has a stewardship agreement in place, so the library works with the family to control access to this collection. Access agreements are used to link to current events/research. They also highlighted a display they had created about the Raging Grannies of Victoria fonds. This collection pertains to an environmental group founded in Victoria BC in the 1960s.

The law library was also able to partner with the law school to teach students how to use archives. Specifically, they worked on teaching proper indigenous research methods by teaching them about Traditional Knowledge (TK) labels and how these are applied and used. For example, if a collection is a community access one, media access, etc. This type of teaching helps students learn to think critically about access and use of these materials, and what can be included in an archives or collection (paper, digital documents, ephemera, etc).

28 June 2024

Keynote:

Award-winning author, Kim Thuy

“The only people you need to be friends with are librarians”; The conference wrapped up with an author talk from Kim Thuy. She began by speaking about the difficulties (and nuances) of language. If you live in France, she said, you must be French because nothing is English for you – so this can be traumatic for new immigrants. In Vietnam in the 1960s and 70s there was the rise of communism, and language became a political tool. In 1975 the North won and there was no more “sir or madam” only “comrade”. New words were introduced into their vocabularies, and books became revolutionary, you were no longer allowed to own books or listen to music. If you used the wrong word you were sent to police or ‘re-education camps’. New language was created to support the new politics ex. government decided the letter ‘y’ was too French and not allowed any longer.

Kim lives in a refugee camp with her family, and Canada was the first country to send aid to the refugees. The criteria to be selected to go to Canada was you had to be sponsored by a family; her father volunteered to interpret for the military as an interpreter because he could speak French; the Canadians decided to take him and their family all because of French ("the language really saved us"). She spoke about the challenges of learning new languages and how important language is to identity; "words are not just words; language carries culture". She concluded her talk by speaking about the beauty of diversity being people standing on different angles of a problem, so everyone's view point is different, but if you put everything together you will see the whole picture. Sometimes language is not about words, it's about intent.