

# BUILDING TRUSTED RELATIONSHIPS THROUGH INTERACTIVE PLE CONVERSATIONS

## A Report on the Newcomer Conversations: Learning Canadian Law Project



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September 2021

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## Acknowledgements

The immense help and support of many people made this report possible. My sincere thanks to members of the Project Team, especially Executive Director Giulia Reinhardt and Dr. Ab Currie for their dedication, patience and sage advice; to the advisory committees for their invaluable feedback that helped keep newcomers at the heart of the project; to the HCLS staff members, newcomers and service providers who generously donated their time—during a pandemic, no less—to answer my many questions; to Amanda Bordonaro-Kvil, the HCLS community worker, who helped with data collection and input; to Ginny Santos for her expert facilitation of the focus groups; and to Nicolas Belliveau, a Juris Doctor student at the University of Ottawa, for his assistance with background research and editing.

I would also like to thank Immigration, Refugee and Citizenship Canada and Halton Community Legal Services for funding this research and the project evaluation.

All errors are my own.

— Brandon D. Stewart

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Funded by / Financé par:



Immigration, Refugees  
and Citizenship Canada

Immigration, Réfugiés  
et Citoyenneté Canada

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# 1. OVERVIEW



This report presents the main findings from the *Newcomer Conversations: Learning Canadian Law Project*, a three-year public legal education (PLE) project for newcomers. The project was developed and run by Halton Community Legal Services (HCLS) and partly funded by Immigration, Refugee and Citizenship Canada (IRCC). HCLS is a community legal clinic funded by Legal Aid Ontario that provides free legal services to Halton's low-income community.

The project consisted of two phases. Background activities, such as developing and promoting the conversations and recruiting advisory committee members and host organizations, occurred from September 2018 to February 2019. The conversations were piloted from March 2019 to August 2019 (the pilot phase). Adjustments were then made before the conversations went live from September 2019 to August 2021 (the rollout phase).

During the data collection period of March 2019 to April 2021, lawyers from HCLS held 144 free, highly interactive in-person and virtual "newcomer conversations" with 2,063 newcomers living in Halton. Participants were encouraged to ask questions throughout a conversation, completed activities such as a Legal Health Check-up and legal problem scenarios, and chose the specific legal issues the lawyer covered under the conversation's broader legal topic. Hosted by nine community organizations that serve newcomers, the conversations covered legal topics relevant to newcomers' daily lives, including workers' rights, tenants' rights, wills/powers of attorney (POAs), family law, public benefits and human rights and discrimination.

The project included research and evaluation components with two objectives: (1) to gain a better understanding of the legal problems newcomers living in Halton experience and the legal pathways they take to solve them; and (2) to determine whether the newcomer conversations improved settlement outcomes for newcomer participants by increasing their knowledge of Canadian law and their awareness of, and access to, HCLS's free legal services. A variety of methods were used to collect data from key project sources, including newcomer participants,

service provider hosts, and the lawyer-instructors who facilitated the conversations. The main project findings are:

1. Refugee participants, especially those newer to Canada, reported experiencing more potential legal problems than permanent residents and citizens. Refugee participants were also one-and-a-half times more likely than non-refugee participants to request a call from HCLS for help with potential legal problems.
2. Language was the most significant barrier preventing newcomer participants and newcomers living in Halton from accessing and/or receiving legal help from HCLS.
3. The everyday legal problems that newcomer participants and newcomers living in Halton were most likely to experience related to tenants' rights, public benefits and workers' rights. The need for free access to family law and immigration law services, however, remains high within Halton's newcomer population.
4. Most newcomer participants and newcomers living in Halton turn to their trusted settlement specialist or English as a Second Language/Language Instruction for Newcomers to Canada (ESL/LINC) instructor for help with a legal problem. This is likely to occur even if newcomers know about HCLS and its free services, know that HCLS offers free and immediate interpretation services, receive from the clinic an open offer for help, and/or have a positive interaction with the lawyer-instructor when attending a conversation.
5. Recent PLE programming for newcomers in Ontario has focused on non-interactive print and online materials such as specialized websites, webinars and comics. It also uses trusted intermediaries such as ESL instructors and settlement agencies to deliver public legal information. Feedback from newcomer participants, however,



suggests that diverse groups of newcomers, including those with lower English language skills, still value receiving legal information through highly interactive in-person conversations with lawyers.

6. In-person was the preferred conversation format. Virtual newcomer conversations were less engaging, more work for the lawyer-instructors, and less likely to create legal pathways and improve access to justice for newcomer participants.
7. Immediately after attending a newcomer conversation, nearly every newcomer participant reported an increase in knowledge of their legal rights and responsibilities and where to go for help with a legal problem. But the newcomer conversations did not create a direct legal pathway to HCLS for most newcomer participants: only one percent of them became new or returning clinic clients during the data collection period.
8. Having lawyers deliver highly interactive PLE programming supported newcomer access to justice and better settlement outcomes in three ways. First, they helped build trust with newcomer participants to create new legal pathways to HCLS for some newcomers. Second, they served as a powerful outreach tool, helping HCLS build and strengthen trusted relationships with service provider hosts to indirectly improve newcomers'

settlement outcomes. Third, they promoted community development and upstream service by helping build the service provider hosts' legal capability to independently solve some of their newcomer clients' legal problems.

HCLS should continue to build relationships and partnerships with newcomer service providers to increase newcomers' access to justice. To achieve this goal, this report recommends that HCLS should: (1) add newcomer conversations to its permanent roster of PLE programming; (2) allocate internal resources and/or secure external funding to continue the family law conversations and consider developing immigration law conversations; (3) use the conversations as an avenue to build and strengthen partnerships with newcomer service providers related to its existing services; and (4) continually look for new ways to create partnerships with newcomer service providers, such as creating satellite clinics at one or more of the host organizations.

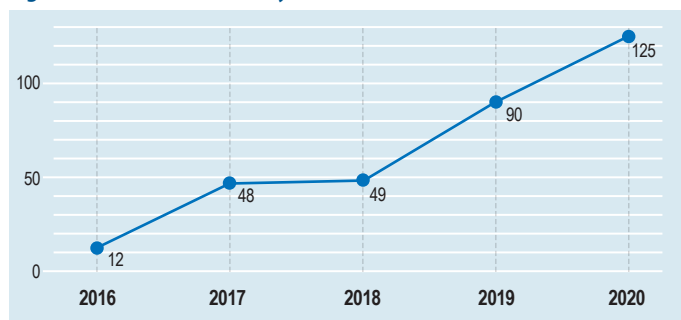
The remainder of this report proceeds as follows. Section 2 briefly backgrounds the project. Section 3 explains how the newcomer conversations were developed and their main features. Section 4 describes the project phases, including the transition to virtual delivery during the COVID-19 pandemic. Sections 5 and 6 describe the scope of the project's research and evaluation, including data and methods, and the challenges to data collection that emerged. The project's main findings are presented in Sections 7 to 10. The report concludes with several recommendations in Section 11.

## 2. BACKGROUND



Public Legal Education (PLE) has always been a component of HCLS's mission and mandate. Beginning in 2014, the clinic prioritized PLE programming to extend its reach in the community and encourage upstream intervention as part of its transition towards a more holistic, integrated and community-oriented service delivery model<sup>1</sup>. The result: PLE sessions provided to the community increased by 942% from 2016 to 2020 (12 to 125) (*Figure 1*). In the past five years, HCLS has offered 372 PLE sessions<sup>2</sup> to at least 6,120 people<sup>3</sup> on a range of legal topics including housing, social assistance and public benefits, human rights and discrimination, wills/POAs, employment and, most recently, COVID-19 and the law.

**Figure 1: PLE Sessions Held by HCLS from 2016 to 2020**



*The Newcomer Conversations: Learning Canadian Law Project* (“the project”) grew organically out of this broader PLE momentum and two earlier PLE projects. When Syrian refugees began arriving in Canada in December 2015, HCLS discovered an influx settling in Halton with the support of private sponsors.

In June 2016, HCLS secured funding from the Oakville Community Foundation<sup>4</sup> (OCF) to offer a series of workshops to private sponsors to increase their settlement skills and legal capability to improve outcomes for the refugees they sponsored.<sup>5</sup> The workshops covered topics such as: trauma-informed advocacy; housing stability; employment; and the social safety net. Ninety-four individuals affiliated with a private sponsorship group and six service providers with refugee clients attended the workshops. Feedback from participants was overwhelmingly

positive: 93-100% reported that their knowledge about legal issues facing refugees in their community had increased; that they learned about legal resources and supports for refugees; and that the workshops would help them assist the refugees they sponsored.<sup>6</sup>

About the same time, HCLS was delivering PLE programming to English as a Second Language (ESL) classes at Thomas Merton Centre for Continuing Education (TMC), and to groups that received settlement services at Halton Multicultural Council (HMC Connections). HCLS discovered a need for PLE programming offered directly to refugees living in Halton—in their first language—that explained their rights and responsibilities under Canadian law.

In May 2017, HCLS secured further funding from the OCF to offer a short series of “newcomer conversations” to 49 newcomers in Oakville. The workshops were hosted by two organizations—HMC Connections and Achēv (Centre for Education & Training/CET until 2020)—that offered services directly to newcomers and already had a strong relationship with HCLS.<sup>7</sup> These organizations were able to leverage their trusting relationship with their newcomer clients to effectively advertise the conversations and endorse HCLS as a partner and ally. In addition to providing a safe and accessible space for the conversations, both organizations offered free interpreters, childcare and travel subsidies to newcomer participants.

When designing these initial newcomer conversations, HCLS was guided by:

1. The principles of adult learning, which suggest that adults “learn best when they are active participants in the learning process.”<sup>8</sup>
2. The spiral model, developed by social change educators in line with adult education principles to empower marginalized communities. The model suggests that:

... learning begins with the experience or knowledge of participants; after participants have shared their



experiences, they look for patterns or analyse that experience; to avoid being limited by the knowledge and experience of people in the room, [the teacher and participants] also collectively add or create new information or theory; participants need to try on what they've learned: to practice new skills, to make strategies and plan for action; afterwards, back in their ... daily work, participants apply in action what they've learned in the workshop.<sup>9</sup>

3. The “Seven Steps to Solving an Everyday Legal Problem” guide, which was developed in the United Kingdom<sup>10</sup> and has been used in other PLE programming in Canada,<sup>11</sup> including at HCLS’s Halton Tenant School.<sup>12</sup> The guide is based on the idea that people can solve any everyday legal problem if they follow these seven steps: (1) discovering your problem; (2) knowing your rights; (3) knowing what you want; (4) knowing who to speak to; (5) communicate clearly; (6) be organized; and (7) knowing when to get help.

Each workshop consisted of a semi-structured, interactive conversation about discrimination and human rights in employment and housing. Newcomer participants sat in a circle with an HCLS lawyer and at least one interpreter. To facilitate the conversation, newcomer participants first watched two short video clips from the Ontario Human Rights Commission’s Living Rights Project.<sup>13</sup> Newcomer participants were then encouraged to share their experiences of discrimination and any struggles they encountered while settling in Oakville. HCLS heard “stories of pain, sadness, perseverance and determination.” PowerPoint slides were used to display legal information about employment rights and to help newcomer participants learn about community resources.

Through these conversations, HCLS learned that many newcomer participants had not heard of HCLS, and did not know that the clinic offered interpreters or that its services were free. At the end of each conversation, participants approached HCLS staff to discuss potential legal problems. Newcomer participant feedback was strongly positive, with all reporting that the clarity and quality of the discussions, materials and length of the conversations were good, very good or excellent.<sup>14</sup>

After learning from Halton Newcomer Strategy members of a strong community appetite for additional conversations, HCLS secured funding from IRCC in 2018 to expand the newcomer conversations over three years. The goal of the expansion (and the conversations, generally) was to improve settlement outcomes for newcomers in Halton.<sup>15</sup>

A Project Team was responsible for developing, facilitating and evaluating the conversations. Its members included: the HCLS Executive Director; the HCLS community worker; three HCLS staff lawyers; a local family law lawyer; two researchers/evaluators; three HCLS intake workers; and the HCLS legal assistant.<sup>16</sup>

Consistent with its collaborative and community-focused approach to research, outreach and service delivery,<sup>17</sup> HCLS also recruited members for two advisory committees to advise on the project and work with the Project Team. The Service Provider Advisory Committee (SPAC)<sup>18</sup> consisted of eleven employees of community agencies that serve newcomer communities in Halton. The Participant Advisory Committee (PAC) consisted of seven newcomers from different cultural and linguistic backgrounds living in Halton.<sup>19</sup> The Project Team met quarterly with these committees to obtain their feedback on different aspects of the project, including outreach strategies, workshop development, research and evaluation, and any project modifications. SPAC members also helped to recruit community agencies to host the workshops.

# 3. DEVELOPING THE NEWCOMER CONVERSATIONS



The Project Team developed the project’s newcomer conversations based on learnings from HCLS’s OCF newcomer conversations and experience serving newcomer clients, and through consultations with the advisory committees. The sub-sections below describe the key features of the newcomer conversations.

## A) Having a Conversation

HCLS designed the workshops to be highly interactive 90-minute conversations based on the same principles that guided HCLS’s OCF newcomer conversations. The project conversations, however, were more structured and included several key features to promote meaningful adult learning and interactions between the lawyer who facilitated the conversation (the lawyer-instructor) and newcomer participants:

**Figure 2: Conversation Features Applying the Principles of Adult Learning<sup>20</sup>**

### Adult Learning Principle 1:

Adults are autonomous and self-directed; they learn best when they are active participants in the learning process.

#### ● Application

Involve participants in the learning process and serve as a facilitator, not just a supplier of facts.

Limit lecturing and provide opportunities for sharing experiences, questions and exercises that require participants to practise a skill or apply knowledge.

#### ● Conversation Feature

When host organizations contacted the HCLS community worker to book a conversation, they could choose the legal topics most relevant to their clients. The HCLS community worker would contact the host organization a few days before the conversation and ask if there were specific questions or sub-topics their clients wanted the lawyer-instructor to address during the conversation.

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Immediately before the conversation, newcomer participants completed a pre-conversation survey that included questions about everyday legal problems related to the conversation topic. This mini-Legal Health Check-Up was included to: (1) facilitate participation by requiring newcomer participants to think about experiences relevant to the conversation topic; and (2) collect important legal problems data from newcomers in Halton.

At the start of the conversation, the lawyer-instructor asked newcomer participants what they wanted to learn and what questions they had. Responses were written on a whiteboard or chalkboard. The lawyer-instructor then used these responses to decide what legal topics and information to cover during the conversation. This approach is consistent with the spiral model, which posits that learning begins with participants sharing their knowledge and experiences.<sup>21</sup>

### Adult Learning Principle 2:

Adults have accumulated a foundation of life experiences and knowledge.

#### ● Application

Connect life experiences and prior learning to new information.

#### ● Conversation Feature

Newcomer participants were presented with common legal problems that they or other newcomers in Halton may have experienced. The lawyer-instructor then asked participants for their input on whether the scenario engaged legal rights in Canada and how to solve the legal problem(s) presented. The goals of these problem-based scenarios were to: (1) have newcomer participants apply what they learned in the conversation to new information; (2) connect the scenario problems to their own lives; and (3) encourage participation.

By “adding new information” and allowing participants to “try what they’ve learned,” these scenarios were consistent with the spiral model approach to learning.<sup>22</sup>

Appendix J features a copy of the scenarios used in the workers’ rights conversation.

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### Adult Learning Principle 3:

Adults need to be respected.

#### ● Application

Acknowledge the experiences of adult participants, allowing opinions to be voiced freely.

#### ● Conversation Feature

The lawyer-instructors listened to newcomer participants, encouraging them to share their experiences and respectfully respond to one another's stories, questions and answers.

### Adult Learning Principle 4:

Adults are relevancy-oriented and practical.

#### ● Application

Help learners see a reason for learning something.

#### ● Conversation Feature

The lawyer-instructors explained why learning about legal rights in Canada and knowing where to go for help with a legal problem mattered, consistent with steps 1, 2, 4 and 7 of the "Seven Steps to Solving an Everyday Legal Problem" guide.

## B) An Expanded and Shifting Curriculum

The Project Team decided to expand the curriculum used for HCLS's OCF newcomer conversations based on feedback from service providers with newcomer clients and the advisory committees on the legal topics most relevant to the daily lives of newcomers in Halton.<sup>23</sup> Conversations were developed for six legal topics: workers' rights; tenants' rights; human rights and discrimination; public benefits; family law;<sup>24</sup> and wills/POAs.

Since the conversations were designed to be highly interactive, the curriculum for each conversation was fluid. The Executive Director and lawyer-instructors developed conversation materials, such as PowerPoint slide decks and legal problem scenarios, that introduced participants to HCLS and/or covered important legal information on each conversation topic.<sup>25</sup> These materials were intended to support the lawyer-instructor's conversation with newcomer participants; certain slides with relevant information would be covered, while others were skipped depending on newcomer participants' interest and questions.

## C) Lawyer-Instructors as Expert Facilitators

Three HCLS staff lawyers and the Executive Director led most of the conversations. HCLS also hired a local family law lawyer to facilitate the family law conversations since HCLS does not practise in this area.

HCLS decided to have lawyers facilitate the conversations for two reasons. First, HCLS believed that lawyers were best suited to navigate the conversations' 'shifting curriculum,' which required a high level of knowledge and the ability to answer complex questions from newcomer participants. Second, HCLS recognized that lawyers have a level of prestige in the community and hoped that free access to these lawyer-instructors would help draw newcomers to the conversations. According to the HCLS Executive Director, involving the lawyer-instructors was intended to convey to newcomer participants that "even though this is a PLE [session], you are worthy of [our lawyer's] time" and deserve the "dignity and respect of [receiving information from] our experts."

## D) Using Safe and Accessible Spaces

To develop and deliver PLE programming, HCLS has always partnered with community service providers in order to respond to their clients' everyday problems. This project was no exception. HCLS learned two lessons from the OCF newcomer conversations: (1) newcomers are hard to reach; and (2) service providers can best create safe spaces to help overcome newcomer clients' reluctance to meet with lawyers. Having service providers host the conversations was also consistent with a key principle of adult learning: that adults learn better in an environment that is informal and personal and that promotes group interaction.<sup>26</sup>

Nine community organizations with newcomer clients served as host organizations (*Figure 3*). HCLS was able to recruit three hosts (HMC Connections, TMC and Achēv) by the start of the project. These organizations had offered free space for HCLS's OCF newcomer conversations, had a strong pre-existing relationship with HCLS, and/or were members of Halton Newcomer Strategy that had supported the expansion of the conversations. Peel Career Assessment Services (PCAS) emerged as the fourth host organization because one of its staff learned about the project while offering services at Achēv. As knowledge of the project spread in the community, five additional service providers with newcomer clients (the

MPL, the Halton District School Board/HDSB Welcome Centre, the Centre for Skills Development, the Halton Catholic District School Board/HCDSB Welcome Centre, and the Women's Centre of Halton/WCH), requested conversations and became host organizations.

HCLS also learned during HCLS's OCF newcomer conversations that newcomers were more likely to attend the conversations and actively participate if they were provided support. As a result, the Project Team offered free interpreters to participants upon request and subsidies for child care and transportation.

**Figure 3: The Project's Host Organizations**

Organization	Newcomer-Related Services	Location(s)	Newcomer Client Types
<b>Halton Multicultural Council (HMC Connections)</b>	Helps newcomers access settlement services such as orientation programs and language and skills training; provides needs assessments and short-term referrals to community agencies.	Oakville (2) Milton Burlington	Immigrants and refugees
<b>Halton Catholic District School Board (HCDSB) Welcome Centre</b>	Provides newcomer students and their families with guidance and support as they become familiar with Halton Region and their new school.	Oakville Milton	New to the school board or Canada
<b>Thomas Merton Centre for Continuing Education<sup>27</sup> (TMC)</b>	ESL/LINC classes, Canadian employment language training, youth settlement programming, citizenship test preparation course.	Oakville Burlington Milton	Same as HCDSB
<b>Centre for Skills Development</b>	ESL/LINC classes, Enhanced Language Training, newcomer home renovation program, access to settlement information specialists and newcomer support coach/crisis support.	Milton Oakville (2) Burlington	New to Canada and Halton
<b>Achēv</b>	Settlement services, monthly information sessions on immigration, citizenship, labour market, education, self-employment and finances, seniors and women's circles.	Oakville <sup>28</sup>	New to Halton
<b>Peel Career Assessment Services (PCAS)</b>	Settlement services to help newcomers identify and resolve settlement issues that may pose barriers to employment.	Oakville <sup>29</sup>	Landed immigrants, permanent residents, convention refugees, live-in caregivers
<b>Milton Public Library (MPL)</b>	Settlement worker drop-ins, ESL class outreach, newcomer parent class outreach, multilingual story time for children, ESL class, newcomer business programs, citizenship test preparation.	Milton	Newcomer residents of Milton
<b>Halton District School Board (HDSB) Welcome Centre</b>	School registration for newcomers, language and math assessment, orientation to HDSB and settlement support.	Milton	New families to Canada/Halton Region
<b>Women's Centre of Halton (WCH)</b>	First point of entry to services and programs for women in crisis, distress or transition; offers counselling, peer support, workshops and employment help.	Oakville	Newcomer visible minority women



## 4. THE PROJECT PHASES



The project consisted of two phases. Background activities—such as developing and promoting the conversations, creating a research and evaluation plan, and recruiting the Advisory Committees and host organizations—occurred from September 2018 to February 2019. The conversations were then piloted from March 19, 2019, to August 31, 2019 (the pilot phase) to determine whether any adjustments needed to be made. Twenty-seven in-person conversations (19%; 27/144) were held with 414 participants (20%; 414/2,063) during the pilot phase, with the family law (33%) and wills/POAs (26%) conversations most frequently requested by the host organizations (*Figures 4-5; Appendix K, Table 1*).

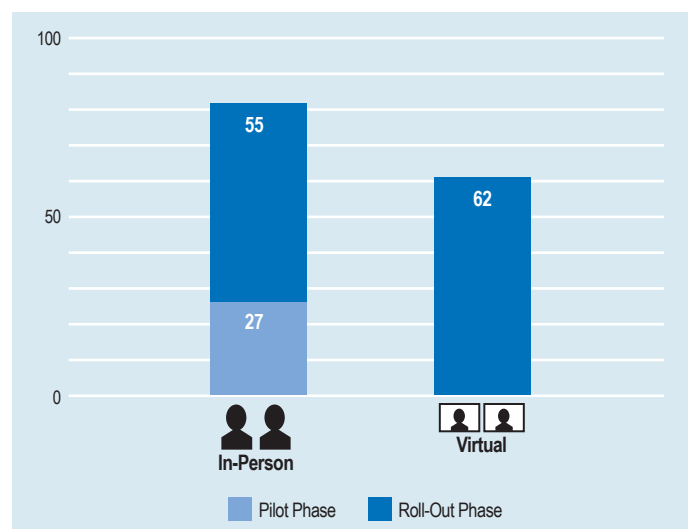
The roll-out phase ran from September 1, 2019, to August 31, 2021. A total of 117 conversations (81%; 117/144) were held with 1,649 participants (80%; 1,649/2,063) from the start of the rollout phase to April 30, 2021. The most frequently requested conversation topics were wills/POAs (34%), workers' rights (19%) and family law (16%) (*Figures 4-5; Appendix K, Table 1*).

Fifty-five (47%) in-person conversations were held from September 1, 2019, to March 12, 2020. Shortly thereafter, the host

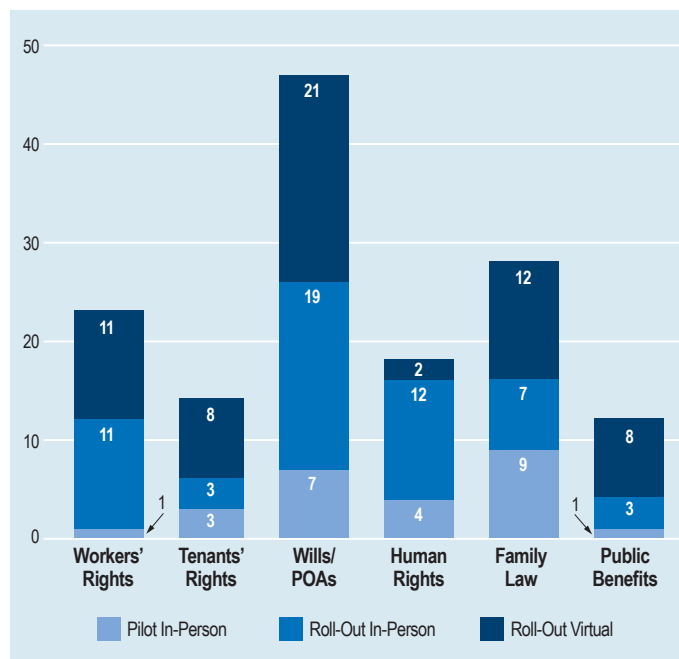
organizations started delivering their services virtually due to the spread of COVID-19, and cancelled any scheduled in-person conversations. The Project Team and one host organization held two workers' rights conversations virtually using video-conferencing software, which enabled newcomer participants to interact with the lawyer-instructor and ask questions. HCLS received positive feedback from both the host organization and newcomer participants regarding the virtual format.

Soon thereafter another host organization inquired about holding virtual conversations. There was significant uncertainty about when the pandemic would end, but given the success of the two earlier virtual conversations, the Project Team decided to continue offering them using two videoconferencing platforms—Zoom and Google Meet—until in-person services could safely resume. The lawyer-instructors, host organizations and newcomer participants needed roughly a month to learn to comfortably navigate these videoconferencing platforms.

**Figure 4: Number of Virtual and In-Person Conversations by Project Phase**



**Figure 5: Number of Conversations by Legal Topic, Delivery Format and Project Phase**





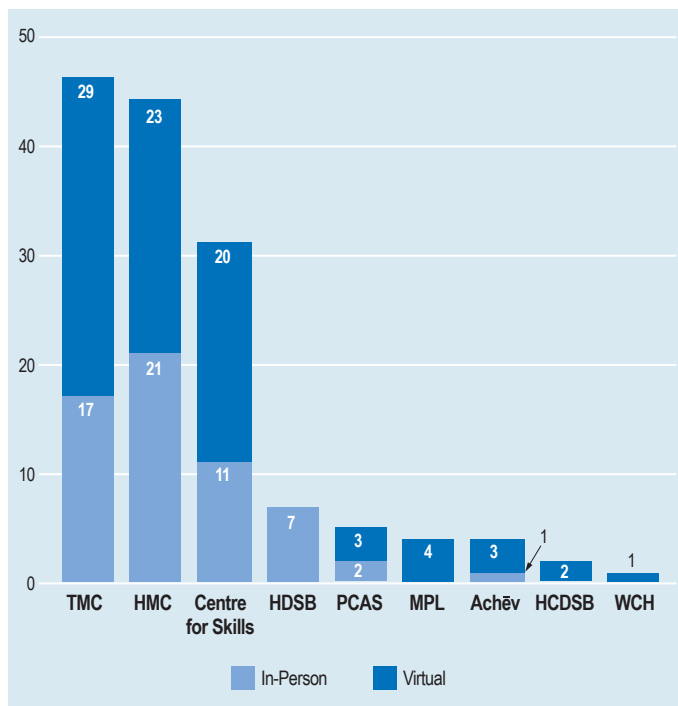
Adjustments were made to ensure that the virtual conversations remained highly interactive. For example:

- A link to an online version of the pre-conversation survey, which included the LHC questions, and the post-conversation survey was distributed to participants using the chat feature on Zoom and Google Meet;
- The lawyer-instructors asked newcomer participants what they wanted to discuss using Zoom's whiteboard feature;
- PowerPoint slides were shown using the share screen function on Zoom and Google Meet; and
- Participants were allowed to choose how to participate (using their computer's microphone and webcam, typing a question into the public chat, or sending a private chat to the lawyer-instructor).

Sixty-two (53%) virtual conversations were held between March 23, 2020, and April 30, 2021. The running of these conversations during a pandemic was not without challenges. Sections 6 and 9.B of this report detail how COVID-19 affected the project, including data collection and virtual delivery.

A total of 144 conversations were held with an estimated 2,063<sup>30</sup> participants with the help of the nine host organizations from March 19, 2019, to April 30, 2021. Eighty-two of these 144 conversations were in-person (57%), while 62 were held virtually (43%). The wills/POAs (33%; 47/144) and family law conversations (19%; 28/144) were most frequently requested by host organizations over the entire project (*Figures 4-5; Appendix K, Table 1*).

**Figure 6: Number of Virtual and In-Person Conversations Held by Host Organization**



TMC, HMC Connections and the Centre for Skills Development hosted a majority of the project conversations (84%; 121/144; *Figure 6; Appendix K, Table 2*). HMC Connections and the Centre for Skills Development most frequently requested the wills/POAs conversation, while TMC most frequently requested the workers' rights conversation (*Appendix K, Table 3*). A majority of the in-person conversations were hosted in Oakville (57%; 47/82), followed by Milton (27%; 22/82) and Burlington (15%; 12/82).<sup>31</sup>

## 5. DATA AND METHODS



Research and evaluation were critical components of the project; both are recognized as best practices for creating PLE programming that is responsive to the needs, learning styles and preferences of the target audience.<sup>32</sup> The Project Team had two objectives. The first was to gain a better understanding of the legal problems that newcomers living in Halton experience and the legal pathways they take to solve them. The second was to determine whether the conversations improved settlement outcomes for newcomer participants by increasing their knowledge of Canadian law and their awareness of, and access to, HCLS's free legal services.<sup>33</sup>

The Project Team developed five research questions (RQs) related to these objectives:

1. What are the everyday legal problems experienced by newcomers living in Halton? Which of these problems do they seek help with and who do they turn to?
2. What are the potential best practices for delivering PLE workshops to newcomers?<sup>34</sup>
3. Do the newcomer conversations increase newcomer knowledge of laws, legal rights and legal responsibilities in Canada, particularly in the Canadian work environment?
4. Do the conversations help newcomers make informed decisions about possible legal problems and enforce their legal rights?
5. Do the newcomer conversations create pathways for clients to solve their legal problems?

Because newcomers are a difficult population to study,<sup>35</sup> a methodological approach called triangulation was used to answer the five research questions. Triangulation involves using different methods to collect data from a hard-to-reach population (newcomer participants) and from key sources connected to that population (host organizations, service providers with newcomer clients, the lawyer-instructors, the HCLS Executive Director, HCLS intake staff, etc.). A research question is then investigated and findings validated

when the data is consistent across the population and key sources.<sup>36</sup>

The evaluators and/or the HCLS community worker collected quantitative and qualitative data between March 19, 2019, and April 30, 2021 (the data collection period) from participants and other key sources using the following methods:

1. A pre-conversation survey asked newcomer participants about potential legal problems and collected demographic information (RQ1).<sup>37</sup> Approximately 76% of newcomer participants (1,567/2,063) completed this survey for the in-person and virtual conversations offered during the data collection period. Appendix A features a sample pre-conversation survey from the workers' rights conversation.
2. A post-conversation survey collected newcomer participant feedback on the conversations (RQ1), and asked whether they wanted to receive resources from HCLS or a call from an HCLS intake worker for help with a potential legal problem (RQ5).<sup>38</sup> Approximately 65% of newcomer participants (1,345/2,063) completed this survey for the in-person and virtual conversations offered during the data collection period. Appendix B features a sample post-conversation survey from the workers' rights conversation.
3. Observational data on the conversation features described in Section 9, and participation rates for the in-person and virtual conversations, were collected by the HCLS community worker<sup>39</sup> and/or one of the evaluators for 34% of the conversations (49/144) offered during the data collection period (RQ2). Appendix C features a copy of the HCLS community worker's coding sheet.
4. In-person and/or virtual focus groups<sup>40</sup> were held with newcomer participants to measure the conversations'

longer-term impact on settlement outcomes and any associated benefits. Focus groups were held on January 8 and 9, 2020, and March 10, 2021, with 36 newcomer participants from three ESL classes held at TMC three months after a workers' rights conversation.<sup>41</sup> Data was collected from participants to determine: (1) what they recalled from the conversation they attended, including where to go for help with a legal problem; (2) whether they still understood and were confident about their legal rights and responsibilities; (3) whether they had experienced legal problems since the conversation; and (4) what they did to solve the legal problems and whether what they learned during the conversation helped them to do this (RQ1-5). Appendix D features a copy of the focus group guide.

5. Zoom chats were held with seven newcomer participants on March 10 and April 9, 2021, with questions similar to those asked of the focus groups (RQ 1-5).<sup>42</sup> Appendix E features a copy of the chat guide.
6. Zoom interviews were held with 49% of the service providers (22/45) that hosted 60% (86/144) of the conversations during the data collection period, or that provided services to newcomers at the host organizations.<sup>43</sup> The purposes of these interviews were to: (1) collect service provider feedback on the conversations; (2) identify the legal needs and problems of their newcomer clients; (3) gain a better understanding of where their newcomers clients go for help with potential legal problems; and (4) determine whether the conversations had longer-term impacts on the service providers who hosted one or more conversations (RQ1-5). Appendix F features a copy of the service provider interview guide.
7. Case notes from any legal secondary consultation requests<sup>44</sup> HCLS received from any service providers on behalf of a newcomer were reviewed. Data on actual legal problems and the actions taken was collected for 97 case notes from May 20, 2016, to March 18, 2019 (the pre-project period) and March 19, 2019, to April 30, 2021 (the data collection period) (RQ1, RQ5).
8. Case notes for any newcomer participants who became new or returning clients of HCLS following their attendance at a conversation were reviewed. Demographic information and data on actual legal problems and actions taken by HCLS was collected for 22 participants from March 19, 2019, to April 30, 2021 (RQ1, RQ5).<sup>45</sup>
9. Zoom interviews were held with each lawyer-instructor (100%; 5/5) in April 2021 to collect their feedback on the conversations and newcomer client pathways (RQ1, RQ2, RQ5). Appendix G features a copy of the interview guide.
10. Zoom interviews or phone calls were held with every other member of HCLS's staff, including the Executive Director, for background information on the project. The three intake staff members and the HCLS legal assistant were asked about their experiences with newcomers and their efforts to track participants who were new or returning clients (RQ1, RQ5). A formal questionnaire was not developed for these interviews/phone calls.

## 6. DATA LIMITATIONS AND CHALLENGES



The findings discussed in this report are specific to newcomers living in Halton who attended one or more conversations during the data collection period, and/or who sought assistance from the host organizations and/or HCLS during the project. Several challenges arose during the course of the project that affected data collection; thus some findings are tentative and/or require further exploration. Some challenges were related to newcomers being a difficult population to study. Others were related to the COVID-19 pandemic, which affected the second half of the project. Each major challenge is discussed below.

**Measuring Increases to Newcomer Participants' Knowledge of their Legal Rights:** The conversations were designed to increase newcomer participants' knowledge on two levels: (1) knowing that they have protections under Canadian law; and (2) knowing when 'something is wrong' (at work, with their housing, etc.) and where to go for help (HCLS). These levels were measured by asking newcomer participants perception-based questions in the post-conversation survey, and by asking about the conversation they attended during the follow-up focus groups and participant chats. A more robust measure based on newcomer participants' knowledge of the material covered in the conversations was impractical because: (1) the content of each conversation was largely unstandardized and driven by newcomer participants' questions and interests; (2) newcomer participants were generally assessed at a basic to intermediate Canadian Language Benchmark (CLB) level, and would have found it difficult to complete a formal assessment; and (3) the advisory committees said formal assessments can cause high levels of stress for newcomers, and the Project Team chose to conduct all aspects of the conversations in a barrier-free manner.

**Newcomer English Language Skills and Survey Misunderstandings:** The Project Team designed the pre- and post-conversation surveys for newcomers with different English language skills. The surveys were short and used simple vocabulary to facilitate

completion in under 10 minutes. During the pilot phase, HCLS received feedback from the evaluators, lawyer-instructors and host organizations that participants with basic English language skills in reading, writing, listening and speaking (CLB levels 1-4)<sup>46</sup> were taking up to 20 minutes to complete each survey and struggling to understand its vocabulary. The Project Team addressed this problem by translating the surveys before the rollout period into four common languages: Arabic, Urdu, Mandarin and Spanish. Some ESL/LINC instructors, however, continued to use the English version of the surveys as a teaching tool. HCLS made vocabulary sheets available to these ESL/LINC instructors to help their newcomer students become more familiar with the survey vocabulary before a conversation.

The host organizations provided CLB data for 40% of the conversations (58/144) held during the data collection period. Approximately 43% of these conversations (25/58) were held with at least some participants assessed at CLB levels 1 to 4. The survey data from these newcomer participants may be less reliable, including when only the English version of the surveys was used and an interpreter did not verbally translate questions in real time.

**Difficulty in Tracking Newcomer Participants:** The Project Team anticipated that newcomer participants would attend multiple conversations on different legal topics. This assumption was confirmed during the pilot phase, based on the feedback received from newcomer participants on the post-conversation survey,<sup>47</sup> service providers and the lawyer-instructors. The Project Team attempted to track newcomer participants since they might fill out multiple pre-conversation surveys. This would create duplicative demographic and legal problems data, and make it difficult to determine the total number of participants. The lawyer-instructors circulated paper slips (*Appendix H*) with the pre-conversation survey (and questions were added to the online pre-conversation survey) that asked newcomer participants to provide information such as their full name and phone number. However, the lawyer-instructors told newcomer



participants that filling out the slips was entirely voluntary to ensure that the conversations were barrier-free and reached as many newcomers living in Halton as possible.

However, newcomer participants rarely filled out the slips, and the evaluators later identified two main sources of duplication in the pre-conversation survey data, addressed as follows:

Source of Duplication	Steps Taken
Part 1 and 2 of the family law conversations were held typically over two weeks. An identical pre-conversation survey was used since the Project Team was not sure if newcomer participants would attend both parts. The lawyer-instructor who facilitated these conversations reported that between 80% and 100% of newcomer participants attended both parts and likely filled out two pre-conversation surveys.	The demographic and potential legal problems data <sup>48</sup> from every family law 2 pre-conversation survey (n = 87) were excluded before results were tabulated for sub-sections 7.A and 7.B. Every survey was excluded because it was impossible to match the part 1 and part 2 pre-conversation surveys to specific participants.
Some service providers — particularly ESL/LINC instructors — booked several conversations for the same class of students. These students would have filled out multiple pre-conversation surveys asking the same demographic questions, but different legal problems questions.	Demographic data from 138 pre-conversation surveys completed by ESL/LINC students was excluded for the demographic profile in sub-section 7.A. <sup>49</sup>

Despite these efforts, duplication in the demographic data may not have been fully excluded.<sup>50</sup> Readers should review any demographic-related findings with this in mind.

Relatedly, the Project Team found it difficult to track newcomer participants who may have become new or returning HCLS clients, but did not ask for a call from an HCLS staff member on the pre-conversation survey. The Project Team anticipated that some newcomer participants would simply call the clinic directly, or be referred directly to HCLS by a service provider. The Project Team attempted to identify these newcomer participants by having the HCLS receptionist ask every person who called the clinic: “How did you hear about us?” If the caller indicated that they were a newcomer and/or had attended a conversation, the HCLS legal assistant made a note in their file on the Clinic Information Management System (CIMS) for the staff member who conducted the client intake. However, it was impractical and inconsistent with HCLS’s com-

mitment to barrier-free services for the HCLS legal assistant to ask callers directly — or use probing questions to determine — if they were a newcomer or attended a conversation.<sup>51</sup>

The HCLS community worker and/or an evaluator also collected data on legal secondary consultation (LSC) requests<sup>52</sup> on behalf of newcomers, and on referrals<sup>53</sup> from service providers from the host organizations. While this data would not identify specific participants as new or returning clinic clients, the Project Team anticipated it might provide evidence of the conversations extending HCLS’s reach. Despite these efforts, some participants may have been missed, and the number of participants who became new or returning clinic clients may be higher than reported in sub-section 7.E and Section 10.

**The Impact of COVID-19:** The COVID-19 pandemic significantly affected the Project Team’s data collection efforts and necessitated several adjustments:

#### 1) Limiting data collection for in-person conversations:

The pandemic prevented roughly a year’s worth of data collection for the in-person conversations, which were discontinued after March 12, 2020. The pandemic did, however, present a unique opportunity to evaluate the virtual delivery of the conversations and compare delivery methods.

#### 2) Focus group adjustments and recruitment challenges:

The Project Team intended to conduct in-person focus groups at the host organizations with a representative sample of newcomer participants. Focus groups offer richer data than more structured group interviews by allowing participants to build on one another’s feedback. They are also more practical and less time-consuming than follow-up interviews with individual newcomer participants. The original plan was to conduct two in-person focus groups with participants in January 2020, make necessary modifications, and then conduct multiple in-person focus groups throughout the project’s final year-and-a-half.

The two pilot focus groups were held as planned, but further in-person focus groups were impossible once the host organizations transitioned to operating virtually in mid-March 2020. The Project Team, in consultation with the advisory committees, decided to transition to virtual focus groups. The HCLS community worker asked service providers who hosted conversations with strong partici-



pation rates if they would host a virtual focus group and help recruit participants. Despite significant effort, only one virtual focus group, for a workers' rights conversation, was held, on March 19, 2021, since many service providers were unable to host because of the pandemic.<sup>54</sup> These service provider hosts, however, were willing to help the HCLS community worker recruit participants for individual follow-up Zoom interviews; the Project Team decided to pursue this option.

The HCLS community worker attempted to contact 144 newcomer participants from a sample of nine conversations held between December 1, 2020, and January 31, 2021, that had high participation rates and a diversity of newcomer groups.<sup>55</sup> Newcomer participants were offered a \$10 gift card to participate. Initially the HCLS community worker was able to book only five participant interviews (3 %; 5/144) on March 10, 2021, from a public benefits conversation held at PCAS on December 15, 2020. While each participant attended their interview, some had to be reminded and/or showed up late.

Recruiting newcomer participants for interviews was challenging for several reasons. First, PAC members suggested the word "interview" used during the recruitment might have caused stress or anxiety for newcomers and reduced the likelihood that they would agree to participate. Second, the HCLS community worker reported that the newcomer participants she was able to contact seemed preoccupied and stressed by the pandemic. This observation is consistent with feedback from the service providers, who told the HCLS community worker that they struggled to reconnect with their clients to secure feedback on their own services, even in non-pandemic times. Third, the interviews were booked at least two months in advance to ensure enough time had passed to assess the conversations' longer-term impacts on settlement outcomes. This time gap might explain why some newcomer participants required a reminder or did not show up to their interview on time.

The Project Team, in consultation with the advisory committees, attempted to improve its recruitment strategy by: (1) using the term "chats" to reduce stress or anxiety that newcomers might associate with the word "interview;" and (2) booking closer to the time

of the actual "chat" to minimize changes in participant schedules or circumstances.

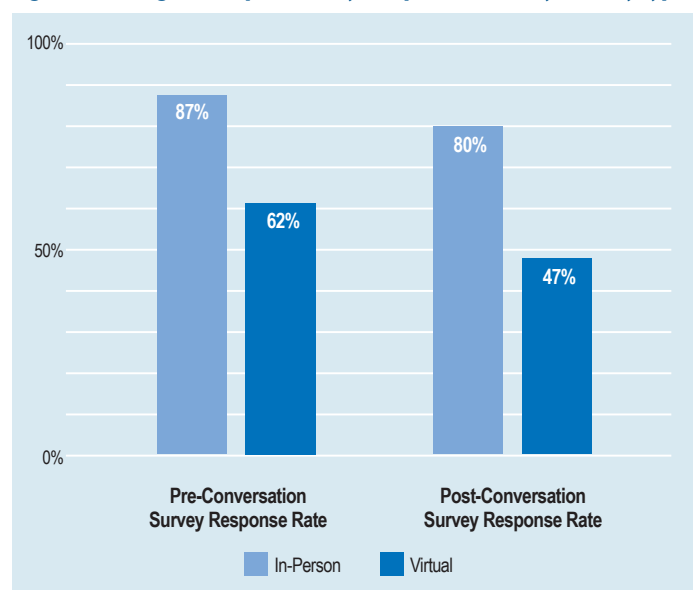
These steps had little impact. Only one additional participant from each of a wills/POAs conversation held on January 6, 2021, and a workers' rights conversation on January 19, 2021, were recruited, for a total of seven chats during the data collection period (5 %; 7/144).<sup>56</sup>

**3) Impacting survey completion rates:** Collecting participant data using surveys was more difficult for the virtual conversations. The average completion rate for the pre-conversation survey was 87 % for in-person conversations (1,001/1,155) but 62 % for the virtual conversations (566/908), a decrease of 25 percentage points. Similarly, the average completion rate for the post-conversation survey was 80 % for in-person conversations (919/1,155) but 47 % for virtual conversations (426/908), a decrease of 33 percentage points (*Figure 7*).

Feedback from the lawyer-instructors indicated that newcomer participants appeared less interested in completing the surveys in a virtual environment and could easily avoid doing so, unlike when the conversations were held in-person.

The Project Team, in consultation with the advisory committees, initiated the following measures to address this problem in November 2020: (1) an official script

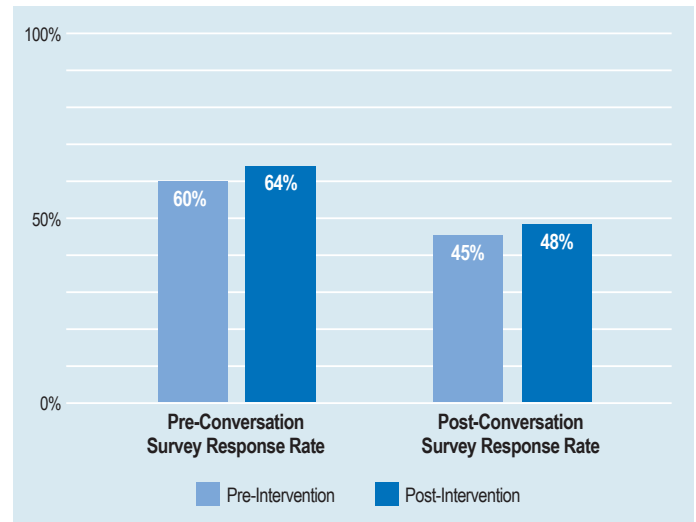
**Figure 7: Average Participant Survey Completion Rates by Delivery Type**



was developed to help the lawyer-instructors explain to participants why the surveys were important and how they would benefit future conversations and participants; (2) the lawyer-instructors or the HCLS community worker monitored survey completion rates in real time, and asked participants to confirm their completion of the pre-conversation survey using their microphone or the chat feature; and (3) the lawyer-instructors remained in the Zoom room while participants were completing the post-conversation survey and encouraged completion.

These interventions had almost no impact, improving average completion rates by four percentage points for the pre-conversation survey and by three percentage points for the post-conversation survey (*Figure 8*).

**Figure 8: Average Survey Completion Rates for Virtual Conversations Pre- and Post-Intervention**



# 7. NEWCOMER PARTICIPANTS' EVERYDAY LEGAL PROBLEMS



Little is known or reported about the everyday legal problems experienced by newcomers living in Halton;<sup>57</sup> a comprehensive investigation has yet to be conducted.<sup>58</sup> However, at least one provincial study from 2008 reports that linguistic minorities in rural or remote Ontario communities, including newcomers, have legal informational and service needs related to consumer protection, employment, family law, human rights, housing and income support.<sup>59</sup> Anecdotal evidence from community agencies and lawyers further suggests that newcomers in Ontario may face common legal problems related to housing<sup>60</sup>, human rights<sup>61</sup> and employment.<sup>62</sup>

The existing data does make clear that Halton's newcomer population is generally more vulnerable than its non-newcomer population. The Halton Poverty Roundtable estimates that one in four newcomers in Halton was living in poverty as of 2018.<sup>63</sup> The Halton Newcomer Strategy similarly reports that Halton's newcomers are more likely to live in inadequate and unaffordable housing<sup>64</sup> and tend to earn less than non-newcomers.<sup>65</sup> This suggests that Halton's newcomers may be at elevated risk of experiencing employment and housing-related everyday legal problems.<sup>66</sup>

Sub-sections 7.B and 7.E provide the first point-in-time snapshot of the potential and actual everyday legal problems experienced by up to 1,838 newcomer participants.<sup>67</sup> Novel data is also presented on the actual legal problems experienced by newcomers living in Halton. Sub-section 7.C identifies which newcomer participants were more likely to ask HCLS for help with a legal problem. And sub-section 7.D discusses the main barriers preventing newcomer participants and newcomers living in Halton from receiving the legal help they need.

## A) A Newcomer Participant Profile

Demographic data collected on the pre-conversation survey reveals that the typical newcomer participant was: Arabic- or Mandarin/Chinese-speaking (56%; 659/1,175), female (73%; 969/1,333), between the ages of 35 and 54 (66%; 883/1,329),

a permanent resident (69%; 906/1,318) who had lived in Canada at least three years (48%; 635/1,313), married or had a spouse (85%; 1,115/1,316), unemployed or a stay-at-home caregiver (71%; 903/1,276), and lived in a home she owns (48%; 624/1,305) with her partner/spouse and children (45%; 577/1,272).

This profile reveals that the population under investigation was less vulnerable than expected. This is likely attributable to the fact that HCLS offered the conversations to anyone who decided to attend,<sup>68</sup> and that some newcomers may seek services from host organizations for years.<sup>69</sup> In fact, 31% of participants (408/1,313) were no longer newcomers<sup>70</sup> because they had lived in Canada more than five years.<sup>71</sup> Readers should keep this in mind when reviewing the legal problems data in the sub-sections below.

## B) Frequency and Types of Reported Everyday Legal Problems

Nearly 1,400 newcomer participants reported on the pre-conversation survey that they were experiencing, on average, two potential everyday legal problems (3,031 problems among 1,392 participants, an average of 2.2). This average is inflated by the high number of newcomer participants who attended a wills/POAs conversation (39%; 541/1,392) and reported, on average, 3.7 potential legal problems. The remaining averages by conversation topic were roughly at or below the overall average (Figure 9).

Some newcomer groups within the demographic variables for immigration status, family status and living situations had the largest differences in average number of reported potential everyday legal problems. The average for refugee participants (2.7; n = 130) was almost a full legal problem higher than the average for citizens (1.9; n = 214); the average for newcomer participants who were separated or divorced (3.4; n = 75) was a full legal problem or more higher than married (2.2; n = 1,015) and single (2.1; n = 109) newcomer participants; and the average for newcomer participants who lived only with their

**Figure 9: Average Number of Potential Everyday Legal Problems Reported by Newcomer Participants by Conversation Topic**

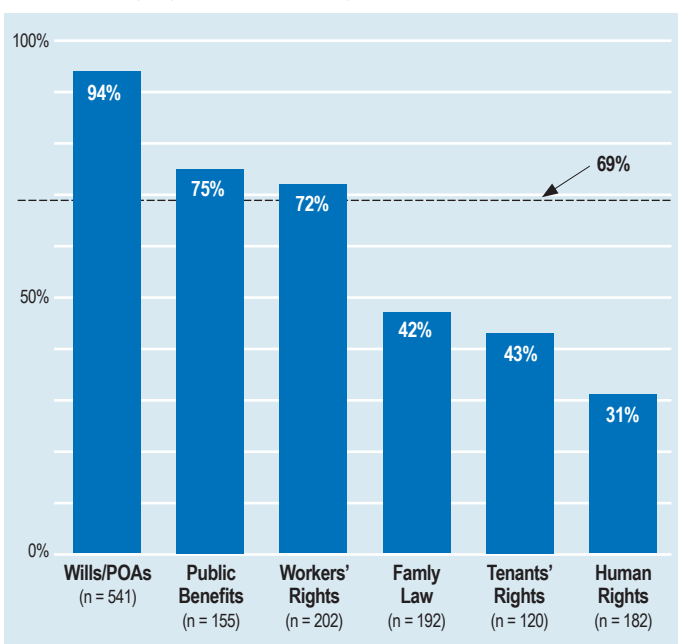
Conversation Topic	Problems	Participants	Average
Wills/POAs	1,993	541	3.7
Public Benefits	346	155	2.2
Workers' Rights	305	202	1.5
Tenants' Rights	125	120	1.0
Family Law	164	192	0.9
Human Rights/Discrimination	98	182	0.5
All Conversations	3,031	1,392	2.2

children (2.9;  $n = 281$ ) was roughly one legal problem higher than newcomer participants who lived with a partner or spouse (1.8;  $n = 204$ ). Mean differences were small for the remaining demographic variables, or sample sizes were too small to report meaningful differences between newcomer groups.

A majority of newcomer participants (69%; 967/1,392) reported experiencing one or more potential everyday legal problems on the pre-conversation survey. Most newcomer participants reported at least one potential everyday legal problem in the wills/POAs (94%) and public benefits (75%) conversations, compared with roughly a third of participants in the human rights conversations (31%) (Figure 10).

Newcomer groups within the family status variable reported the largest percentage differences. Separated and divorced

**Figure 10: Percentage of Newcomer Participants Reporting One or More Potential Everyday Legal Problems by Conversation Topic**



newcomer participants were somewhat more likely to report experiencing at least one legal problem than single newcomer participants (83% vs. 66%). Percentage differences were small for newcomer groups within the other demographic variables, or sample sizes were too small to report meaningful differences.

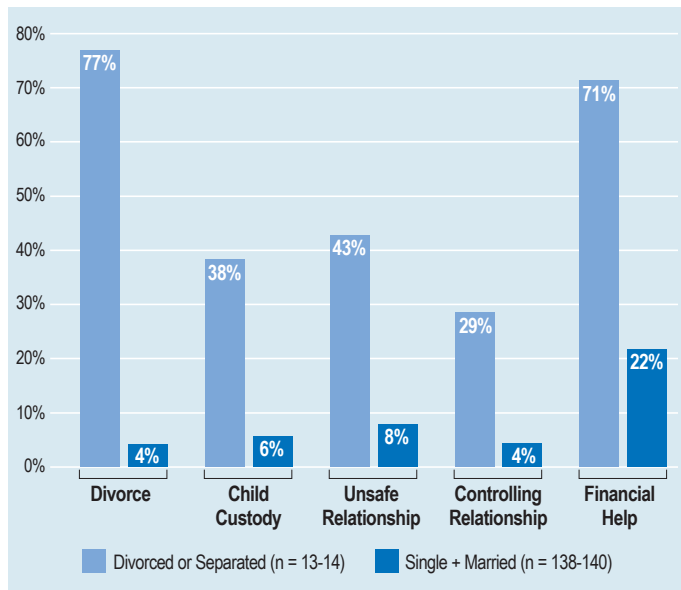
Newcomer participants were also asked on the pre-conversation survey to report whether they had experienced any specific legal problems relevant to each conversation topic (*Appendix A, Questions 1-9; Appendix I, Table 1*). They frequently reported specific legal problems that were connected to their experience as newcomers. For example, the most frequently reported legal problem for the workers' rights and human rights conversations was "trouble finding work due to a lack of Canadian experience" (89%, 17%). For the public benefits conversations it was needing "help with taxes" (44%).<sup>72</sup> A majority of newcomer participant respondents from the wills/POAs conversations reported not having a will (81%) or a POA (76%). Some service providers and participants mentioned that these legal documents do not exist in some cultures, or said newcomers may be concerned that their foreign will or POA is unenforceable in Canada.

Newcomer participants who attended a family law, workers' rights, tenants' rights or human rights conversation rarely reported experiencing urgent or more serious legal problems. For example, most of these participants did not report: facing an eviction or receiving eviction papers (96%, 93%); working in an unsafe environment (96%); being hurt at work (93%); living in an unsafe or controlling relationship (94%); dealing with a divorce or separation (91%); or needing help with child support (91%). And most newcomer participants (90% or more) did not report experiencing discrimination from an employer, co-worker or landlord.

The level of legal need reported by newcomer participants—particularly for the tenants' rights, employment and human rights conversations—was lower than might be expected given the existing newcomer-specific data from Halton related to poverty, housing insecurity and income insecurity. However, a fairly stable group of current and former newcomers completed the legal problems questions on the pre-conversation survey: many were citizens or permanent residents (87%; 1,040/1,201), married or had a spouse (85%; 1,015/1,199), had lived in Canada at least three years (47%; 561/1,195) and owned their home (46%; 551/1,188).<sup>73</sup> That more high-needs newcomers did not attend the conversations is understandable, since the research suggests that newcomers are more interested in accessing public legal information once their most pressing needs are met.<sup>74</sup> Common sense also suggests that PLE programs are not frequented by newcomers hoping to solve urgent and serious legal problems.

The level of legal need increases, however, when responses are broken down for the newcomer groups under the two demographic variables (immigration and family law status) that showed larger percentage differences for both average number of legal problems and one or more legal problems reported. Unsurprisingly, a higher percentage of divorced and separated participants reported certain family law problems than single and married newcomer participants did (Figure 11). A much

**Figure 11: Percentage of Participants Experiencing Select Family Law Problems by Family Status**

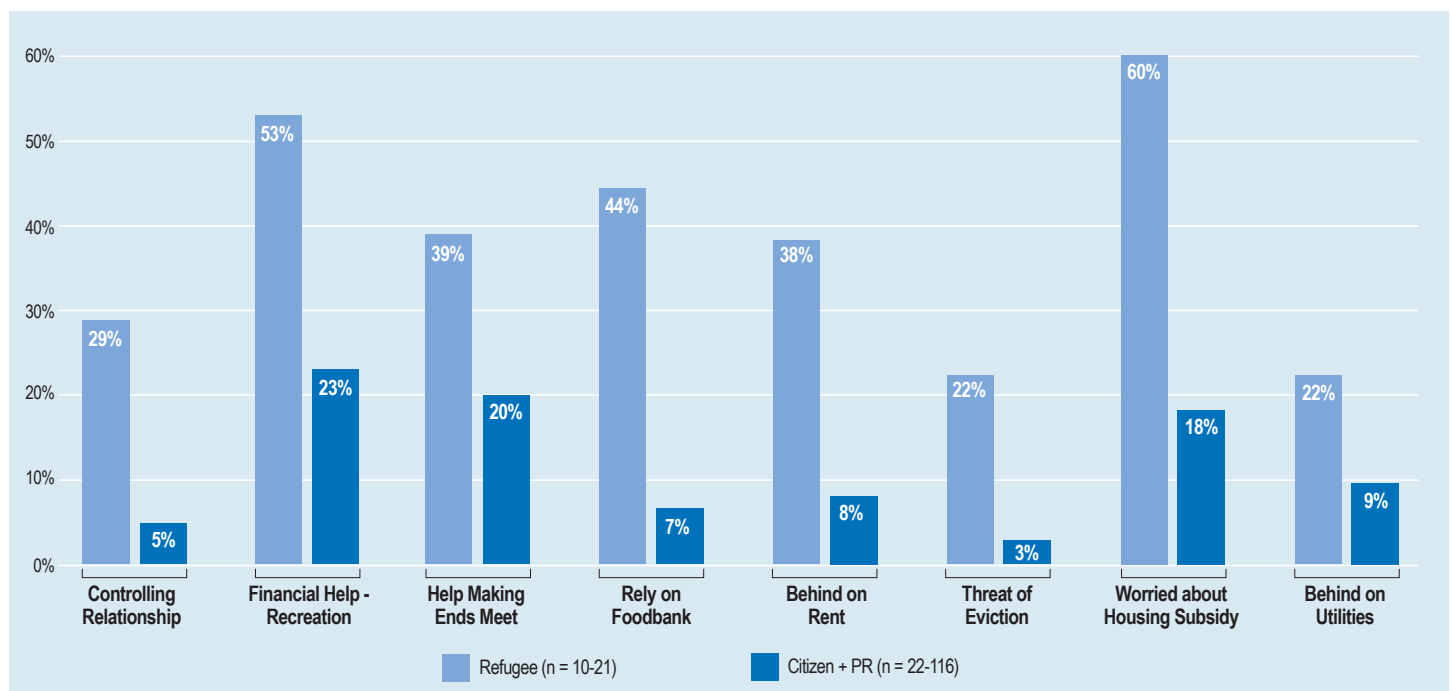


higher percentage of refugee participants similarly reported some family law, public benefits and tenants' rights problems compared with citizens and permanent residents (Figure 12).

Response rates for some of the legal problems questions were also low (under 30%). Participants may not have understood<sup>75</sup> or felt comfortable answering some of the legal problems questions, or connected one or more legal problems to a specific survey question.<sup>76</sup> Thus the true level of legal need within the larger newcomer participant population may be higher than reported.

This report cannot further contextualize participants' self-reported data. Nor can it reach conclusions with respect to newcomer participants' level or type of legal need relative to the non-newcomer populations in Halton or Canada. The participants' self-reported data is not comparable to the legal needs data collected using the four national legal problems surveys<sup>77</sup> for several reasons: (1) the newcomer participant data is point-in-time, while the reference period for the national studies was three years; (2) the national studies included surveys covering a different and larger number of problem categories; and (3) the national studies focused on serious and difficult-to-resolve legal problems, while the pre-conversation surveys simply asked newcomers to identify any potential legal problems related to the conversation topic.<sup>78</sup> The newcomer participant data is also not comparable to the everyday legal problems data HCLS collected from low-income Halton residents during the Legal Health Check-up (LHC) Project because a different methodol-

**Figure 12: Percentage of Participants Experiencing Selected Legal Problems by Immigration Status**





ogy was used. The LHC data was self-reported by individuals, or recorded by intermediaries during interviews. The effect of these mixed methods on the number or type of everyday legal problems identified using the LHC is unknown.<sup>79</sup> The newcomer participant data also describes only the population under investigation; it is not inferential or representative of newcomers living in Halton.

### C) Newcomer Participants Who Asked HCLS for Help

Newcomer participants could use the pre-conversation survey to ask HCLS for help in two ways: they could request a call from an HCLS intake worker and/or ask to receive printed or online resources related to the problems they identified on the mini-LHC. A higher percentage of newcomer participants reporting at least one potential everyday legal problem requested resources (53%; 493/930) than a call (37%; 333/907).<sup>80</sup> This difference is likely at least partially explained by the barriers discussed in sub-section 7.D, including newcomers' reluctance to seek legal help from a lawyer over the phone.

The percentage differences for call<sup>81</sup> and resource<sup>82</sup> requests between conversation topics were small. Newcomer participants

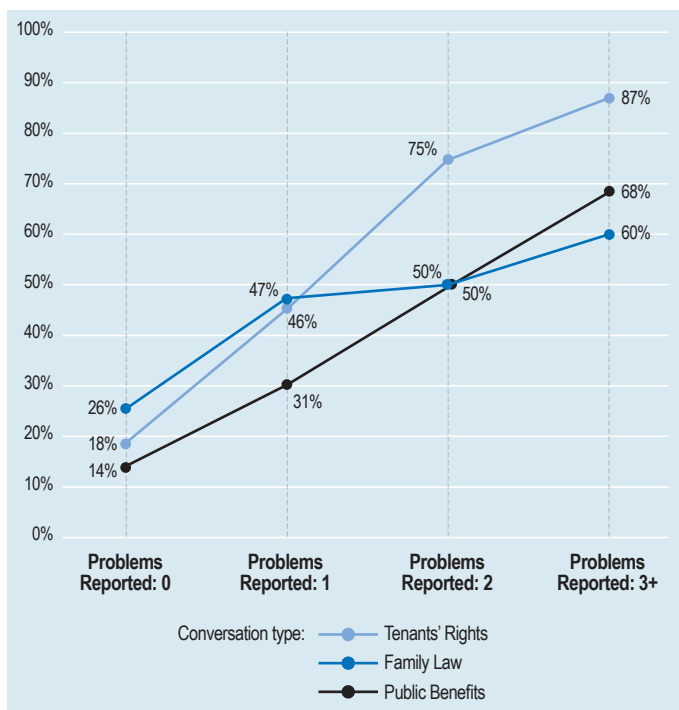
who attended the tenants' rights, family law and public benefits conversations, however, were more likely to request a call from HCLS as the number of potential legal problems they reported increased (*Figure 13*). A similar trend was not observed for the other conversations, whose participants may not have considered the related problems as serious, legal in nature, or capable of being solved by HCLS.<sup>83</sup>

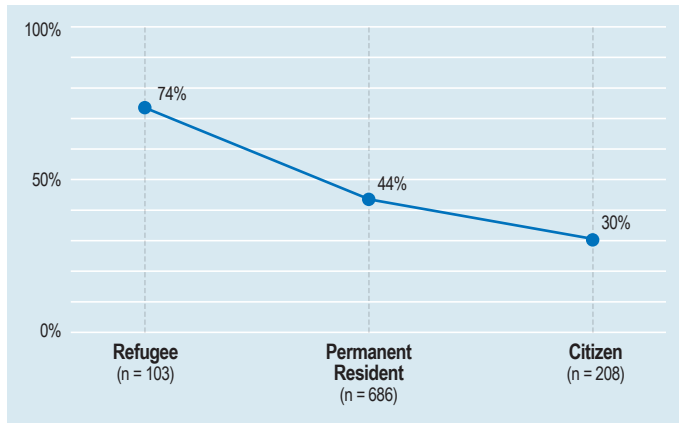
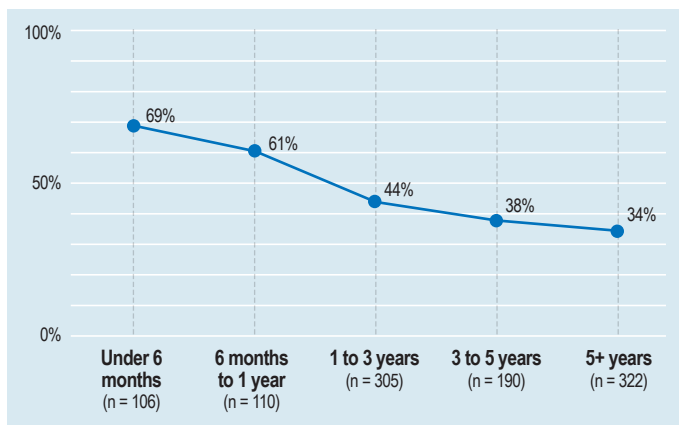
The percentage differences in call requests were largest for some newcomer groups under the variables of immigration status and length of time in Canada.<sup>84</sup> Refugee participants were one-and-a-half times more likely to request a call from HCLS than citizen participants (74%; 76/103 vs. 30%; 62/208) (*Figure 14*). Relatedly, the likelihood that newcomer participants would request a call decreased the longer they reported being in Canada. For example, participants who reported being in Canada the shortest time—under six months—were more likely to request a call from HCLS than participants who reported being in Canada more than five years (69%; 73/106 vs. 34%; 111/322) (*Figure 15*).

The higher percentage of call requests by refugee participants is unsurprising since they reported the highest average number of potential legal problems of any newcomer group by immigration status. The legal problems data does not provide a clear explanation for the higher percentage of call requests for those who have lived in Canada less than six months. A partial explanation may be the connection between refugee status and call requests for this variable: those newest to Canada were more likely to be refugees (24%; 26/108) than citizens (1%; 2/331), and refugees accounted for a higher percentage of call requests among participants living in Canada under six months (26%; 19/73) than those living in Canada more than five years (2%; 2/110). The post-conversation survey may not have captured the higher legal needs of those living in Canada under six months. These newcomers may also have considered their legal problems more serious than did newcomers who have lived in Canada longer, or they may have been less susceptible to the barriers discussed in sub-section 7.D.<sup>85</sup>

These reasons may help explain why participants who reported being separated or divorced were only somewhat more likely to request a call (65%; 47/72) than single (45%; 33/74) or married (43%; 380/893) participants, despite reporting a higher level of potential legal need. There was no strong connection between refugee status and call requests for this variable. Roughly the same percentage of refugees and citizens reported being divorced or separated (12%; 13/109, 11%; 24/213), and separated and divorced participants actually represented a slightly higher percentage of the call requests for citizens (23%; 14/62) than refugees (13%; 10/75).

**Figure 13: Percentage of Participants Requesting a Call from HCLS for the Tenants' Rights, Family Law and Public Benefits Conversations by Number of Potential Legal Problems Reported**



**Figure 14: Percentage of Newcomer Participants Requesting a Call by Immigration Status****Figure 15: Percentage of Newcomer Participants Requesting a Call by Length of Time in Canada**

## D) Barriers to Accessing and Receiving Help from HCLS

Several barriers prevent newcomer participants and newcomers living in Halton from receiving legal help from HCLS.<sup>86</sup> Poor English language skills was the most frequently mentioned barrier<sup>87</sup> across participants, service providers and HCLS staff. A majority of service providers (65%; 13/20) described language as the “biggest” barrier for their newcomer clients. They reported that their newcomer clients with low ESL skills are reluctant to contact HCLS by phone to book an appointment or speak to a lawyer. As one service provider remarked, “Newcomers ... find it hard to talk on the phone; there [are] no body language cues ... [people] talk fast on the phone. They are afraid of the phone ... they prefer in-person.” Another service provider said their newcomer clients “don’t know how or want to leave a voicemail.” Some newcomer clients prefer to communicate using email, but even that can be a challenge depending on

their ESL skills. Newcomer clients with low ESL skills who are able to make contact with HCLS struggle to understand and act on the legal information and advice they receive. As one service provider explained, “even simple legal language is too complex” for newcomers with low ESL skills.

Three chat participants, who were assessed at CLB levels 4 to 5 and requested an interpreter, similarly reported that they would not call HCLS because of their poor English:

“I remember there’s a lawyer I can consult ... [but] ... my English is very low so I don’t intend to call [the lawyer-instructor] and I don’t know where I put her phone number.”

“If I had a problem I’d ask [the settlement specialist] for help because I know [her] and she speaks Mandarin. I can’t communicate with people who speak English.”

“I have HCLS’s number ... [but] mostly I would call [my settlement specialist] because my English isn’t so good and if [the settlement specialist] can’t help me she will refer me. I trust [the settlement specialist]. She is passionate about people and she is very patient. I introduced many of my friends to [her].”

Immediate interpretation services are available to anyone who contacts HCLS to book an appointment or receive services. Increasing newcomers’ and service providers’ awareness of these interpretation services is one practical solution to address language barriers.<sup>88</sup> While every chat participant and some service providers were unaware of these services, three chat participants (43%; 3/7) stated they would contact HCLS if an interpreter was offered. Around a third of service providers (36%; 8/22) agreed that their newcomer clients would do the same; however, two service providers noted that newcomer clients may prefer a lawyer who speaks their language because they do not want to discuss private legal matters with a third-party interpreter. Two of the three HCLS intake workers reported that newcomers sometimes reject their offer of an interpreter and “suffer through English,” or already have someone on the line who attempts to translate for them.<sup>89</sup>

Service providers reported helping their newcomer clients overcome language barriers. For example, an ESL/LINC instructor reported teaching newcomer students how to use the phone and practice booking appointments. Nearly half the service providers (45%; 10/22) mentioned practices they use to ensure that newcomer clients with low ESL skills successfully make contact with HCLS and receive the help they need. These practices

include: taking the client to HCLS and acting as an interpreter; booking an appointment for the client by email or phone; phoning or emailing an HCLS staff member to explain the client's problem; requesting an interpreter; or providing an in-house interpreter when the client makes contact with or receives help from HCLS. Some service providers (40%; 9/22) mentioned using HCLS's LSC service, which would allow newcomers to receive the help they need while avoiding language barriers.

Newcomers with stronger ESL skills appear more willing to contact HCLS for help with a legal problem.<sup>90</sup> For example, a majority of participants in the March 19, 2021, focus group (92%; 11/12)—who were assessed at CLB levels 5 to 7—reported that it would “not be difficult to call” HCLS; only two participants (17%; 2/12) said they would prefer the assistance of an interpreter. Two ESL/LINC instructors with students assessed at intermediate CLB levels similarly reported that their students are “capable of calling HCLS” and/or “happy to call or go in.” However, these newcomers may still face the following barriers:

- The perception that lawyers are expensive<sup>91</sup> and should only be consulted when “you are at your worst ... and there is a fire;”<sup>92</sup>
- Mistrust or healthy skepticism about lawyers or any government entity based on poor experiences in their home country;<sup>93</sup>
- Fear that speaking to a lawyer will affect their immigration status or “get them in trouble;”
- Cultural barriers such as not being used to having or enforcing legal rights in their home countries, or feeling embarrassed to admit legal problems within their family, friend group or community;
- Being unaware of HCLS's services or that they are free;<sup>94</sup> and
- Not knowing or thinking that they have a legal problem.

Some of these barriers help to explain why only a small percentage of participants requested a call from HCLS. According to the HCLS intake workers, language barriers were “pretty consistent”<sup>95</sup> during their calls to participants, many of which required a Mandarin, Urdu or Arabic interpreter. They also reported having to call participants about three times to reach them, since their calls were not returned even if a voicemail was left.

When contact was made, a majority of participants stated that they: (1) did not have a legal problem; (2) did not want help; or (3) would like resources or information about HCLS's services. While some participants may not have required help with an unresolved legal problem, language barriers offer a

more compelling explanation. For example, some participants indicated to the intake workers that they did not realize they had requested a call, suggesting they did not understand the pre-conversation survey question. Other barriers mentioned above, such as mistrust of lawyers, may also offer an explanation since some participants wanted to “confirm that HCLS was real,” and seemed confused as to why HCLS and not a more familiar host organization was contacting them.

## E) Actual Everyday Legal Problems Newcomers Seek Help With

Data was collected from several sources to determine the types of actual and reported everyday legal problems experienced by newcomer participants or newcomers living in Halton for which they seek help.

Only 5% of newcomer participants who requested a call from HCLS (22/410)<sup>96</sup> became a new (18-20) or returning (2-4) client of the clinic.<sup>97</sup> HCLS's lawyers identified 25 actual everyday legal problems for these 22 clients. The most common problem types were public benefits (32%; 8/25), workers' rights (20%; 5/25) and tenants' rights (20%; 5/25) (*Figure 16; Appendix L, Table 1*). Specific actual legal problems within these problem types included: an inability to secure subsidized housing; incomplete rental repairs; difficulty applying for the Canada Child Benefit (CCB) or the Canadian Emergency Response Benefit (CERB); requiring assistance applying for social benefits due to alleged employment discrimination; and unpaid wages.

Almost two-thirds of the actual legal problems identified (64%; 14/22)<sup>98</sup> were related to the topic of the conversation that the new or returning clients attended. Comparing the number of problem types for these clients to the number of call requests by conversation type reveals two interesting trends:

1. Newcomer participants attending a wills/POAs conversation represented the highest number of call requests (n = 184), but wills/POAs problems represented the second-lowest number of problem types for new or returning clients (4%; 1/25). The timing of the pre-conversation survey likely explains why: newcomer participants requested a call on the pre-conversation survey before the conversation started. A majority of these participants reported not having a will or POA, and may have wanted HCLS's help initially until, at the end of the conversation, they received resources such as a POA kit that they could complete on their own. There was no way for participants to cancel their request for a call once they completed the pre-conversation survey.

2. Newcomer participants attending a public benefits conversation made a low number of call requests ( $n = 51$ ), but public benefits problems were the most common problem type for new or returning clients (32%; 8/25). Half of the new or returning clients (50%; 4/8) with a public benefits problem met with HCLS during the COVID-19 pandemic and sought assistance related to CERB or the CCB. These clients might have considered these problems more serious (or akin to a serious workers' rights problem) and been more motivated to speak with HCLS if they had lost their job and required financial assistance due to the pandemic.

A review of all HCLS client case files during the data collection period<sup>99</sup> did not identify any additional newcomer clients.

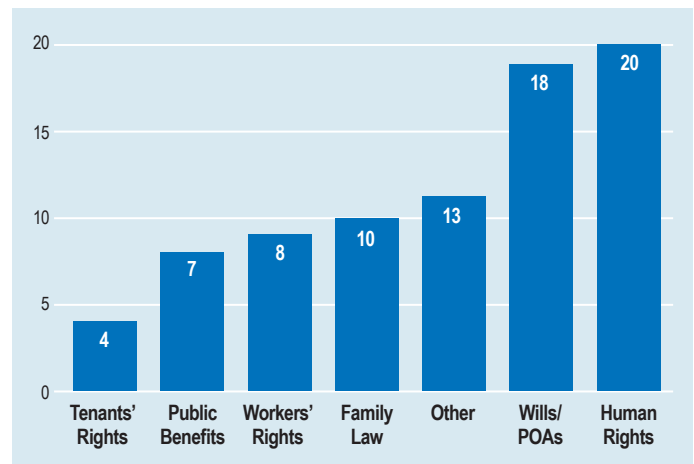
LSC requests from 2016 to the end of the data collection period were reviewed to obtain a broader picture of the actual legal needs of newcomers living in Halton. HCLS received 97 LSC requests from 33 individuals, service providers or helping organizations on behalf of newcomers since it first offered the LSC service.<sup>100</sup> Representing 14% (97/675) of all LSC requests HCLS received, these most frequently involved actual legal problems related to tenants' rights (25%; 26/102), immigration (20%; 20/102)<sup>101</sup> and public benefits (19%; 19/102) (*Appendix L, Table 2*). Specific problems within these broader legal problem types included: landlord harassment; an illegal eviction; an unsafe rental (rodents, bed bugs); a landlord failing to complete repairs; help applying for Ontario Works, the Ontario Disability Support Program or CERB benefits; and being behind on rent.

The legal problem types HCLS identifies for newcomer clients or through LSC requests may not fully or accurately reflect the actual legal needs of newcomers living in Halton, particularly if knowledge of HCLS's practice areas is widespread. The service providers interviewed were therefore asked whether their newcomer clients experience any common legal problem

types. A majority of these providers (81%; 17/21) reported receiving questions from their newcomer clients on a range of legal problems, the most common being tenants' rights (82%; 14/17), family law (47%; 8/17) and workers' rights (47%; 8/17) (*Appendix L, Table 3*). The four remaining service providers reported "mostly" dealing with immigration or tenants' rights problems.

The newcomers captured by the above data sources were most likely to experience an actual everyday legal problem related to tenants' rights (4), public benefits (7) and workers' rights (8), and least likely to experience an actual legal problem related to wills/POAs (18) or human rights (20)<sup>102</sup> (*Figure 16; Appendix L, Table 4*). However, the service providers mentioned that their clients still have a "high level of need" for access to free family law and immigration law services. In fact, nearly two-thirds of the service providers interviewed (62%; 13/21) suggested that HCLS expand into these practice areas when asked what more the clinic could do to support their newcomer clients.

**Figure 16: Ranked Percentages of Actual Legal Problems for New or Returning Newcomer Clients, Newcomer LSC Requests and as Reported by Service Provider Hosts<sup>103</sup>**





## 8. NEWCOMER LEGAL PATHWAYS



Not every newcomer living in Halton will recognize that they have a legal problem, overcome the barriers described in sub-section 7.D, and ask someone for help. This section focuses on newcomers who take all three steps. It provides the most comprehensive account to date of the pathways newcomers take to solve their legal problems, based on feedback from newcomer participants, service providers and the lawyer-instructors, and other relevant data. Sub-sections 8.A and 8.B describe where these pathways commonly start (with trusted settlement specialists and ESL/LINC instructors) and end (with legal service providers such as HCLS). Sub-section 3.C and Appendix M map the different steps or pathways between these points.

### A) Starting with Settlement Specialists and ESL/LINC Instructors as Trusted Intermediaries

A growing body of research in Ontario finds that newcomers are more likely to seek legal help from trusted intermediaries—front-line workers in fields such as settlement services or education—than from legal professionals.<sup>104</sup> Much of this research, however, relies heavily on self-reported data from service providers and community agencies. This sub-section makes similar findings based on data collected from newcomer participants and service providers. It reveals that newcomers living in Halton are most likely to first seek legal help from a settlement specialist or ESL/LINC instructor.<sup>105</sup> In fact, 86% (6/7) of chat participants and participants from each focus group (3/3) reported that they would turn to these service providers for help with a legal problem (*Figure 19*). Similarly, every settlement specialist (100%; 9/9) and nearly every ESL/LINC instructor (86%; 6/7)<sup>106</sup> reported that newcomer clients often<sup>107</sup> come to them or someone in their host organization for help with legal problems.<sup>108</sup>

Responses from other types of service providers confirm this pattern. For example, a service provider from Achēv stated that: “I am not the first one [my clients see].... Most clients tell me they go to a teacher of ESL/LINC classes. They feel comfort-

able asking them [legal and tax questions].” Similarly, a service provider at the Milton Public Library noted that the newcomers they see go to settlement workers and ESL teachers because there is “lots of trust between newcomers and these agencies; there is a ‘natural connection.’”

Why do newcomers living in Halton turn to settlement specialists and ESL/LINC instructors and not HCLS for legal help? According to the settlement specialists interviewed, newcomers are “not aware of HCLS or what’s available,” and their host organization is a newcomer’s “first point of contact.”<sup>109</sup> Newcomers hear about settlement specialists through “word of mouth,” are referred by family, friends and relatives who may already be clients, or “they get [their] name through the airport pamphlet.” As one settlement specialist observed:

“Newcomers have a lack of knowledge about the law. They call us and say, ‘Oh, I didn’t know you could help me with this’ ... when they know we deliver this help they always approach us because it is easy, free of charge and we have a good reputation.”

Newcomers living in Halton may have a trusted relationship with their settlement specialist and ESL/LINC instructor. Every settlement specialist (9/9) and most of the ESL/LINC instructors (5/7) interviewed reported that their clients trusted them or described a relationship built on trust. For example, one settlement specialist reported that their newcomer clients view them as “family or a friendly hand,” while an ESL/LINC instructor stated that “teachers are counsellors, and students want to share with us.” Similarly, 57% of the chat participants (4/7) explicitly stated that they trusted their settlement specialist.

Trust is built between a newcomer and a settlement specialist or ESL/LINC instructor through action, sustained interaction and/or the presence of trusted attributes. Settlement specialists reported that their clients trust them because: (1) they had previously provided legal or non-legal help to the client (action/sustained interaction) or to a family member or friend (action); or (2) they share the same language and/or culture (trusted



attribute). For example, a settlement specialist who speaks Farsi reported “feeling the trust” even after the first meeting with a client, suggesting some trust is almost immediately established between newcomers and settlement specialists who share the same language and/or culture. Newcomers also appear to prefer to approach settlement providers over ESL/LINC instructors, even at the same host organization, when this trusted attribute is present. For example, two ESL/LINC instructors reported that their newcomer students seek help from their host organization’s settlement specialist who speaks their language.

ESL/LINC instructors similarly reported that because they had significant lived experience in Canada, students “think we know everything, even when we don’t” (trusted quality) and that they “built a relationship with students” over time and it is “a big relationship” (sustained interaction).

The trusted relationship between newcomers and their settlement specialist and/or ESL/LINC instructor is significant. Three chat participants with low ESL skills reported that they would continue to seek legal help from a service provider they trust, even after attending a conversation and learning about HCLS’s services. A focus group participant with stronger ESL skills revealed an identical outcome even when language barriers are likely absent:

“If I was fired, I would first call [the ESL/LINC instructor] when stressed. I wouldn’t know what to do, and I see [the instructor] every day and ask her opinions first. She will know what to do. If it’s a legal problem I think of [the instructor]. She has knowledge and rules, and she has the Canadian experience.”

Ten chat and focus group newcomer participants mentioned other sources they might turn to for help with a legal problem, such as being fired or evicted (*Figure 17*). Many of these sources were secondary—that is, newcomer participants stated they would access them only if their settlement specialist or ESL/LINC instructor was unable to help. Some sources were problem-dependent. For example, two focus group participants mentioned they would phone Halton Region for help with a problem at work, and one focus group participant stated they would call Service Canada for a public benefits problem. While HCLS was the second most frequently mentioned source of legal help (40%; 4/10), focus group and chat participants stated they would contact HCLS only if the clinic’s services were free and/or an interpreter was provided.

The service providers interviewed were also asked whether newcomers with certain demographic characteristics were more likely to ask them for help with legal problems. Almost

a third of the service providers (27%; 6/22) found it difficult to answer this question because they primarily interact with newcomers who share their language and/or culture. Two service providers rejected the premise that some newcomers are more likely to ask for help than others, with one stating: “It’s anyone. At the end of the day, it’s about trust and they have a problem and they know [our host organization] will find the

**Figure 17: Sources of Legal Help Reported by Chat and Focus Group Participants**

Source of Legal Help	Frequency (n = 10)	Percentage
Settlement specialist or ESL/LINC instructor	9	90%
HCLS	4	40%
Family, friends or community members	4	40%
A lawyer or community legal clinic other than HCLS	2	20%
Call 3-1-1 [Halton Region]	2	20%
Solve the problem myself	1	10%
Google	1	10%
An organization that speaks my language	1	10%
Service Canada	1	10%

**Figure 18: Legal Service and Information Providers that Newcomer Service Providers Refer to<sup>110</sup>**

Legal Service Providers	Frequency (n = 22)	Percentage
Halton Community Legal Services (HCLS)	18	82%
Private practice lawyer (immigration, family, criminal, other)	5	23%
Law Society of Ontario’s free referral service	4	18%
Free drop-in family law clinic (Women’s Centre; Sexual Assault and Violence Intervention Services)	2	9%
Government-funded family law lawyer in Toronto	1	5%
Community Legal Education Ontario (CLEO)	1	5%
A lawyer who speaks the client’s language	1	5%
Immigration law clinics (Toronto/Mississauga)	1	5%
Legal Aid Ontario	1	5%
Steps to Justice	1	5%
Landlord/Tenant Board	1	5%

help or information they need.” However, 18% of the service providers (4/22) reported that newer refugees are most likely to ask legal questions because “they don’t know things when they move to Canada,” “have low levels of English and rely on staff for guidance,” and “have more needs.” For example, they need “more tenant support” because they have “less time to prepare and secure housing than landed immigrants.” This feedback is consistent with the findings from sub-section 7.C.

## B) Ending with Legal Services and Information Providers

A majority of the service providers interviewed (82%; 18/22)—including the settlement specialists and ESL/LINC instructors—indicated that they refer their newcomer clients to HCLS for help with legal problems (*Figure 18*). And 18% (4/22) of them reported that they *only* refer to HCLS. As one service provider remarked, HCLS “is their first stop” if a client has a legal problem.

Collectively, the service providers estimated that they refer, on average, 35 to 45 newcomer clients to HCLS per month.<sup>111</sup> This monthly range may be conservative since it does not capture direct referrals from every service provider at the host organizations, or any LSC requests.<sup>112</sup> The majority of these referrals (51% to 58%) come from settlement specialists from HMC Connections and the Centre for Skills Development (*Figure 19*). While these estimates are not independently verifiable,<sup>113</sup> they at least suggest that service providers are consistently referring newcomers with legal problems to HCLS.

Whether a service provider refers a newcomer client to HCLS depends on several factors, including: their understanding of

the client’s legal problem(s); their knowledge of HCLS’s practice areas; their knowledge of, and relationships with, other legal service organizations in Halton and the surrounding area; and their clients’ specific needs or any special requests. For example, service providers mentioned referring newcomer clients to: (a) HCLS and several other legal services or organizations as a general practice; (b) another free legal service or organization only; (c) a private practice lawyer or free legal service for help with a family law or immigration law problem (because they know that HCLS does not practice in these areas); (c) HCLS for help with a family law or immigration law problem because they do not know that HCLS does not practice in these areas, or they expect HCLS to make the appropriate referrals; or (d) a private practice lawyer who speaks the client’s language, even if the client’s legal problem falls within HCLS’s practice areas, because the client requests this or is ineligible for HCLS services.

## C) Mapping Newcomer Legal Pathways

Newcomers take three steps when traveling the common legal pathway that starts with a settlement specialist and/or ESL/LINC instructor at one of the host organizations:

**Step 1 – Initial Contact and Building Trust:** A newcomer makes initial contact with a host organization and builds a relationship of trust with a specific settlement specialist or ESL/LINC instructor.

**Step 2 – The Approach:** A newcomer turns to the settlement specialist or ESL/LINC instructor for help with a legal problem.

**Step 3 – Getting to a Solution:** The settlement specialists and ESL/LINC instructors interviewed reported handling their newcomer clients’ legal problems differently. A settlement specialist may help a newcomer client solve common or less complex legal problems, such as an illegal, same-day eviction. If a settlement specialist believes the legal problem is more complex, they are more likely to make a referral to a legal service provider. The settlement specialist may refer the newcomer client to HCLS directly or request a legal secondary consultation (LSC), in which case the client’s legal pathway indirectly ends with HCLS if their problem is solved.

Understandably, ESL/LINC instructors rarely attempt to solve newcomer clients’ legal problems because they lack the

**Figure 19: Average Number of Self-Reported Monthly Referrals to HCLS by Service Provider Role**

Service Provider	Number of Staff Estimates	Average Monthly Referrals	Percentage (low to high)
Settlement specialist (HMC Connections/ Centre for Skills Development)	8	18 to 26	51 to 58%
Newcomer information counsellor (Achêv)	1	12	34 to 27%
ESL/LINC instructor (TMC)	2	4 to 6	11 to 13%
Other	1	1	3 to 2%
Total	12	35 to 45	100%

expertise and resources to do so.<sup>114</sup> Instead, they may refer newcomer students to a legal service provider. Or they may refer a student to a settlement specialist within their host organization or at a different partner agency, who will then follow the decision path outlined above.<sup>115</sup> The ESL/LINC instructors interviewed preferred making a referral to HCLS than using the LSC service due to concerns about the appearance of giving their students legal advice.<sup>116</sup>

Feedback from newcomer participants, service providers, the lawyer-instructors and HCLS staff, and other relevant data, suggests that newcomers living in Halton may take other less common pathways to solve a legal problem. They may seek help from a service provider at another host organization. That service provider may attempt to solve the problem,

make a referral to a settlement specialist at a partner agency who will follow Step 3,<sup>117</sup> or make a referral to a legal service provider such as HCLS or request an LSC from HCLS.<sup>118</sup> Newcomers may also contact HCLS themselves with or without attending a conversation and then receive services directly.<sup>119</sup> For example, they may approach the lawyer-instructor after a conversation and receive on-the-spot assistance or a referral to HCLS,<sup>120</sup> or request a call from an HCLS staff member on the post-conversation survey.<sup>121</sup> Finally, newcomers may receive indirect assistance from a legal service provider through family or friends who followed the common or a less common legal pathway.<sup>122</sup>

Appendix M features a map of the common and less common newcomer legal pathways through service providers.

# 9. NEWCOMER CONVERSATION BEST PRACTICES



Public Legal Education programming has been delivered to newcomer populations in Canada since at least the 1990s, and some literature exists on best practices for it.<sup>123</sup> Sub-sections 9.A to 9.F present recent empirical evidence that supports five conversation features as best practices for delivering PLE to newcomers. Diverse newcomer groups, including those who may experience language barriers, valued these best practices regardless of the delivery format. They continued to provide highly positive feedback on the post-conversation surveys after the conversations transitioned to virtual delivery. Service providers' views<sup>124</sup> were best captured by an ESL/LINC instructor who stated that there was “no difference ... in terms of quality” between the in-person and virtual conversations, and that their clients were “happy to participate in-person or virtually.”

Sub-sections 9.A to 9.F contribute to the existing PLE literature in two important ways:

1. Many PLE best practices recognized in the existing literature were identified by consulting front-line service workers and lawyers. By contrast, most of the empirical evidence discussed here was collected directly from newcomer participants. This distinction matters because research suggests that “successful Public Legal Education tends to be driven by users’ needs, their learning styles and preferences, and their preferred form of communication.”<sup>125</sup>
2. Sub-section 9.A responds to the recent call to further investigate the pedagogical aspects of PLE and ensure that “teaching methods are dynamic and engaging.”<sup>126</sup> It presents novel empirical evidence supporting the conversations’ interactive components designed using adult education principles. While some sources<sup>127</sup> recommend applying these principles in PLE programming for low-income populations,<sup>128</sup> front-line workers<sup>129</sup> and ESL/LINC programming generally,<sup>130</sup> literature on their effective use in PLE programming for newcomers is scant. At least one researcher even questions whether such programming is appropriate for learners from different cultures.<sup>131</sup>

Relatedly, sub-section 9.B uncovers challenges related to maintaining participant engagement during the virtual conversations, suggesting that in-person delivery is preferable.

Sub-sections 9.C and 9.D present findings from the evaluation of the conversations, which further support the five features as best practices.

The conversations were generally well received by both newcomer participants and the service provider hosts. Nearly all newcomer participants (92%; 1141/1,240) indicated on the post-conversation survey that they would recommend the conversations to family members or friends, and a majority (77%; 891/1,160) said they would attend another conversation. Every service provider who was interviewed similarly spoke positively about the conversations<sup>132</sup> and indicated that they would continue to book conversations for their newcomer clients. Of those service providers, 76% (16/21) reported recommending the conversations within their host organization (to their team, colleagues, other staff or clients) and 19% (4/21) recommended them to someone outside their organization (clients not eligible for services, HMC Connections, other newcomer groups, Halton Women’s Centre). This positive feedback demonstrates the value newcomer participants and service providers collectively assigned to the five conversation features.

## A) Have a Highly Interactive Conversation

Among newcomer participants, 11% (43/381) expressed on the post-conversation survey that they appreciated that the conversations were highly interactive. As one participant remarked, the lawyer-instructor “answered all of the questions, which is a pretty awesome resource to have access to.” Other participants wrote that they liked that they could “ask [their] specific questions” and “receive good answers,” that there was “lots of time ... or opportunity to ask questions,” and that they “were allowed to ask as many questions as [they] wanted.”



One participant appreciated the “new perspectives from the questions from the audience,” suggesting that participants may have learned from one another, or had their experience enriched by listening to others during the conversations.

A majority of the chat participants (57%; 4/7) similarly reported that they liked being able to ask questions during the conversations. As one participant explained, “I liked that I can interact with the presenter because we all have different problems and can ask a question.” Another participant said they liked asking questions because “if we can solve a problem in one time [sic], we don’t need to ask for a second or third time.”

Almost two-thirds (62%; 13/21) of the service providers interviewed similarly reported that they or their clients liked the conversations being highly interactive—that their clients were encouraged to participate, and that there was ample opportunity to ask the lawyer-instructor questions about their legal situations. As one service provider explained, the conversations provided a “real chance to get at the heart of the [legal] matter and ask question[s].”<sup>133</sup> Another described the benefit of interacting with the lawyer-instructors, saying the conversations are a “chance to connect with a lawyer in-person ... to put a name or face to [HCLS] ... which is so helpful.”

Every lawyer-instructor (100%; 5/5) reported enjoying having “informal conversations” or a “back and forth” with participants, and valued having participant questions influence the substance of the conversations. As one lawyer-instructor explained:

“The Q&A ... was the biggest help to people ... [Asking questions] made sure [we] are giving newcomers the information they need and are interested in ... [Otherwise we] are just hitting topics, but not necessarily hitting marks that are relevant to newcomers attending a specific workshop. Plus, the conversations bring out different issues and topics [on a deeper level] and help to create engagement.”

The same lawyer-instructor noted that using legal problem scenarios helped participants to: remain engaged; have “ah ha” moments when hypothetically applying the law; and better understand the law in context, specifically that “legal conclusions are driven by the facts.”

Several lawyer-instructors also spoke positively about specific conversation features that facilitated participation, such as the mini-LHC on the pre-conversation survey, which helped participants think about relevant issues. One lawyer-instructor said PowerPoint slides can create an expectation of a lecture,

and using aids like a whiteboard helped “get participants off the slides,” “switch gears” and talk.

This feedback supports the use of adult education principles in newcomer PLE programming. It is also consistent with the existing PLE literature, which acknowledges the importance of inviting audience questions, promoting engagement and using scenarios.<sup>134</sup> Some research suggests that printed materials help newcomers access legal information,<sup>135</sup> and that multiple delivery formats should be used to accommodate newcomers’ different learning styles and literacy levels.<sup>136</sup> The specific feedback from participants suggests that diverse groups of newcomers, including those assessed at basic CLB levels, still value receiving legal information through interactive in-person conversations.<sup>137</sup> How much they value this delivery format, however, may be influenced by the remaining conversation features.

## B) Engagement Challenges with Virtual Delivery

Reports from every lawyer-instructor (100%; 5/5) revealed that the virtual conversations were less engaging for newcomer participants.<sup>138</sup> One lawyer-instructor noted that participants during these conversations seemed reluctant to turn on their webcams and use their microphones. It was “100% easier to interact” during the in-person conversations: “I could speak with my hands more and use more body language. It was easier to read participants and create more of a personal connection with them.” Another lawyer-instructor similarly remarked that it was difficult to build rapport with participants:

“Some people were engaged, but the online format is not as conducive to having an open forum. People feel like they are interrupting online ... It didn’t feel like a conversation; ... it felt like I was doing a weekly newcomer presentation or podcast.”

Two lawyer-instructors observed that it took more work to facilitate the virtual conversations:

“They require a lot more work. They are less organic. There is not as much feedback or interaction. One person speaks at a time on Zoom, so there are no small opportunities for dialogue between participants.”

“I felt more energized when I did in-person conversations. Now there is more talking. It takes more work to get people to participate.”



The observational data supports these statements. Engagement levels were initially assessed for 5% (4/82) of the in-person conversations in the data collection period and 29% (7/24) of the virtual conversations held from March 23, 2020, to November 30, 2020. The lawyer-instructors and newcomer participants asked, on average, one-and-a-half times as many questions during the observed in-person conversations (24.6 vs. 10.9 by lawyers; 24.2 vs. 12 by participants). The evaluator and the HCLS community worker who observed these conversations similarly noted less engagement during the initial virtual conversations.

Despite the small number of conversations observed, the Project Team, in consultation with the advisory committees, implemented the following measures to increase engagement levels in the virtual conversations starting near the end of November 2020:

**1. Switching Videoconferencing Platforms:** The virtual conversations were initially offered using two platforms—Google Meet and Zoom—because the former was required by some of the host organizations. The lawyer-instructors reported that Zoom was superior for engaging newcomer participants because it offered a built-in whiteboard feature<sup>139</sup> and allowed the lawyer-instructors to simultaneously see participants when sharing their screen.<sup>140</sup> HCLS discussed this issue with the host organizations<sup>141</sup> that initially required Google Meet, and they jointly decided to offer the conversations exclusively on Zoom.

**2. In-conversation Adjustments:** HCLS added more interactive content (legal problem scenarios) and used other Zoom features (interactive polls).

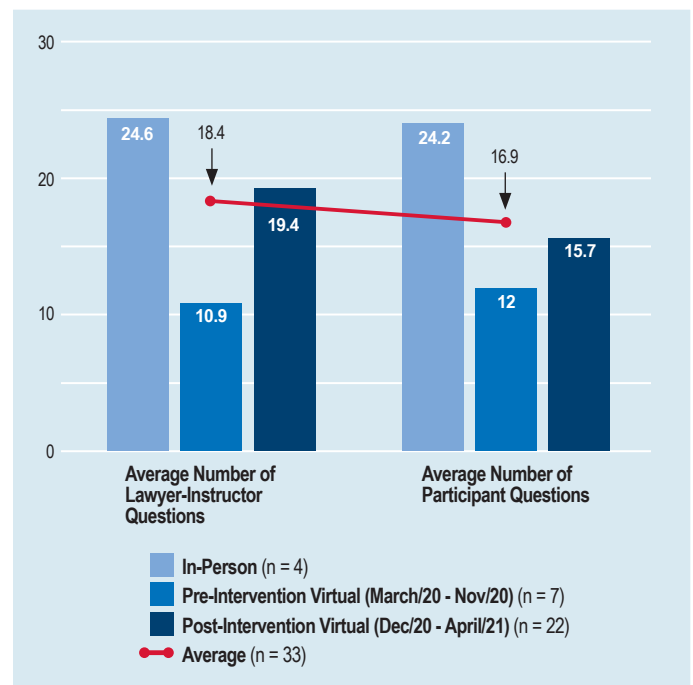
**3. Encouraging Interaction:** The lawyer-instructors actively encouraged participants to use their webcams and microphones.

Observational data collected for 63% (22/35) of the virtual conversations held after December 1, 2020, show increased participation levels following these interventions, but not to the levels previously observed during in-person conversations: the average number of lawyer-instructor questions increased by 78% (10.9 to 19.4 vs. 24.6 pre-COVID), while the average number of participant questions increased only slightly (12 to 15.7 vs. 24.2 pre-COVID) (Figure 20).

Given the small number of in-person conversations observed during the data collection period, the observational data does not—on its own—support a finding that the virtual conversa-

tions had less participation. However, interpreting this data in conjunction with the feedback from the lawyer-instructors and the HCLS community worker, and the data on lower survey completion rates, supports two tentative conclusions: (1) that participants were less engaged during the virtual conversations; and (2) that the lawyer-instructors had to work harder to create a meaningfully interactive experience. While the conversations were still interactive regardless of delivery method (with an average of 18.4 lawyer-instructor questions and 16.9 participant questions per conversation) the data suggests that in-person delivery is preferable (Figure 20).

**Figure 20: Engagement Levels by Conversation Delivery Type**



### C) Cover Topics and Provide Legal Information that Matter to Newcomers' Daily Lives

Over half of the newcomer participants who wrote down on the post-conversation survey what they liked about the conversations (53%; 201/381) mentioned the topic and “good” or “helpful” legal information presented. Participants remarked that the conversations dealt with their “daily lives” or “life questions,” and had “lots” of “important ... and ... useful info that is hard to find and understand.” One newcomer participant explained: “[The family law conversation] gave an outline of what to expect in a situation of separation/divorce. I had no idea what to expect in Canada when considering separation/divorce. I have a fair idea now.”

Two chat participants (29%; 2/7) and participants in one focus group similarly indicated that either the conversation contained “very useful information” or that they “learned a lot.” As one participant in the focus group held on January 8, 2020, stated, the workers’ rights workshop “helps us because we know where to go if we have troubles even if not working.”

Almost two-thirds of the service providers interviewed (62%; 13/21) described the conversation topics and legal information as interesting and relevant to the lives of their newcomer clients. One service provider described the legal information as “incredibly valuable” because “often things are so different in their [clients’] first countries.” Service providers from one host organization also mentioned that they appreciated the ability to choose the conversation topics, and to work with HCLS to adapt the legal information presented to their newcomer clients’ needs.

This feedback is consistent with research noting the importance of involving newcomers in creating PLE content, and of contacting a service provider to tailor PLE programming to their clients’ needs.<sup>142</sup>

## D) Keep Delivery Simple and Provide Any Necessary In-Conversation Supports

Much of the literature on PLE best practices focuses on language barriers that affect newcomers’ understanding of public legal information. The need for simple and culturally sensitive delivery is also emphasized.<sup>143</sup> These were also goals for the conversations. Significantly, a majority of participants (82%; 1,073/1,311)<sup>144</sup> on the post-conversation survey reported that the conversations were easy to understand. Almost a quarter of participants who wrote down what they liked about the conversations on the post-conversation survey (23%; 87/381) mentioned something positive about the lawyer-instructors’ delivery. The conversations were described as “clear and simple,” “easy to follow,” and “well organized.” The lawyer-instructors were “easy to understand,” “spoke slowly,” used “clear and easy language” and “simple words,” and/or provided “clear explanations.”

Nearly half the service providers interviewed (48%; 10/21) similarly reported that the lawyer-instructors led the conversations in a way that their newcomer clients could understand: they “spoke slowly,” used “simple language” and were able to “alter their speech” depending on participants’ CLB level.

Most newcomer participants (89%; 1,160/1,298) reported that materials such as the PowerPoint slides helped them understand the conversations. Some newcomer participants (6%; 22/381) also noted on the post-conversation survey that they

liked the in-conversation supports, such as the slides and the interpreter. Nearly half of the service providers interviewed (43%; 9/21) similarly reported that the lawyer-instructors’ use of visual aids (PowerPoint slides, Zoom’s whiteboard feature and whiteboards at in-person conversations) helped their newcomer clients—particularly those at basic CLB levels—to better understand the legal information discussed. Three service providers (14%; 3/22) appreciated HCLS’s offer of an interpreter for the same reason. This feedback mirrors the PLE literature promoting the use of visual aids<sup>145</sup> and holding conversations in multiple languages.<sup>146</sup>

## E) Use Legal Experts

There is growing interest in training trusted intermediaries to deliver PLE programming to low-income populations in Ontario; the trusted relationship they have with the audience enables them to highlight information and answer questions in a way that is easily understood.<sup>147</sup> However, the data suggests that newcomer participants and service providers still value directly interacting with a lawyer during PLE programming. Roughly 10% of participants who wrote down what they liked about the conversations on the post-conversation survey (7%; 28/381) said something positive about the lawyer-instructors, including that they had “in-depth knowledge” and were “professional,” “patient,” “nice” and “thorough.” The service providers also positively described the lawyer-instructors as “well-prepared,” “fantastic” and “knowledgeable.” One service provider explicitly noted that it was beneficial to have “a *lawyer* present during the workshop to communicate with clients and answer their questions” [emphasis added]. The newcomer participants and service providers were not asked to compare their experiences with the lawyer-instructors with their experiences with other PLE instructors. However, a fair assumption based on their positive feedback is that they appreciated access to knowledgeable experts who were able to answer their questions directly.

## F) Use Safe and Accessible Spaces

Nearly every participant reported on the post-conversation survey that the conversations were held on a good day (98%; 1,284/1,311) and time (98%; 1,232/1,255) and at a good location (99%; 1,243/1,260). Consistent with the existing PLE literature,<sup>148</sup> these results speak to the importance of having trusted service providers offer safe spaces for PLE programming on days and at times that are most convenient for their newcomer clients.

The transition to virtual delivery presented two accessibility concerns. First, the Project Team was concerned that newcomers might struggle to attend and/or participate in the virtual conversations due to unreliable internet access or lack of familiarity with the videoconferencing platforms.<sup>149</sup> However, only one newcomer participant mentioned “internet issues” on the post-conversation survey. A few service providers said it took time for their newcomer clients to get used to the videoconferencing platforms, and one service provider said their clients found it difficult to participate in virtual conversations using a phone.<sup>150</sup> On the other hand, two chat participants (29%; 2/7) specifically said the virtual conversations were “easy and convenient,” with one indicating that they “might not go if [the conversation was] in-person” due to travel.

A second concern was that at-risk newcomers, such as victims of domestic violence, would find it difficult to find a safe space

to attend and/or participate in the virtual conversations. While no evidence related to this concern was uncovered during the data collection period, SPAC members said it was important to create safe spaces for the family law conversations.<sup>151</sup> The literature has similarly noted a preference for in-person delivery in this context.<sup>152</sup>

PLE research identifies providing food, childcare, transportation assistance and other supports as best practices.<sup>153</sup> No newcomer participants requested a travel or childcare subsidy from HCLS, and most participants indicated that they did not face difficulties securing transportation (87%; 780/897) or need to arrange childcare (88%; 1,138/1,291). Perhaps participants simply did not require these supports. Another explanation is that participants already received these supports from the host organization. Providing these supports makes sense when needed to promote accessible PLE programming.

# 10. THE IMPACT OF THE NEWCOMER CONVERSATIONS ON SETTLEMENT OUTCOMES



PLE programming for newcomers is rarely formally evaluated in Ontario,<sup>154</sup> meaning some best practices may lack a strong empirical foundation. Consequently, a main objective of the project was to determine whether the conversations improved newcomer participants' settlement outcomes by increasing their knowledge of Canadian law and their awareness of, and access to, HCLS's free legal services. Sub-sections 10.A and 10.B discuss three main findings regarding these two measures:

1. Immediately after attending a conversation, nearly every newcomer participant reported increased knowledge of their legal rights and responsibilities and of where to go for help with a legal problem.
2. Three-months after attending a conversation, focus group participants recalled more legal information, and better recalled that they could turn to HCLS for help with a legal problem, than the chat participants, who were assessed at lower CLB levels.
3. However, the conversations did not create a direct legal pathway to HCLS for nearly every chat or focus group participants or most newcomer participants, including those who requested a call from HCLS.

The evaluation also sought to capture any broader conversation outcomes. Sub-sections 10.C and 10.D identify several ways that the conversations may indirectly improve newcomer settlement outcomes,<sup>155</sup> by helping HCLS build trusted relationships with newcomer participants and service provider hosts to improve or create legal pathways. These findings are particularly important given what appears to be a shift<sup>156</sup> in PLE programming for newcomers in Ontario towards: (1) non-interactive<sup>157</sup> print and online materials such as specialized websites,<sup>158</sup> webinars<sup>159</sup> and comics,<sup>160</sup> and (2) using trusted intermediaries such as newcomer youth,<sup>161</sup> ESL instructors<sup>162</sup> and settlement agencies<sup>163</sup> to deliver public legal information in the form of lesson plans, podcasts and activity kits or toolkits.

The *Newcomer Conversations: Learning Canadian Law Project* departs from these developments by having lawyers deliver public legal information directly to newcomers through highly interactive in-person conversations hosted by trusted intermediaries. Whether settlement outcomes would improve, or improve as much, through virtual or intermediary-led programming requires further investigation.<sup>164</sup>

## A) Increasing Participants' Legal Knowledge

The conversations immediately raised newcomer participants' confidence levels and perceptions of their legal knowledge. Nearly every participant who completed a post-conversation survey reported knowing they had legal rights related to the conversation topic (93%; 1,221/1,316), and feeling more confident that they would know if they were experiencing an everyday legal problem related to the topic (97%; 1,278/1,317).

One goal of the participant chats and focus groups was to determine whether participants retained legal knowledge three months after attending a conversation. Differences were observed between the two types of groups. The chat participants' recollection was poor. While a majority remembered attending a conversation (86%; 6/7) and the conversation topic (71%; 5/7), they could not provide specific examples of legal information learned during the conversation (0%; 0/7). Chat participants also struggled to provide examples of potential legal problems related to the conversation, or generally. One participant defined legal problems as "conflicts between people ... or something that goes to court." Another admitted, "I know very little about legal things." Chat participants offered the following examples of 'legal' problems: "sales people come to my door to sell stuff" and "shopping at a grocery store and there is an issue with the price of food or the attitude of an employee."

By contrast, several focus group participants recalled legal information from the conversations they attended, including examples of everyday legal problems such as human rights



violations, unpaid wages for working overtime, an unlawful same-day eviction, a landlord saying “no pets,” being evicted without notice, and a landlord entering an apartment without permission.

Two factors might explain the difference in recollection: language barriers and attendance at multiple conversations/workshops. Focus group participants, who were assessed at higher CLB levels than the chat participants and did not request an interpreter, may simply have found it easier to understand and retain the legal information delivered. Both focus group and chat participants attended at least one conversation in the three months between the original conversation and the chat/focus group, which may have muddled their recollection of the original conversation. For example, during the focus group held on January 9, 2020, participants initially recalled a more recent family law conversation and not the original workers’ rights conversation. Some chat participants similarly recalled details from what appeared to be more recent PLE programming that was outside the project and/or not HCLS-led. Focus group participants also better recalled the original conversation than the chat participants once the facilitator jogged their memories. The number of conversations/workshops each participant attended is unknown. This makes it difficult to determine if chat participants had more legal information to remember or sift through than focus group participants, or if language barriers were a main cause of their poorer recollections. Other possible explanations, such as the difference in methodological approach<sup>165</sup> and the pandemic,<sup>166</sup> are less persuasive.

## B) Helping Participants Know Where to Go for Legal Help

The post-conversation survey data reveals that after attending a conversation, nearly every participant (94%; 1,243/1,317) thought they knew where to go for help if they had a legal problem. However, the follow-up chats and focus groups revealed that three months after the original conversation, more focus group participants knew to contact HCLS for help with a legal problem. No chat participants remembered HCLS’s name, and only two (29%; 2/7) reported having the lawyer-instructor’s business card and/or HCLS’s contact information. By contrast, some participants in the three focus groups reported having HCLS’s number and knew they could call HCLS for help. However, a majority of the participants in the January 8, 2020, conversation indicated that they did not take the lawyer-instructors’ business card at the original workers’ rights conversation because they were unemployed.

Despite the findings above, the conversations did not create a direct legal pathway to HCLS for nearly every chat and focus group participant. Every focus group participant was unemployed and did not experience a workers’ rights problem post-conversation. None called HCLS for help with another type of legal problem in the three-month follow-up period.<sup>167</sup> One focus group participant, however, said she was proactively using the legal information from a wills/POAs conversation to plan ahead and avoid a future legal problem:

“I went to the [wills/POA] workshop and I’m doing a lot around that and it’s hard.... I’m trying to find people to take care of my kids if something went wrong.... It gives me a lot of points to think about.... I’m working on it.”

Similarly, while some chat participants reported experiencing legal problems in the past—such as being fired from a job—only one participant reported a post-conversation public benefits problem for which she called HCLS for help. This participant said there was no answer when she called HCLS and that she did not leave a message “because of poor English.” She then called the Cross-Cultural Community Services Association (TCCSA)—whose name she found in an online newspaper—“because they speak Chinese.” That organization will help her apply for disability benefits via a three-way call with her, an interpreter and the application organization. The participant said she trusted TCCSA “because they are funded by IRCC to help newly arrived immigrants,” and because she moved farther away from her settlement specialist. The participant stated that she would return to the settlement specialist and then possibly HCLS if her case was too complicated and TCCSA could not help her.

The above finding applies to a majority of newcomer participants. Only 5% of them (20/410) who requested a call from HCLS on the pre-conversation survey became a new clinic client.<sup>168</sup> However, outcomes were positive for the 22 new and returning clients. Most of them received referrals (50%; 11/22) or summary advice (36%; 8/22) and their cases were closed (82%; 18/22), suggesting that they obtained or were closer to obtaining the legal help they needed.<sup>169</sup>

That the conversations did not create a clear pathway to HCLS is unsurprising given the common legal pathway discussed in section 8 and the barriers to seeking legal help identified in sub-section 7.D. But this does not mean the conversations lacked value. The remaining sub-sections identify a number of important ways in which the conversations improved newcomer access to justice and indirectly improved settlement outcomes.



## C) Creating Newcomer Legal Pathways through Trust-Building

Some evidence suggests that the conversations created two alternative legal pathways for some newcomer participants and other newcomers living in Halton, although their viability and durability are unknown:

- 1. Post-Conversation Interactions with the Lawyer-Instructor:** Every lawyer-instructor indicated that newcomer participants approached them after the in-person conversations with questions related to tenants' rights, workers' rights, family law, human rights, wills/POAs, and immigration problems. One lawyer-instructor said this happened "sometimes;" others said "a lot of the time" or "every time."

These interactions created legal pathways for newcomer participants. For example, the lawyer-instructors typically handed out their business card and told participants to call HCLS. If a participant was a member of a marginalized group, one lawyer-instructor would ask for the participant's number and have an intake staff member call them directly. Two lawyer-instructors indicated that they would provide on-the-spot referrals to other organizations if they thought HCLS could not help, such as when a newcomer participant had a potential immigration law problem.

The lawyer-instructors noted that newcomer participants rarely approached them after a virtual conversation. The main reason was a lack of private space on Zoom to facilitate informal conversations. As one lawyer-instructor explained, "People just want to leave [the Zoom room when the conversation ends] ... [and] there is no way to [meet them].... They can't catch you in a hallway or approach you when you are alone or having a break." This insight further supports the conclusion that in-person delivery is the preferred format for newcomer PLE programming.

- 2. Newcomer Participants as Trusted Intermediaries:** Newcomer participants may have shared what they learned during a conversation with other newcomers and/or directed them to HCLS. A chat participant offered this example:

"I told a friend with a disability about the [public benefits] workshop, and what I learned. I shared

information such as how to apply for benefits as a person with a disability, and how to apply for housing supplied by the government. I shared the phone number of the facility [HCLS] that gave [the] workshop, and she did get in touch with them. They couldn't help her with her problem. My friend is already on ODSP. She was trying to get low-income housing and she had been on the waiting list for seven years, and called HCLS to help speed up the process. HCLS told her there was a queue and she had to wait."

Here, the chat participant appears to be acting as a trusted intermediary for another newcomer—a phenomenon that at least one other newcomer PLE initiative has noted.<sup>170</sup>

Why did these legal pathways materialize? One possible explanation is that the in-person conversations facilitated easy physical access to a lawyer (for the first pathway) or HCLS's contact information (for the second pathway). Another and perhaps better explanation is that the lawyer-instructors built initial trust or rapport with these newcomer participants through direct interaction during the in-person conversations. Trust may also have been transferred from the service provider to the lawyer-instructor by virtue of the hosting arrangement, as seen during HCLS's OCF newcomer conversations.<sup>171</sup> A reasonable assumption is that newcomers would not have approached a lawyer-instructor or referred a friend to one whom they deeply mistrusted. Regardless of the reason, at least the first pathway would not have materialized if the lawyer-instructors did not facilitate the in-person conversations.

## D) Enhancing Newcomer Legal Pathways through Trusted Relationships with Service Providers

Ample evidence suggests that the conversations served as a powerful outreach tool, helping HCLS to build and strengthen trusted relationships with host organizations and service provider hosts. HCLS was able to deliver conversations to six of the nine host organizations for the first time, and increase its PLE programming at HMC Connections by 529% (44/7) and at TMC by 21% (46/38) during the data collection period (*Figure 22*).<sup>172</sup> At the service provider level, this translates to approximately 50% of the newcomer-related staff at the larger host organizations and up to 100% of the staff at the smaller host organizations

hosting one or more conversations during the data collection period (Figure 21).

This level of sustained interaction helped build trust between HCLS and the service provider hosts who personally witnessed the lawyer-instructors' legal expertise, and how they interacted with and helped newcomer clients. Nearly a third of service providers (27%; 6/22) interviewed reported feeling more confident in their ability to help newcomer clients because they knew they could rely on HCLS for help. As two service providers stated:

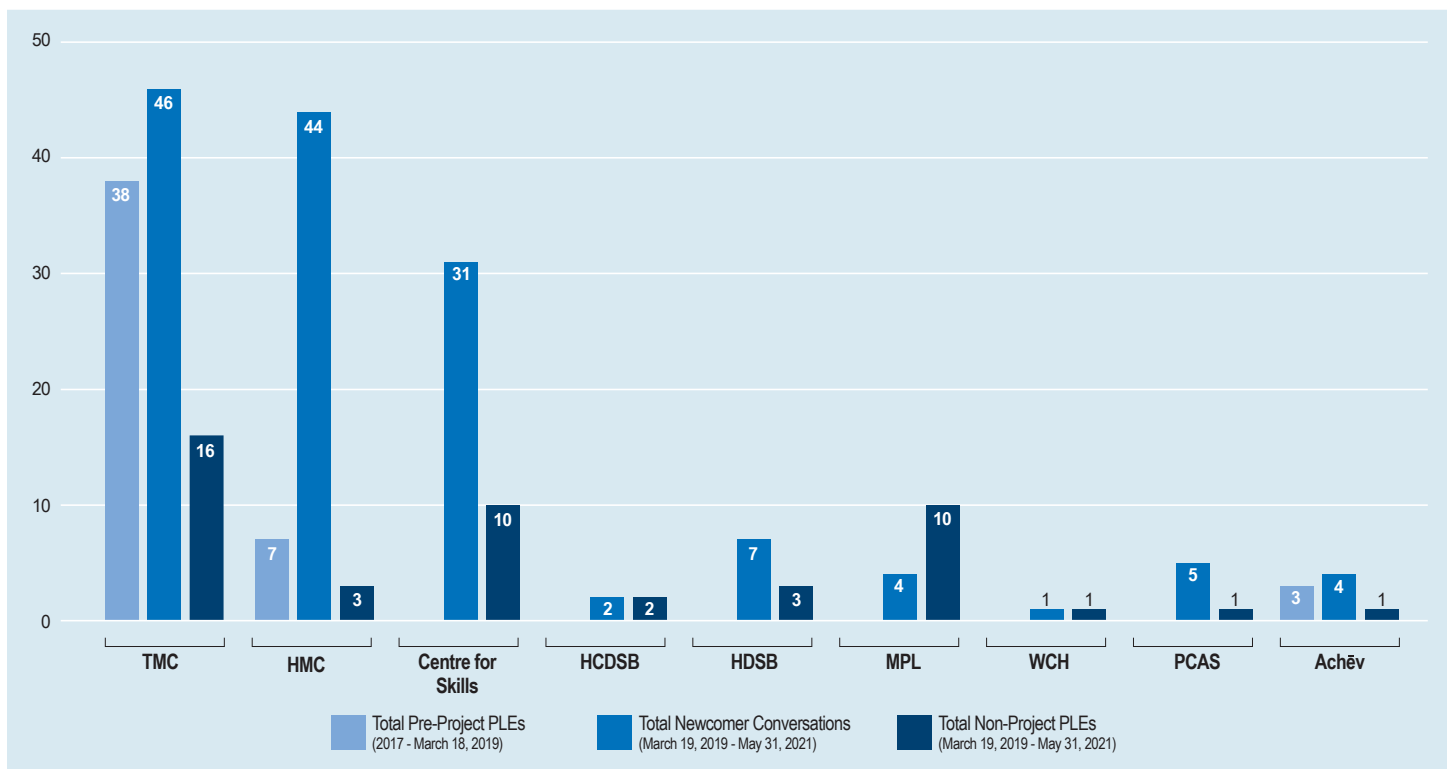
"[The conversations are] refreshing, ... connecting and [they] put in my mind that [HCLS] is a help I can trust, and I am positive that HCLS is the first trusted place to refer clients."

"When I learned about HCLS it was a huge support. I felt lost before and now I contact [HCLS] by email or over phone. My confidence has gone up since attending the workshops because I can find someone to help my

**Figure 21: Percentage of Newcomer-Related Service Providers Hosting a Conversation**

Host Organization	Number of Service Provider Hosts	Number of Potential Service Provider Hosts <sup>173</sup>	Percentage <sup>174</sup>
HMC Connections	14	26	54%
Thomas Merton Centre for Continuing Education	13	31 <sup>175</sup>	42%
Centre for Skills Development	11	26 <sup>176</sup>	42%
Achēv	2	3	67%
Peel Career Assessment Services	1	1 <sup>177</sup>	100%
Milton Public Library	1	1 <sup>178</sup>	100%
Halton District School Board Welcome Centre	1	7	14%
Halton Catholic District School Board Welcome Centre	2	4	50%
Women's Centre of Halton	1	3	33%

**Figure 22: Number of PLE Sessions Delivered to Host Organizations by Year (2017-2021) and Type**



clients and they won't feel lost and HCLS knows what they are doing."

This trust may also have spread throughout a host organization, transferred from service provider hosts to those less or unfamiliar with HCLS. For example, a manager at one host organization reported an internal practice of team members turning to one another for solutions to client problems: "Hosts [who] are more aware of HCLS's services [say] 'HCLS helped my client, so you can take your client to them.' And they do." Another remarked that since the project began, there is a "stronger relationship between HCLS and [our] new employees."

By promoting trusting relationships between HCLS and host organizations, the conversations may have improved access to the legal pathways taken by newcomer participants and other newcomers living in Halton in four ways:

### 1. Increasing Newcomer Legal Knowledge and Access to New Legal Pathways:

Throughout the data collection period, each host organization requested other PLE programming—such as workshops on the same legal topics as the conversations or a new workshop on "COVID-19 and the Law"—for their newcomer clients. These requests resulted in 47 additional workshops delivering important legal information to roughly 560 newcomers living in Halton. Three-fifths of these requests (60%; 28/47) would arguably not have been made by the six new host organizations without their participation in the project and positive experiences with the conversations. More importantly, these workshops provided another opportunity for HCLS to build rapport with newcomer participants, and for those participants to approach the lawyer-instructor or HCLS for help with their legal problems.

### 2. Overcoming Barriers by Enabling Warm Referrals:<sup>179</sup>

Some of the service providers interviewed appeared to act as trusted intermediaries for their newcomer clients, providing them with warm referrals to HCLS. For example, one service provider stated that they would "call [HCLS] together ... set up a translator and ... [provide a] warm introduction." Another service provider reported that they would walk the client to HCLS and interpret for them.

Warm referrals may help overcome some barriers identified in sub-section 7.D, and increase the likelihood of newcomers seeking and/or receiving help from HCLS. For example, one service provider reported that their clients

are more likely to call HCLS after a warm introduction, while a manager at a host organization reported that their clients "rely on [their] referrals." Similarly, three chat participants (43%; 3/7) explicitly indicated that they would "call a lawyer ... or HCLS" if their settlement specialist told them to. One of these participants also reported that a settlement specialist told their sister to call HCLS for assistance with her divorce, and that she did.

These reports are consistent with existing research on trusted intermediaries, which finds that people are more willing to seek help from an organization if they are referred by someone they trust who has a strong relationship with the organization built on positive past experiences. Effectively, a trusted intermediary can transfer their clients' trust to another service provider.<sup>180</sup>

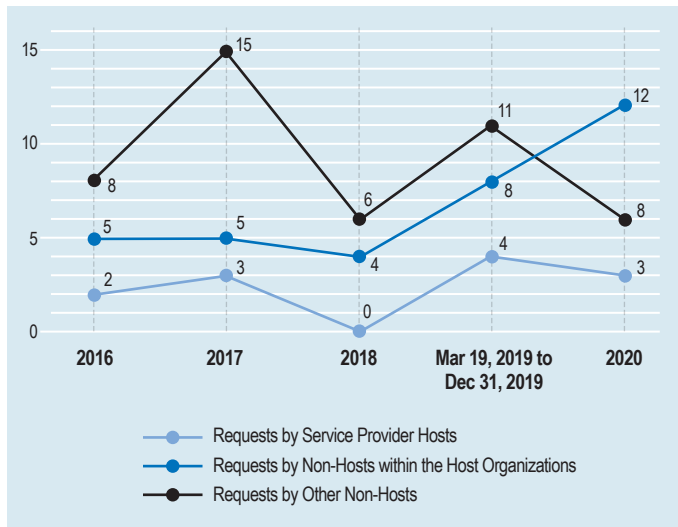
### 3. Finding Solutions through Legal Secondary Consultations:

The lawyer-instructors reported that after an in-person conversation, service providers frequently approached them with legal questions on behalf of their newcomer clients. The lawyer-instructors sometimes provided resources and/or reminded the service provider hosts about the LSC service.

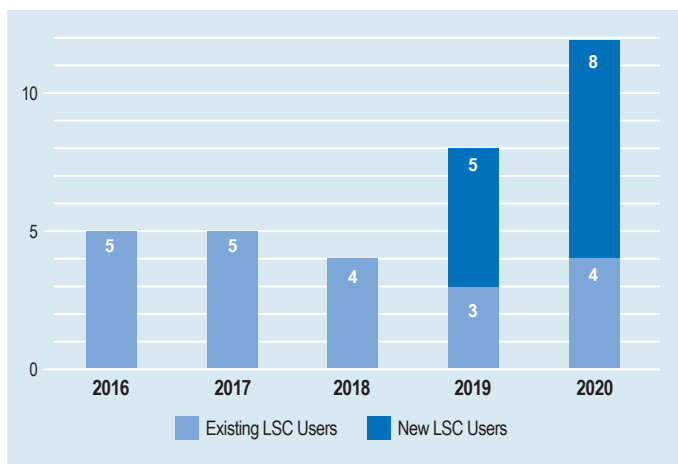
Historical data on LSC requests suggest that the conversations and these post-conversation interactions resulted in more newcomers indirectly receiving help from HCLS through the LSC service than would otherwise have been the case.<sup>181</sup> Sixty-three service providers, organizations and individuals made 92 requests for an LSC on behalf of a newcomer between May 20, 2016, and December 31, 2021. The service provider hosts (22%; 14/63) accounted for 37% (34/92) of these requests, which increased during the data collection period. In that period to the start of the project (March 19, 2019), HCLS received an average of five LSC requests per year from service provider hosts. In the first ten months of the project (to December 30, 2019), requests increased by 60% (8) and then by a further 50% (12) in 2020.<sup>182</sup> This positive trend was not observed for LSC requests made by non-host service providers at the host organizations or other non-hosts (*Figure 23*).

The reason for the increase is that half the service provider hosts (50%; 7/14) requested an LSC for the first time after the project began, their requests accounting for nearly two-thirds (65%; 13/20) of all service provider

**Figure 23: Number of LSC Requests on Behalf of Newcomers from May 16, 2016, to December 31, 2020**



**Figure 24: Number of LSC Requests by Service Provider Hosts from May 16, 2016, to December 31, 2020**



host requests from March 19, 2019, to December 31, 2020 (Figure 24). This finding suggests that the conversations and/or the post-conversation interactions between lawyer-instructors and service provider hosts helped spread host organizations' awareness of the LSC service.<sup>183</sup> It further suggests that new service providers were willing to use the service based on their positive conversation experiences. As one service provider explained during their interview, they use the LSC service because "[I] have a good relationship with HCLS."

An increase in LSC requests by the service provider hosts means HCLS can better and more quickly reach the many newcomers who first ask their trusted settlement specialist or ESL/LINC instructor for legal help; and the

clinic can help these newcomers indirectly, avoiding the barriers mentioned in sub-section 7.D.

While HCLS does not collect client data and outcomes regarding LSC requests, service providers requesting help were most frequently provided summary advice (53 %; 49/92) or one or more referrals (34 %; 31/92).

**4. Building Service Providers' Legal Capability:** The conversations appear to have helped build the service provider hosts' legal capability. Nearly two-thirds of the service providers (64 %; 14/22) interviewed said they felt more confident in their ability to help their clients after attending a conversation; they were reportedly better able to spot newcomer clients' potential legal issues and better understood when to turn to HCLS for help. As one manager at a host organization remarked, "I see workers [on my team] gain more information, more knowledge and serve more confidently. They know when they need HCLS."

The conversations may have helped simplify the common legal pathway by helping service providers independently solve some of their newcomer clients' legal problems. While some service providers strongly felt that they could not "provide legal advice," are "not lawyers," or should not "interfere with legal issues," 41 % of them (9/22) reported providing legal information from the conversations to their clients who approached them with a legal problem.<sup>184</sup> Some examples of the information they shared include:<sup>185</sup>

- Explaining the difference between a will and a power of attorney;
- Telling clients that their landlords "can't just evict" them and that asking for a year's rent up front is illegal and discriminatory; and
- Giving legal information from a wills/POAs conversation to isolated newcomer seniors as part of a wellness group the service provider runs, recommending that they think about planning, and insisting that they "get a will/POA and not rely on their children sponsors."

The following example from a service provider illustrates that sharing legal information can eventually produce solutions to clients' legal problems:

"I deal with landlords and tenants, and I have knowledge and I have answers [after attending a

conversation], so I don't need to access [HCLS]. Six months ago, one of my former tenants called in a panic because she got a letter from the landlord saying she needed to move out immediately because her baby was screaming. I helped her to write a letter and knew [the landlord's instruction] wasn't right or legal. The issue was solved. I didn't need to call or go to the clinic."

Building a community's legal capability is critical to improve the identification of legal problems and then provide better upstream assistance to newcomers. The example above suggests that any legal capability achieved

by directly training service providers to deliver public legal information to their newcomer clients can still occur indirectly when service providers host in-person and/or virtual conversations.

HCLS is well embedded in the Halton community, and has spent years building relationships with local service providers and community agencies, including three of the nine host organizations. The positive outcomes discussed above may thus be attributed—in whole or in part—to HCLS's other outreach efforts and initiatives unrelated to the project.<sup>186</sup> This said, these outcomes are more likely to materialize in contexts where a community legal clinic is less embedded in its newcomer community.



# 11. NEXT STEPS



HCLS should continue to build relationships and partnerships with newcomer-related service providers to effectively reach and serve Halton’s newcomer population. The feedback from newcomers was unequivocal: most of them will turn to a trusted settlement specialist or ESL/LINC instructor for help with a legal problem even if they know about HCLS and its services, receive from the clinic an open offer for help, and have a positive interaction with the lawyer-instructor when attending a conversation.<sup>187</sup>

This conclusion should be familiar to HCLS. Strong community relationships and partnerships have been at the heart of the clinic’s transformation towards a more holistic, integrated and community-oriented service model over the past eight years. The success of HCLS’s two main service delivery innovations—the Legal Health Check-up (LHC) and the legal secondary consultation (LSC) service—illustrate this point.

In 2014, HCLS developed the LHC, a paper or electronic form that asks questions to uncover everyday legal problems in areas such as housing, education, employment, income support, and social and health support. The purpose of the LHC was to better identify and reach people with unmet legal needs. HCLS partnered with seven trusted intermediaries and asked them to administer the LHC to their clients in a pilot project. Evaluation of the LHC pilot determined that HCLS client intakes increased by a third and that 90% of clients presenting a problem at intake were not at a critical stage.<sup>188</sup> This happened because people were more willing to seek help from HCLS when referred by trusted intermediaries who had a strong relationship with HCLS built on positive past experiences.<sup>189</sup>

The LHC pilot evaluation also found that the LHC form was an effective outreach tool that helped HCLS strengthen existing relationships with the seven partner organizations. The evaluation report concluded that “there is a considerable basis for *expansion of intermediary activities* beyond the gateway roles of problem spotting and making legal referrals to a wider range of advocacy and *supported self-help* [emphasis added].”<sup>190</sup> HCLS responded by developing the LSC service to leverage and continue to build these collaborative relationships. An evaluation

of this service from 2016 to 2017 concluded that HCLS was able to extend its services to individuals who would otherwise have remained hidden and not sought legal help. The LSC service also helped service providers to build their legal capabilities to more efficiently solve their clients’ legal problems.<sup>191</sup> This report makes similar findings.

HCLS has worked hard over several years to establish strong relationships with settlement agencies and adult learning centres in Halton. Maintaining these relationships will require ongoing effort and vigilance, since community agencies often face high staff turnover, heavy workloads and limited resources. HCLS should also identify other types of organizations that serve newcomers in Halton that offer opportunities for new relationships and partnerships.

The following steps are recommended for HCLS to continue building relationships and partnerships with newcomer-related service providers in Halton:

1. HCLS should add the newcomer conversations to its permanent roster of PLE programming. They are a cost-effective<sup>192</sup> and powerful outreach tool that helped HCLS build and strengthen its relationship with nine host organizations to reach more newcomers with legal problems. The conversations should continue to create opportunities for building relationships and partnerships, as there was and is a strong community appetite for highly interactive PLE programming in Halton. HCLS exceeded IRCC’s project activity goal of holding two to four conversations per month, offering almost twice as many conversations during the project and despite an ongoing pandemic.<sup>193</sup> Demand for future conversations should remain high. Several of the service providers interviewed asked for “more workshops” due to ongoing client demand once the project concluded. Every lawyer-instructor agreed that the conversations should continue to be offered because they contributed to HCLS building relationships with service providers. Equally important, the conversations supported community development by helping

the non-legal service provider hosts to build their legal capability and more confidently and effectively serve their newcomer clients. Increasing the legal capabilities of the very people in the community that newcomers turn to is important: the result is better identification of legal problems, better upstream assistance and, ultimately, better settlement outcomes for newcomers.

2. HCLS should allocate internal resources and/or secure external funding to: (a) continue retaining a local family law lawyer<sup>194</sup> to facilitate family law conversations; and (b) consider retaining a local immigration lawyer to help develop and then facilitate immigration law conversations. This is one small way that HCLS can express solidarity with its trusted service provider partners and help address their clients' ongoing need for free and accessible family law and immigration law services within the restrictions of its own practice areas and funding.<sup>195</sup>
3. Subject to the minor adjustments below, HCLS should continue to facilitate the conversations using the best practices discussed in section 9 because they support the building of trusted relationships among lawyer-instructors, newcomer participants and service provider hosts:<sup>196</sup>
  - a. Future conversations should be held in-person whenever possible. In-person delivery is less work for the lawyer-instructors, more engaging for newcomer participants, and presents more opportunities to improve newcomer participants' access to justice than virtual delivery.
  - b. At the start of conversations, continue to use the specific legal problems questions from the pre-conversation survey as a mini-Legal Health Check-up to encourage engagement and allow newcomer participants to drive the substantive content. The mini-LHCs should also be translated, as some service providers reported that the pre-conversation survey's general and legal vocabulary was too complex for their newcomer clients. HCLS should also consider providing a copy of the mini-LHC to the host organization in advance of a conversation, so service provider hosts can review the vocabulary with their newcomer clients.

HCLS already uses a mini-LHC in its other PLE programming, but should approach its use in future

conversations with caution. The most common complaint service providers raised (24%; 5/21) was that the pre- and post-conversation surveys were "time killers": their newcomer clients took, on average, 10 to 15 minutes to complete each survey, which resulted in some conversations being "rushed" and participant questions not always being answered.

There is less risk that a mini-LHC will be a time killer in future conversations because it will not include demographic questions and be about half as long as the pre-conversation survey. HCLS should nevertheless closely monitor its usage of the mini-LHC and seek feedback from service provider hosts. If time is an issue, HCLS could let newcomer participants complete and submit the mini-LHC 24 hours before the conversation or discontinue its use.

- c. Use interpreters for conversations whenever participants assessed at basic CLB levels 1 to 3 are attending, without requiring a specific request from a host organization. While service provider hosts typically did not schedule a conversation for student or client groups assessed at these low CLB levels, some groups were assessed at a wide range of CLB levels (1 to 8). According to the lawyer-instructors, newcomers assessed at the lowest CLB levels are likely not getting what they need from a conversation without the assistance of an interpreter.
- d. Add examples and/or legal problem scenarios for each conversation topic to maximize engagement and reinforce newcomer participants' learning.<sup>197</sup>
- e. Subject to scheduling constraints, extend the conversation time by 30 minutes to accommodate more newcomer participant questions.<sup>198</sup>
4. HCLS should use the conversations as an avenue to build and strengthen partnerships associated with its existing services, where possible.<sup>199</sup> Not every service provider host will be aware of HCLS's practice areas, the availability of interpreters, or the LSC service. To help legal pathways remain open and accessible to newcomers, HCLS should develop a standard practice for the lawyer-instructors and/or community worker to introduce and/or warmly remind service provider hosts about the clinic's services. HCLS might also remind service provider hosts

about types of common problems that could benefit from an LSC request and more upstream assistance from HCLS.

5. Outside the PLE context, HCLS should look for new ways to create partnerships with service providers with newcomer clients. Maintaining open communication and discussing ideas at roundtables or meetings of the Halton Newcomer Strategy would help achieve this goal.

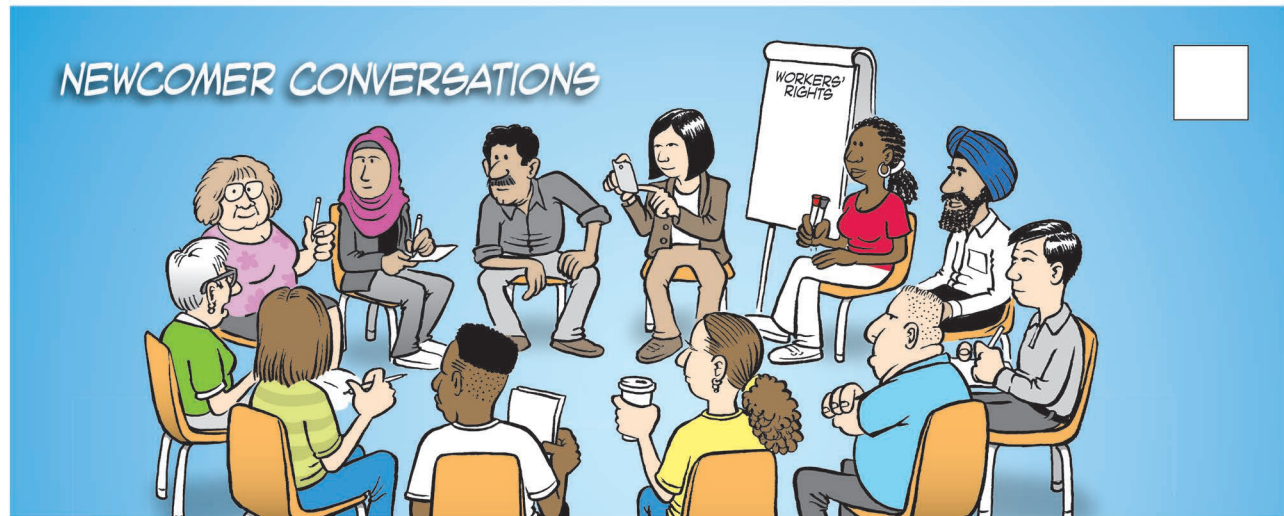
Feedback from newcomer participants,<sup>200</sup> service providers,<sup>201</sup> the lawyer-instructors and the two advisory committees regarding the need for one-on-one legal advice also reveals a partnership opportunity: HCLS could set up a monthly satellite clinic at one or more of the host organizations, as it already does with some non-

newcomer organizations. The satellite clinic could accept appointments or have drop-in hours. HCLS's lawyers or community legal workers could offer advice and make referrals, and/or devote days to upstream services such as reviewing leases or employment contracts.<sup>202</sup> A satellite clinic might also better reach newcomer participants who are willing to approach the lawyer-instructors after an in-person conversation.

*The Newcomer Conversations: Learning Canadian Law Project* was a successful public legal education and outreach initiative. The author hopes that the findings in this report are useful to HCLS and other community legal clinics, service providers, community agencies and their funders in developing PLE programming for newcomers, and in improving access to justice and settlement outcomes for this hard-to-reach population.

# APPENDIX A: Workers' Rights Pre-Conversation Survey

Note: the mini-LHC questions at the start of this survey change for each conversation topic; all other questions remain the same.



## Workshop: Workers' Rights

### 1 SURVEY

Please fill out this survey **before** the workshop begins.



1 Do you have a disability that affects your ability to work? YES ☐ NO ☐ DOESN'T APPLY ☐

2 Have you ever been hurt at work? YES ☐ NO ☐ DOESN'T APPLY ☐

3 Are you concerned about telling an employer about any health problems that you have? YES ☐ NO ☐ DOESN'T APPLY ☐

4 Is your workplace safe? YES ☐ NO ☐ DOESN'T APPLY ☐

5 Are you being harassed, or discriminated against, or being treated unfairly by your employer or a co-worker? YES ☐ NO ☐ DOESN'T APPLY ☐

6 Are you having trouble finding work because of any of the following?  
If "yes", mark any boxes that apply. YES ☐ NO ☐ DOESN'T APPLY ☐

- ☐ race, colour or ethnic background
- ☐ religious beliefs or practices
- ☐ ancestry
- ☐ place of origin
- ☐ citizenship, including refugee status
- ☐ sex, including pregnancy

- ☐ sexual orientation
- ☐ gender expression
- ☐ gender identity
- ☐ family status
- ☐ marital status, including having a same-sex partner

- ☐ disability
- ☐ age, including individuals who are 16 or 17 years old and no longer living with their parents
- ☐ receiving social assistance
- ☐ immigration status
- ☐ not having enough Canadian experience or training



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**7** Do you worry about being fired, laid off, or having your hours cut? YES ☐ NO ☐ DOESN'T APPLY ☐

**8** Do you have trouble getting time off when you need it to look after a family member? YES ☐ NO ☐ DOESN'T APPLY ☐

**9** Do you need subsidized child care so you can work? YES ☐ NO ☐ DOESN'T APPLY ☐

**10** Is there anything else you would like to tell us about work issues? Please describe:

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## Please tell us a few things about yourself

**11** What is your gender?

- ☐ Male  
☐ Female  
☐ Transgender  
☐ \_\_\_\_\_

**12** How old are you?

- ☐ Under 18  
☐ 18-24  
☐ 25-34  
☐ 35-44  
☐ 45-54  
☐ 55-64  
☐ 65 and over

**13** What is your immigration status?

- ☐ Refugee  
☐ Permanent Resident  
☐ Canadian citizen  
☐ Denied Refugee  
☐ Without Status  
☐ Other: \_\_\_\_\_

**14** If you came to Canada as a refugee, are you sponsored by:

- ☐ A private organization like a church  
☐ The government  
☐ Both the government and a private organization  
☐ Don't Know

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**15** How long have you been in Canada?

- ☐ Under 6 months
- ☐ 6 months to 1 year
- ☐ 1 to 3 years
- ☐ 3 to 5 years
- ☐ Over 5 years

**16** What is the main language spoken at home?

\_\_\_\_\_

**17** Please tell us your family status:

- ☐ Single
- ☐ Married or spouse
- ☐ Separated or divorced

**18** Who do you live with?

- ☐ Partner or spouse
- ☐ Children under 18; how many? \_\_\_\_\_
- ☐ Children over 18; how many? \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**19** Employment:

- ☐ I'm unemployed
- ☐ Stay at home to care for children or family members
- ☐ Employed part-time, 1 job
- ☐ Employed part-time, 2 or more jobs
- ☐ Employed full-time
- ☐ Self-employed

**20** Where do you live?

- ☐ Home I own
- ☐ Home I rent
- ☐ With family or friends
- ☐ Assisted living
- ☐ Group home
- ☐ Retirement home
- ☐ Long term care home
- ☐ Shelter
- ☐ Rooming house
- ☐ Other (please specify: \_\_\_\_\_)

**Can we contact you?**

If you would like us to review your answers to figure out how we may be able to help, please answer the questions below and provide your contact information.

If you would like to remain anonymous, that's okay. You do not have to fill out this section. We would still like to know about your legal health because that helps us understand our community better.

Would you like our intake worker to call you to see if we can help? YES ☐ NO ☐

Would you like us to send you resources that we think might be helpful? YES ☐ NO ☐

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone number: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Thank you!**

Please return this survey to the workshop leader.



Halton Community Legal Services is a community legal clinic funded by Legal Aid Ontario to provide free legal aid services to low income residents of Halton.

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Funded by:  Immigration, Refugees and Citizenship Canada

Financé par :  Immigration, Réfugiés et Citoyenneté Canada

# APPENDIX B: Workers' Rights Post-Conversation Survey



## Workshop: Workers' Rights

### 2 FEEDBACK FORM

Please fill out this form **after** the workshop.



1 After the workshop, I know that I have legal rights that protect me as an employee.

YES ☐ NO ☐ NOT SURE ☐

2 After the workshop, I feel more confident that I will know if something is wrong at my job.

YES ☐ NO ☐

3 After the workshop, I know where to go for help, or who I can ask for help, if I have a problem at work.

YES ☐ NO ☐ NOT SURE WHERE TO GO ☐

**Tell us what you think:**

4 Did you find the workshop easy to understand?

YES ☐ NO ☐ PARTLY ☐

5 Were the materials we gave you helpful to understanding your legal rights and responsibilities?

YES ☐ NO ☐ PARTLY ☐

6 Was it difficult to get transportation to come here today?

YES ☐ NO ☐

7 Did you need to arrange child care to come here today?

YES ☐ NO ☐

8 Was the workshop on a good day? If "no", please explain:

YES ☐ NO ☐

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- 9** Was the workshop at a good time?  
If "no", please explain:

YES ☐ NO ☐


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- 10** Was the workshop at a good location?  
If "no", please explain:

YES ☐ NO ☐


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- 12** What are some things you liked about the workshop?

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- 13** What would have made the workshop better for you?

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- 14** Would you recommend this workshop to a family member or friend?

YES ☐ NO ☐ NOT SURE ☐

- 15** Would you take another workshop with us on a different topic?

YES ☐ NO ☐

If "yes", what topics do you want to learn about?

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- 16** Have you attended a "newcomer" workshop given by us before?

YES ☐ NO ☐

If "yes", how many?

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

**Thank you!**  
Please return this survey to the workshop leader.



 **Halton Community  
Legal Services**  
[www.haltonlegal.ca](http://www.haltonlegal.ca)

Halton Community Legal Services is a community legal clinic funded by Legal Aid Ontario to provide free legal aid services to low income residents of Halton.

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# APPENDIX C: Conversation Observation Coding Sheet

## WORKSHOP CODING SHEET

Date: \_\_\_\_\_ Workshop Type: \_\_\_\_\_

Host Organization: \_\_\_\_\_

Lawyer-Instructor: \_\_\_\_\_

Number of Participants: \_\_\_\_\_

Tally of Number of Questions Asked by Lawyer-Instructor: \_\_\_\_\_

Tally of Number of Questions Asked by Participants: \_\_\_\_\_

### LEVEL OF PARTICIPATION / UNDERSTANDING

Are participants engaged? Are they making eye contact? Do they seem distracted? Are they participating a lot? Do they seem to understand what the lawyer-instructor is saying? Are there lots of follow-up questions? Do they answer questions or scenarios correctly?

### PARTICIPANT STORIES AND QUESTIONS

Instructions: include basic details of any stories/questions participants tell during the workshop, including the type of legal problem. Do participants play off each other's stories?

### TIMING ISSUES

Write down how long it takes participants to do the pre- and post-conversation surveys. Do they appear to be struggling? Asking a lot of questions? Do many of them use the translated surveys? Does this appear to help completion times and participant understanding? Is there enough time for the workshop substance?

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**CLIENT PATHWAYS**

Do participants approach the lawyer-instructor after the workshop to ask questions or discuss a legal problem? If so, what happens?

**CHALLENGES**

Any challenges to participation? Lack of interpreter? Poor seating arrangement? Participants have trouble attending workshop? Time/day/location of workshop is poor?

**ANY OTHER OBSERVATIONS**

Include anything you found interesting or you think would help us evaluate the workshops



# APPENDIX D: Newcomer Focus Group Guide

Note: the questions below were used by the facilitator to guide the discussion during the three focus groups.

## FOCUS GROUP GUIDE

- 1) Do you recall attending [insert title/topic] workshop on [insert date]?
- 2) What do you remember about the workshop? [nudge: recall any stories? issues? specific legal information? you have legal rights?]
- 3) Do you remember where to go for help if you have a [insert topic] problem?
- 4) Do you feel more confident that you know what to do if you have a [insert topic] problem?
- 5) Have you had a legal problem at work (or any legal problem) since you attended the workshop?
  - a. If so, what did you do? Who did you turn to? Did the workshop help?
  - b. Did you see someone at the clinic? What happened? Did they help?

[If the answer to Question 5 is no, ask participants what they would do if they had a legal problem]

# APPENDIX E: Newcomer Participant Chat Guide

## NEWCOMER PARTICIPANT CHAT GUIDE

Date/Time: \_\_\_\_\_

Participant ID: \_\_\_\_\_

Host Organization: \_\_\_\_\_

Original Workshop Date/Topic: \_\_\_\_\_

In-person or virtual?: \_\_\_\_\_

- 1) Do you recall attending the workshop on [insert date]? [identify if online or in-person]
- 2) What do you remember about the workshop? [nudge: recall any stories? Issues? specific legal information? you have legal rights?]
- 3) Do you recall the survey you completed before the workshop in which you were asked if you had experienced a range of everyday problems?
- 4) If you said you had not experienced any at the time, have you experienced these sorts of problems since the workshop? [may need nudge re potential legal issues]
- 5) Do you remember where to go for help if [insert legal problem]?
- 6) Do you feel more confident that you know what to do if you [insert legal problem]?
- 7) Is there anything you liked or didn't like about the workshop?
- 8) [**for online workshops**] Did you have any issues participating or attending the workshop on Zoom?
- 9) Did you have a [insert topic] problem since you attended the workshop? If so, what did you do? Did the workshop help?
- 10) If you reported on the survey that you had experienced one or more problems, did you indicate that you wanted the community legal clinic to contact you? Yes or no?

**Note:** Proceed with Questions 11-23 for participants who say they experienced problems post-workshop or reported a problem on the pre-conversation survey.

- 11) If Yes, did the clinic contact you? Did you receive any assistance from someone there?
- 12) Did you go to the clinic for help?

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- 13) If No, why not? (probe for: I didn't think the problem was serious enough to see a lawyer; language and communication was a problem; I went to an organization that understood people from my group better; I wasn't comfortable going to someone in authority and perhaps part of the government; fear of authority)
- 14) Did you do anything to try to resolve the problem?
- 15) What did you do? (probe for: searched the internet, got advice from friends or relatives, tried to negotiate with the other party)
- 16) Did you go elsewhere for help? Where? (got advice from a community leader – identify the person; went to another organization – identify multiple sources if applicable)?
- 17) Why did you go to that person or organization for help?
- 18) Did the person there help you resolve the problem?
- 19) Did the person in the first organization you tried refer you to another organization?
- 20) Did the person in the second organization help?
- 21) Were you referred to another place for help?
- 22) Did you give up trying to get help before resolving the problem?
- 23) Why did you give up?

**[If skipping questions 11-23]**

- 24) Are there people or organizations in your community who you would normally go to for help with a problem?
- 25) If so, what problems have they helped you with? (ask for concrete examples)
- 26) Did they tell you where to go for help or did they do it for you?
- 27) Did they help solve the problem?
- 28) Did you have to pay for assistance (with money, etc.)?

# APPENDIX F: Newcomer Service Provider Interview Guide

## SERVICE PROVIDER INTERVIEW QUESTION GUIDE

Service Provider ID: \_\_\_\_\_

Date/Time: \_\_\_\_\_

Delivery Type: \_\_\_\_\_

### Workshop Questions

- 1) What features of the workshops did you find worked well? [participation? letting Newcomers drive content? Zoom vs. in-person, etc.] [or have participants told you anything]
- 2) Is there anything HCLS can do to improve the workshops? [or have participants told you anything]
- 3) Are there any other services/initiatives HCLS can offer to better help your Newcomer clients?
- 4) Are you interested in continuing to book workshops?
- 5) Have you recommended the workshops to colleagues or other community members?

### Legal Pathway Questions

- 1) Do newcomers come to you or to your organization seeking assistance with problems? If so, how often? What kinds of problems?
- 2) If not, where do you think newcomers go for help?
- 3) Do people come to you more frequently following the newcomers workshops? (for host organizations). OR Do people mention having attended a newcomers workshop when they come to you for help? (non-hosting organizations)
- 4) Are any particular types of newcomers (age, gender or any other characteristics) most likely to come for help?
- 5) How confident are you at dealing with the problems presented by newcomers? (some types of problems vs. others) / Have the workshops helped with your confidence level (if they attend)

*Continued on next page*

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- 6) Do you refer people to other organizations for assistance? Which ones?
- 7) Are you aware of organizations that can help in your community?
- 8) Do you ever refer people to HCLS for assistance? [inquire whether newcomers are comfortable going to HCLS]
- 9) Do you know about the LSC program at HCLS, designed to help people like you better assist people they are trying to help? [if so, have you used it/how often, etc.?]
- 10) Any idea why newcomers may be reluctant to seek help from HCLS?



# APPENDIX G: Lawyer-Instructor Interview Guide

## LAWYER-INSTRUCTOR INTERVIEW GUIDE

Lawyer-Instructor ID: \_\_\_\_\_

Date/Time: \_\_\_\_\_

- 1) What features of the workshops do you think worked well?
- 2) Did participants (or hosts) ever come up to you after the in-person workshop or contact you at the clinic for help (LSC?)?

If so, what did you do?

Did this ever happen after a virtual workshop?

- 3) Tell me about your transition to offering virtual workshops [any challenges?]
- 4) Did you notice any differences between the in-person or virtual workshops?
- 5) The data shows that participation rates were lower during the virtual workshops compared to the in-person workshops. Did you notice any changes after you implemented the best practices sent by email in November? (using whiteboard, asking for participant questions more, polls, etc.)

Did you make other changes on your own to improve participation?

How well did they work?

If not, why not?

- 6) Could HCLS do anything to improve the workshops?
- 7) Do you think continuing to offer the workshops after the project would be valuable? Why or under what conditions?
- 8) What other services do you think Newcomers require in Halton? Why role if any would HCLS play in these services?

## APPENDIX H: Conversation Paper Slips for Identifying Newcomers

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Are you a permanent resident? YES ☐ NO ☐

If "yes", what is your permanent resident number?: \_\_\_\_\_

Date of birth: \_\_\_\_\_

### NEWCOMER CONVERSATIONS



# APPENDIX I: Specific Legal Problems Reported by Newcomer Participants

**Table 1: Specific Legal Problems Reported by Newcomer Participants by Conversation Topic**

Family Law Problem	Frequency	N	Percentage	Response Rate
Divorce or separation	16	187	9%	97%
Child support	18	190	9%	99%
Unsafe Relationship	19	189	10%	98%
Controlling relationship	11	189	6%	98%
No government ID	17	17	100%	9%
Needs financial help	45	185	24%	96%
Can't afford life in community	38	38	100%	20%
Human Rights Problem	Frequency	N	Percentage	Response Rate
Landlord discrimination	12	167	7%	92%
Denied housing – immigration or citizenship status	7	—	—	—
Denied housing – other	11	—	—	—
Denied housing – Canadian references	10	—	—	—
Employer discrimination	11	136	8%	75%
Trouble finding work – Canadian experience	29	—	—	—
Trouble finding work – immigration or citizenship status	5	—	—	—
Trouble finding work – other	13	—	—	—
Public Benefits Problems	Frequency	N	Percentage	Response Rate
Help making ends meet	30	141	21%	90%
Rely on foodbank	16	151	11%	96%
Can't afford special diet	37	43	86%	27%
Help with OW	39	—	—	—
Help with ODSP	2	—	—	—
Help with CPP	16	—	—	—
Help with OAS	16	—	—	—
Help with EI	22	—	—	—
Help with GIS	12	—	—	—
Help with Child Benefit	34	—	—	—
Help with Worker's Compensation	6	—	—	—
Help with Disability Tax	3	—	—	—
Help with medical review – ODSP	6	139	4%	89%
Tax help	66	150	44%	89%
Collections outstanding	14	144	10%	92%
Can't afford transportation	27	147	18%	94%

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Wills/POAs Problems	Frequency	N	Percentage	Response Rate
No will	433	533	81%	99%
Need someone – financial decisions	188	533	35%	99%
Need Someone – health decisions	187	531	35%	98%
No POA	397	523	76%	97%
No family doctor	56	536	10%	99%
Can't afford prescriptions	111	527	21%	97%
Healthcare trouble – immigration status	55	453	12%	84%
Health services	156	—	—	—
Assisted devices	23	—	—	—
Counselling	35	—	—	—
Physiotherapy	55	—	—	—
Glasses	73	—	—	—
Special diet	27	—	—	—
Mental health	29	—	—	—
Addiction	12	—	—	—
Dental care	131	—	—	—
Disability service	25	—	—	—
Tenants' Rights Problems	Frequency	N	Percentage	Response Rate
Behind on rent	17	118	14%	98%
Threat of eviction	6	115	5%	96%
Worried about rent subsidy	10	38	26%	32%
Late payment of rent	6	115	5%	96%
Landlord – no repair	7	15	47%	13%
No heat/AC	3	4	75%	3%
Mould, rodents, bugs	4	5	80%	4%
Rental unsafe - other reason	8	9	89%	8%
Problem with neighbours	5	110	5%	92%
Eviction papers	3	111	3%	93%
Landlord – discrimination	3	98	3%	82%
Trouble finding a place to live	9	27	33%	23%
Trouble finding a place to live – Immigration	9	10	90%	8%
Trouble finding a place to live – no Canadian refs	12	13	92%	11%
Trouble finding a place to live – other	8	9	89%	8%
Court order affecting living	2	100	2%	83%
Behind on utilities	13	114	11%	95%

Continued on next page

**Table 3: Conversation Topic by Host Organization**

Host Organization	Number Hosted	Worker		Tenant		Family Law		Wills		H. Rights		Benefits	
		#	%	#	%	#	%	#	%	#	%	#	%
HMC Connections	44	8	18%	6	14%	7	16%	18	41%	5	11%	0	0%
Thomas Merton Centre for Continuing Education	46	11	24%	3	7%	11	24%	9	20%	8	17%	4	9%
Centre for Skills Development	31	1	3%	4	13%	3	10%	12	39%	4	13%	7	23%
Achēv	4	0	0%	0	0%	1	25%	3	75%	0	0%	0	0%
Peel Career Assessment Services	5	0	0%	0	0%	2	40%	2	40%	0	0%	1	20%
Milton Public Library	4	1	25%	0	0%	2	50%	1	25%	0	0%	0	0%
Halton District School Board Welcome Centre	7	2	29%	1	14%	2	29%	1	14%	0	0%	1	14%
Halton Catholic District School Board Welcome Centre	2	0	0%	0	0%	0	0%	1	50%	0	0%	1	50%
The Women's Centre of Halton	1	0	0%	0	0%	0	0%	0	0%	1	100%	0	0%
Total	144	23	16%	14	10%	28	19%	47	33%	18	13%	14	10%



# APPENDIX J: Workers' Rights Legal Problem Scenarios

## Scenario 1

Philippe is a forklift driver in a warehouse. His employer asks him to load the forklift with twice the weight limit it can hold to cut down the time it takes to complete the job. Philippe is aware that would be a risk to his safety as it could cause the forklift to topple over. In this case, Philippe must complete any task that his employer asks regardless of the health and safety risks.

**True or false?**

## Scenario 2

Mandeep is an experienced dental assistant and has sent out several job applications. She receives a call back for an interview by one potential employer. During her interview, the employer asks Mandeep whether she has experience working as a dental assistant in Canada. In this case, the employer legally entitled to ask about her Canadian work experience.

**True or false?**

## Scenario 3

Allison works at a retail store but suffers from severe asthma. She was laid off due to COVID-19, but her employer is telling her now that she must return to work. Allison is concerned about being back on the floor at her store. She has voiced this to her employer, but her boss is insistent if Allison does not return she will be fired.

**Does Allison have to return to work? What options might she have?**

## Scenario 4

Eric works as a server in a restaurant. Usually he is very good, however, last night, he dropped a tray and broke 6 wine glasses. His bad luck did not stop there. Eric also had a table walk out on him without paying their \$327 bill! His boss was very upset, and told him that the cost of the table's bill and the glasses would be coming out of his wages.

**Can his employer do this?**

## Scenario 5

Hilary has worked at her job for the last 14 years. Her boss told her yesterday that she was no longer needed and that she should go home right away. He gave her a letter which said she would be paid for the rest of the week.

**Has Hilary's employer followed the Employment Standards Act?**

# APPENDIX K: Conversation Data Tables

**Table 1: Conversation Topic, Delivery Type and Number of Participants by Project Phase**

Project Phase	Conversation Type	Frequency	%	Total In-Person	%	Total Virtual	%	Number of Participants	%
<b>Pilot</b> March 19, 2019 to August 30, 2019	Workers' Rights	1	4%	1	4%	0	0%	20	5%
	Tenants' Rights	3	11%	3	11%	0	0%	47	11%
	Wills/POAs	7	26%	7	26%	0	0%	118	29%
	Human Rights	4	15%	4	15%	0	0%	50	12%
	Family Law	9	33%	9	33%	0	0%	124	30%
	Public Benefits	3	11%	3	11%	0	0%	55	13%
	Sub-Total	27	19%	27	100% *	0	0%*	414	20%
<b>Roll-Out</b> September 1, 2019 to August 31, 2021	Workers' Rights	22	19%	11	92%	11	18%	259	16%
	Tenants' Rights	11	9%	3	5%	8	13%	107	6%
	Wills/POAs	40	34%	19	35%	21	34%	650	39%
	Human Rights	14	12%	12	22%	2	3%	160	10%
	Family Law	19	16%	7	13%	12	19%	247	15%
	Public Benefits	11	9%	3	5%	8	13%	226	14%
	Sub-Total	117	81%	55	47% *	62	53%*	1,649	80%
<b>Pilot + Roll-Out</b> March 19, 2019 to April 30, 2021	Workers' Rights	23	16%	12	15%	11	18%	279	13%
	Tenants' Rights	14	10%	6	7%	8	13%	154	7%
	Wills/POAs	47	33%	26	32%	21	34%	768	37%
	Human Rights	18	13%	16	20%	2	3%	210	10%
	Family Law	28	19%	16	20%	12	19%	371	18%
	Public Benefits	14	10%	6	7%	8	13%	281	14%
	<b>Total</b>	<b>144</b>	<b>100%</b>	<b>82</b>	<b>100%</b>	<b>62</b>	<b>100%</b>	<b>2,063</b>	<b>100%</b>

\*refers to the percentage of conversations by pilot or roll-out phase only; all other percentages in the sub-total rows refer to both project phases.

**Table 2: Conversation Delivery Type and Number of Participants by Host Organization**

Host Organization	Number Hosted	Percentage Hosted	Virtual	In-Person	Number of Participants	Percentage of Participants
Thomas Merton Centre for Continuing Education	46	32%	17	29	629	30%
HMC Connections	44	31%	21	23	598	29%
Centre for Skills Development	31	22%	11	20	598	29%
Halton District School Board Welcome Centre	7	5%	7	0	43	2%
Peel Career Assessment Services	5	3%	2	3	87	4%
Milton Public Library	4	3%	0	4	8	0.4%
Achēv	4	3%	1	3	76	4%
Halton Catholic District School Board Welcome Centre	2	1%	2	0	22	1%
The Women's Centre of Halton	1	1%	1	0	2	0.1%
<b>Total</b>	<b>144</b>	<b>100%</b>	<b>62</b>	<b>82</b>	<b>2,063</b>	<b>100%</b>

**Table 3: Conversation Topic by Host Organization**

Host Organization	Number Hosted	Worker		Tenant		Wills		H. Rights		Benefits	
		#	%	#	%	#	%	#	%	#	%
HMC Connections	44	8	18%	6	14%	18	41%	5	11%	0	0%
Thomas Merton Centre for Continuing Education	46	11	24%	3	7%	9	20%	8	17%	4	9%
Centre for Skills Development	31	1	3%	4	13%	12	39%	4	13%	7	23%
Achēv	4	0	0%	0	0%	3	75%	0	0%	0	0%
Peel Career Assessment Services	5	0	0%	0	0%	2	40%	0	0%	1	20%
Milton Public Library	4	1	25%	0	0%	1	25%	0	0%	0	0%
Halton District School Board Welcome Centre	7	2	29%	1	14%	1	14%	0	0%	1	14%
Halton Catholic District School Board Welcome Centre	2	0	0%	0	0%	1	50%	0	0%	1	50%
The Women's Centre of Halton	1	0	0%	0	0%	0	0%	1	100%	0	0%
Total	144	23	16%	14	10%	47	33%	18	13%	14	10%

# APPENDIX L: Actual Legal Problems Data Tables

**Table 1: Actual Legal Problems Identified for HCLS's New or Returning Newcomer Clients**

Problem Type	Problem Frequency	Percentage
Public Benefits	8	32%
Workers' Rights	5	20%
Tenants' Rights	5	20%
Other	3	12%
Family Law	2	8%
Wills/POAs	1	4%
Human Rights	1	4%
Total	25	100%

**Table 2: Actual Legal Problems Identified for Legal Secondary Consultation Requests Involving Newcomers (2016-2021)**

Actual Legal Problem Types	Problem Frequency	Percentage
Tenants' Rights	26	25%
Immigration	20	20%
Public Benefits	19	19%
Family Law	12	12%
Workers' Rights	6	6%
Other	6	6%
Criminal or Civil	5	5%
Social Services and Government Identification	4	4%
Wills/POAs	4	4%
Total	102	100%

**Table 3: Number of Newcomer Service Providers Dealing with Everyday Legal Problems by Type**

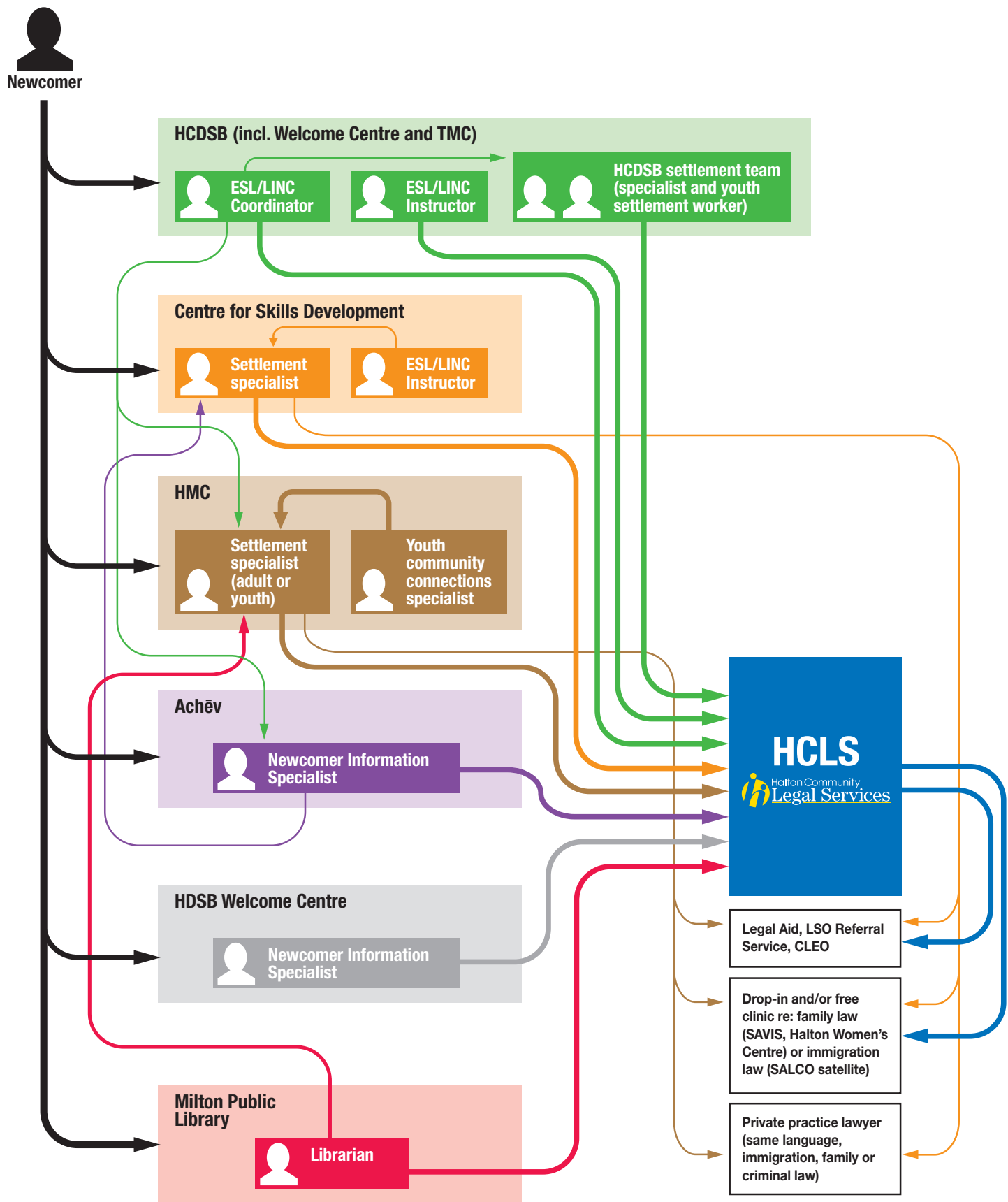
Everyday Legal Problem Type	Frequency (n = 17)	Percentage
Tenants' Rights	14	82%
Family Law	8	47%
Workers' Rights	8	47%
Immigration	6	35%
Public Benefits	5	29%
Other	3	18%
Wills/POAs	2	12%
Criminal Law	1	6%

**Table 4: Ranking the Frequency of Actual Legal Problems for New and Returning Newcomer Clients, Newcomer LSC requests and Newcomer Service Providers**

Problem Type	Actual Client	LSC Requests	Service Providers
Public Benefits	1	2	4
Workers' Rights	2	4	2
Tenants' Rights	2	1	1
Other	4	4	5
Family Law	5	3	2
Wills/POAs	6	6	6
Human Rights	6	7	7



# APPENDIX M: Newcomer Legal Pathways Map



## APPENDIX N: Service Provider Advisory Committee Organization List

Organization	Number of Members
HMC Connections	3
Halton Region	1
Centre for Skills Development	1
Milton Public Library	1
Peel Career Assessment Centre	1
Achēv	2
Halton Catholic District School Board	1
Ontario Works	1

# ENDNOTES

1. For the history of HCLS's service delivery transformation, see Ab Currie & Brandon D. Stewart, "The Unintended Benefits of Innovation," the Canadian Forum on Civil Justice (June 2020), online: < <https://cfcj-fcjc.org/wp-content/uploads/The-Unintended-Benefits-of-Innovation-Ab-Currie-and-Brandon-Stewart.pdf> > . See also Brandon D. Stewart & Ab Currie, "Legal Secondary Consultation: Expanding the Reach of Ontario's Community Legal Clinics Through Community Partnerships" (pp 103-124) in VAB da Silva (ed.), *Access to Justice in the Americas* (Rio de Janeiro: Forum Justica, 2021) (a digital copy is available at [www.accesstojusticeamericas.org](http://www.accesstojusticeamericas.org)) (Stewart & Currie).
2. The lawyer-instructors held 48 PLE sessions with 707 people between January and May 2021. Project conversations account for 40% (149/372) of all PLE sessions held during this period.
3. Participant data is not available for some of these workshops; thus the total number of attendees is higher than reported.
4. The funding (\$2,000) was provided through the Oakville Community Foundation's Oakville Resettlement Fund, which was created in late 2015 to support the resettlement of Syrian refugees.
5. HCLS was aware of research finding that privately-sponsored newcomers have better settlement outcomes than government-sponsored newcomers. HCLS viewed the conversations as an opportunity to support private sponsors in leveraging their social capital in the community to help refugees they sponsored to secure employment, access services and receive help for a range of problems.
6. Confidential HCLS Report to OCF, 2016 (on file with the author).
7. HCLS had built a strong prior relationship with HMC Connections based on PLE programming. HCLS also had a long-standing relationship with Achēv, which was located in the same building as HCLS. These organizations and HCLS were also affiliated with the Halton Newcomer Strategy (HNS), which was formed in 2010 and is one of 70 Local Immigration Partnerships in Canada funded by IRCC. HNS's objective is to develop community projects and initiatives that support and empower newcomers in Halton. HCLS has been a member of HNS's steering and civic action committees since 2017 (Halton Newcomer Strategy, "What is the HNS" (2020), Welcome to Halton, online: < <http://www.welcometohalton.ca/en/newcomerstrategy/Pages/What-is-the-HNS.aspx> > ).
8. See Janette Collins, "Education Techniques for Lifelong Learning: Principles of Adult Learning" (September-October 2004) 24 RadioGraphics 1483 at 1485 (Collins).
9. Rick Arnold et al, *Educating for a Change* (Toronto: Doris Marshall Institute for Education and Action and Between the Lines, 1991) at pp 48-50 (Arnold).
10. Advicenow – an independent, not-for-profit website providing information on rights and legal issues in the United Kingdom – originally developed the 7 Steps Guide (see "Seven steps – How to solve an everyday legal problem" (December 2018), online: < <https://www.advicenow.org.uk/know-hows/seven-steps-how-solve-everyday-legal-problem> > ).
11. See e.g. Centre for Public Legal Education Alberta, "Seven Steps to Solving a Legal Problem" (2015), online: < <https://pbla.ca/wp-content/uploads/2015/04/4d-seven-steps-to-solving-a-legal-problem.pdf> > .
12. Halton Tenant School, "Seven Steps to Solving Tenancy Problems" (2012), online: < [https://yourlegalrights.on.ca/sites/all/files/7\\_stepsFinal.pdf](https://yourlegalrights.on.ca/sites/all/files/7_stepsFinal.pdf) > .
13. One video featured Jean Augustine, the first black woman elected to Canada's Parliament, discussing discrimination she faced in the 1960s in finding employment and renting an apartment. The second video featured Ratna Omidvar, prior to her appointment as an Independent Senator, and the "Canadian experience" barriers she faced seeking employment.
14. HCLS Report to OCF, 2017 (on file with the author).
15. HCLS/IRCC Contribution Agreement dated August 23, 2018, Schedule 1 (Contribution Agreement).
16. The evaluators included the author and Dr. Ab Currie. Each has experience in evaluating community legal clinic initiatives in Halton and southwestern Ontario.
17. HCLS has used advisory committees in prior major research projects, including the Indigenous Homelessness Needs Assessment and Knowledge Sharing Project, the Legal Health Check-Up Pilot and the Legal Secondary Consultation Project.
18. The community agencies represented by SPAC members are listed in Appendix N.
19. PAC members included four language groups (Russian, Mandarin/Chinese, Tagalog and Arabic), newcomers with children, permanent residents and privately-/publicly-sponsored refugees. PAC members were also clients or accessed the services of several host organizations, including HMC Connections, TMC, the Centre for Skills Development, the Milton Public Library, Peel Career Assessment Services and Halton Catholic District School Board (data on file with the author).
20. Collins, *supra* note 8 at 1485.
21. Arnold, *supra* note 9 at 48.
22. *Ibid.*
23. This approach to curriculum development is consistent with HCLS's typical approach to PLE programming.
24. The family law conversation was divided into two parts. Part 1 covered separation, divorce, domestic contracts and property division; Part 2 covered parenting time, decision-making, child support and spousal support.

25. The Advisory Committees reviewed and approved the slide decks to ensure they were accessible to newcomers with different English language skills.
26. Collins, *supra* note 8 at 1485.
27. TMC is the adult education arm of HCDSB.
28. Achēv's Oakville office is in the same building as HCLS.
29. Although PCAS is located outside HCLS's catchment area in Mississauga, the Project Team facilitated conversations with PCAS' newcomer clients when one of its staff members was at Achēv's Oakville office.
30. The total number of attendees (2,063) includes those who attended multiple conversations (138 ESL/LINC students and 87 newcomers who attended both parts of the family law conversations). Subtracting them creates an estimate of 1,838 actual participants (*supra* note 24; see also Section 6).
31. Location data for one in-person conversation is missing. Accurate location data for the virtual conversations is not available since many service providers combined clients from multiple locations across Halton.
32. PLE Canada, "PLE principles and practices" (2018), online: <<http://www.plecanada.org/ple-processes/>> .
33. Contribution Agreement, *supra* note 15, Schedule 1.
34. This research question included two sub-questions: (1) Are there any differences in the PLE learning needs of newcomers based on group membership? and (2) What are the appropriate venues for PLE workshops?
35. See e.g. Linda D Ogilvie et al, "Challenges and Approaches to Newcomer Health Research" (2008) 19(1) *Journal of Transcultural Nursing* 64 (describing the significant methodological challenges posed by newcomers for health-related research); Amy Ellard-Gray et al, "Finding the Hidden Participant: Solutions for Recruiting Hidden, Hard-to-Reach, and Vulnerable Populations" (2015) 14(5) *International Journal of Qualitative Methods* 1, DOI:10/1177/1609406915621420 (identifying ethnic minority and immigrant populations as hard to reach).
36. See Sabrina Yeasmin & Khan F Rahman, "'Triangulation' Research Method as the Tool of Social Science Research" (2012) 1:1 *BUP J* 154 at pp 154-158.
37. Paper pre-conversation surveys were distributed to participants immediately before the in-person conversations. A link to an online survey created using Survey Monkey was distributed to participants at the start of the virtual conversations using the chat function on Zoom and Google Meet.
38. The lawyer-instructors and/or HCLS community worker distributed the post-conversation surveys in the same manner as the pre-conversation surveys.
39. The Project Team attempted to recruit a university student to collect observational data on the conversations, but did not find a candidate with the necessary experience in qualitative research.
40. The Project Team chose ESL classes for the two pilot focus groups held on January 8 and 9, 2020, because they were easier to recruit (a large group of students attended class each day). The specific ESL classes were selected on the basis of their diversity and level of participation and engagement during the original conversation, as observed by the HCLS community worker and/or an evaluator. A facilitator conducted the focus groups at the host organization in the presence of an evaluator and the HCLS community worker. For a discussion on how the COVID-19 pandemic affected the focus groups, see Section 6.
41. The focus groups were held at least three months after a conversation to give participants ample time to seek help with a legal problem, while minimizing scheduling difficulties and potential memory loss.
42. For a discussion on how the COVID-19 pandemic affected the participant chats, see Section 6.
43. Service providers from six of the nine host organizations (67%) were interviewed.
44. As the author has previously written, a legal secondary consultation occurs:  

...when a lawyer, licensed paralegal or experienced legal worker (the "LSC advisor") provides assistance to community organizations and social service providers to help them resolve problems for their own clients or constituents. The assistance is provided by telephone or e-mail in response to a request for consultation by the community organization or social service provider. The individuals experiencing problems do not become direct clients of the clinic unless the LSC advisor decides on a referral.
45. HCLS intake staff called every participant who indicated on the post-conversation survey that they would like a call from HCLS. If the participant indicated a potential legal problem during the call and wanted help, intake staff completed a client intake, the participant became a new or returning client of the clinic, and the client's file on HCLS's Clinic Information Management System (CIMS) identified them as a newcomer/participant.
46. Canadian Language Benchmarks Online Self-Assessment, "What are the Canadian Language Benchmarks" (2021), online: <<https://www.clb-osa.ca/benchmarks/overview>> .
47. For example, 39% of participants (467/1,209) reported attending more than one conversation on the post-conversation survey.
48. One evaluator reviewed the legal problems data between the family law conversations to confirm overlap before excluding this data.
49. The HCLS community worker identified the conversations attended by the same ESL classes.
50. For example, some participants could have attended multiple non-family law conversations outside an ESL/LINC class.
51. For example, the HCLS receptionist reported that her calls are too short for probing questions, and that callers often have language barriers that would make probing difficult. There was the risk of false negatives, as callers may not have recognized

- the term “newcomer conversations” since participants used different labels (lesson, presentation, workshop, etc.) to refer to the conversations on the post-conversation surveys. False positives were also possible, since callers may have attended other PLE programs and mistakenly identified them as newcomer conversations.
52. Client data is not collected during a legal secondary consultation since the service provider is asking for help.
  53. Since official referral data from the host organizations was unavailable, service providers were asked during the Zoom interviews to estimate the average number of newcomer clients they referred to HCLS each month.
  54. For example, some service providers were not regularly meeting with large groups of clients, and/or did not have capacity to host a virtual conversation given the increased demands posed by the COVID-19 pandemic.
  55. The total number of conversations held during this period was 16, of which 9 (56%; 9/16) had high enough participation rates (as observed by the HCLS community worker and/or an evaluator) to qualify for participant chats.
  56. Four participants agreed to participate in a Zoom chat on April 6, 2021, but only two attended.
  57. The Halton Newcomer Strategy acknowledged in its 2020-2025 strategic plan that collecting newcomer-specific data is “challenging” and a “priority,” and has taken steps to procure and disseminate additional data since 2017 (Halton Newcomer Strategy, “Strategic Plan 2020-2025” at 14, online: < <http://www.welcometohalton.ca/en/newcomerstrategy/Pages/HNS%20Strategic%20Plan%202020-2025.pdf> > (HNS)).
  58. HCLS conducted what appears to be the most comprehensive survey to date of self-reported everyday legal problems experienced by low-income Halton residents as part of the Legal Health Check-up Project. However, individuals who identified as refugees or permanent residents completed only 5.5% (24/433) of the LHCs between January 2016, and June 2021 (LHC data on file with author; see also Ab Currie, “Extending the Reach of Legal Aid: Report on the Pilot Phase of the Legal Health Check-Up Project” (2015), online: < <https://www.legalhealthcheckup.ca/bundles/legalcheck/pdf/legal-health-check-up-pilot-evaluation.pdf> > (Currie, LHC 1); see also Ab Currie, “The Next Step: The Subregional Rollout of the Legal Health Check-Up” (January 2016), online: < <https://www.legalhealthcheckup.ca/bundles/legalcheck/pdf/subregional-rollout-report.pdf> > (Currie, LHC 2).
  59. Community Legal Education Ontario (CLEO), “Public Legal Education and Information in Ontario: Learning from a Snapshot” (December 2015) at 15, online: < [http://www.plelearningexchange.ca/wp-content/uploads/2016/05/PLE-in-Ontario-Learning-from-a-Snapshot\\_Final.pdf](http://www.plelearningexchange.ca/wp-content/uploads/2016/05/PLE-in-Ontario-Learning-from-a-Snapshot_Final.pdf) > (CLEO), citing this foundational study on linguistic minorities: Karen Cohl & George Thomson, “Connecting Across Language and Distance: Linguistic and Rural Access to Legal Information and Services” Law Foundation of Ontario (2008) at pp 41-42, online: < <https://lawfoundation.on.ca/download/connecting-across-language-and-distance-2008/> > (Cohl & Thomson). See also Paige Muttersbach, “Best Practices in Dissemination of Integral Information to New Immigrants: A Scoping Review,” British Columbia’s Ministry of Citizen’s Services (May 12, 2010) at 11, online: < <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/publications/information-for-newcomers.pdf> > (Muttersbach) (similarly noting a demand for public legal information relating to domestic violence, immigration, employment law, tenant rights, consumer protection and child welfare among immigration communities).
  60. See CLEO “Rights Bites, Housing Law: Illegal Deposits, Transcript of Interview with Andrew Hwang (Duty Counsel)” at 5, online: < [https://cleoconnect.ca/wp-content/uploads/2019/02/Episode-2-Lesson-Plan\\_formatted.pdf](https://cleoconnect.ca/wp-content/uploads/2019/02/Episode-2-Lesson-Plan_formatted.pdf) > (duty counsel noting that landlords sometimes ask newcomers to pay an illegal rent deposit).
  61. See Ramya Ramanathan, “Know your rights in the Canadian workplace,” *Canadian Immigrant* (April 7, 2020), online: < <https://canadianimmigrant.ca/careers-and-education/workplace/know-your-rights-in-the-canadian-workplace> > (an information and referral specialist referring to workers’ rights problems, including discrimination in the workplace); KEYS Job Centre, “Newcomers Facing Labour Struggles” (2019), online: < <https://lawfoundation.on.ca/download/newcomers-facing-labour-struggles/> > (KEYS) (PLE comic covering unpaid wages and employment discrimination); See also Ontario Human Rights Commission, “Policy on Removing the ‘Canadian experience’ Barrier” (February 1, 2013), online: < <http://www.ohrc.on.ca/en/policy-removing-%E2%80%9CCanadian-experience%E2%80%9D-barrier> > (noting that newcomers face discrimination in employment contexts).
  62. CLEO, “Rights Bites, Legal Rights in the Workplace: Hours of Work and Minimum Wage” at 6, online: < [https://cleoconnect.ca/wp-content/uploads/2019/02/Episode-1-Lesson-Plan\\_formatted.pdf](https://cleoconnect.ca/wp-content/uploads/2019/02/Episode-1-Lesson-Plan_formatted.pdf) > (a lawyer reporting that employers may pay their newcomer employees under minimum wage or do not pay them for overtime work).
  63. Halton Poverty Roundtable, “2018 Community Report: No Neighbour in Need” (2019) at 12, online: < <https://www.uwhh.ca/wp-content/uploads/2019/05/Halton-Poverty-Roundtable-Report.pdf> > .
  64. HNS, *supra* note 57 at pp 18-19, Figures 5-6 (reporting, for example, that 59.6% of newcomers in Halton, compared with 23.4% of non-immigrants, reside in homes that fall below at least one core housing need).
  65. *Ibid* at 29, Figure 12 (reporting that as of 2015, one-third of newcomers aged 15 and over residing in Halton, compared with 14.6% of the general population, earned less than \$10,000).
  66. See Community Development Halton, *Bulletin #156, Community Lens: Newcomers and Housing* (February, 2019) at 1, online: < <https://cdhalton.ca/wp-content/uploads/2019/02/cl156-NewcomersAndHousing.pdf> > (reporting that housing and



- employment are the two most cited challenges faced by newcomers to Canada).
67. This is equal to 9% of Halton's newcomer population (20,485) between 2011 and 2016 (Statistics Canada (2017), *Halton, RM [Census division], Ontario and Ontario [Province]* (table). *Census Profile*. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29, 2017, online: < <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/index.cfm?Lang=E> > (accessed June 7, 2021)).
  68. IRCC approved HCLS's request to offer conversations to former newcomers on the basis that the clinic is a barrier-free service provider that does not refuse to help those in need.
  69. For example, some newcomer participants may attend ESL/LINC classes for years.
  70. Statistics Canada defines newcomers or recent immigrants as "landed immigrants who came to Canada up to five years prior to a given census year." Statistics Canada, "Canada's Ethnocultural Mosaic, 2006 Census: Definitions" (2010), online: < [https://www12.statcan.gc.ca/census-recensement/2006/as-sa/97-562/note-eng.cfm#:~:text=Recent%20immigrants%20\(also%20known%20as,to%20a%20given%20census%20year.>](https://www12.statcan.gc.ca/census-recensement/2006/as-sa/97-562/note-eng.cfm#:~:text=Recent%20immigrants%20(also%20known%20as,to%20a%20given%20census%20year.>) See also Lahouaria Yssaad & Andrew Fields, "The Canadian Immigrant Labour Market: Recent Trends from 2006 to 2017" Statistics Canada (December 24, 2018), online: < <https://www150.statcan.gc.ca/n1/pub/71-606-x/71-606-x2018001-eng.htm> > (defining newcomers and recent immigrants).
  71. Nearly all of these former newcomers were citizens (54%; 215/401) or permanent residents (45%; 181/401).
  72. A higher percentage of newcomer participant respondents indicated not being able to afford a special diet (86%), but the response rate for this question was much lower (27%) than for the tax help question (89%).
  73. These percentages are different from the demographic profile reported in sub-section 7.A because they include demographic data only from the participants who filled out the legal problems questions on the pre-conversation survey.
  74. Muttersbach, *supra* note 59 at 11.
  75. See the discussion regarding language barriers in sub-section 7.D.
  76. The LHC, on which the legal problems questions were based, has been found to be a useful tool in uncovering the everyday legal problems of low-income individuals (see Currie, LHC 1 and 2, *supra* note 58).
  77. For a helpful discussion of the national legal problems surveys, see Ab Currie, "Nudging the Paradigm Shift, Everyday Legal Problems in Canada" Canadian Forum on Civil Justice (Toronto, 2016), online: < <https://cfjc-fcjc.org/sites/default/files/publications/reports/Nudging%20the%20Paradigm%20Shift%2C%20Everyday%20Legal%20Problems%20in%20Canada%20-%20Ab%20Currie.pdf> > .
  78. *Ibid* at 3, Table I.
  79. For a discussion of the LHC project and related data, see Currie, LHC 1 and 2, *supra* note 58.
  80. Two-thirds of all participants who completed the post-conversation survey (67%; 619/930) requested resources, and 44% (410/907) requested a call. This is a considerable number of calls for a legal clinic to make.
  81. Newcomer participants were most likely to request a call while attending a workers' rights conversation (48%; 77/159), and least likely to request a call while at a family law conversation (35%; 72/203).
  82. Newcomer participants were most likely to request resources while attending tenants' rights (70%; 52/74) or public benefits (83/119; 70%) conversations, and least likely to request resources while attending a family law conversation (57%; 117/207).
  83. Participants would have requested a call or resources on the pre-conversation survey before being told by the lawyer-instructor about HCLS's practice areas. However, they may have learned from another source or a previous conversation that HCLS does not offer family law services. This would help explain the percentage of call requests for family law conversations.
  84. Percentage differences between newcomer groups under the other demographic variables were small, including for resource requests.
  85. The same reasons might explain why newcomer participants who lived with their children reported the highest average number of potential legal problems, but were not more likely to request a call or resources from HCLS than any other newcomer group in the "living with" demographic variable.
  86. The existing Canadian literature acknowledges some of these barriers. See e.g. University of Toronto Faculty of Law, "Middle Income Access to Civil Justice: Background Paper" (2010), at pp 67-68, online: < <https://www.law.utoronto.ca/scholarship-publications/conferences/archives/middle-income-access-civil-justice-colloquium> > (summarizing language and other barriers from the existing literature on newcomers in Ontario); Judit Alcalde & Karen Hayward, "The Law Foundation of Ontario Connecting Region: Final Evaluation Report" (May 2018), at 40, online: < <https://lawfoundation.on.ca/download/connecting-region-final-evaluation-report-2018/> > (Alcalde & Hayward) (reporting that linguistic minorities and newcomers in Ontario face numerous access barriers to legal services including language, not knowing about services, isolation, racism, fear and cultural differences); Muttersbach, *supra* note 59 at pp 12, 17 (referring to language and literacy barriers, trust issues and lack of familiarity with resources in the "host" country); Meera Govindasamy, "Public Legal Education Podcasting for Newcomers in Ontario: Affective Interventions in Participatory Action Research" M.A. Thesis (2019), at pp 52-53 online: < <https://digital.library.ryerson.ca/islandora/object/RULA%3A9335> > (citing anger, distrust and fear of exercising legal rights) (Govindasamy); Sarah V Wayland, "Unsettled: Legal and Policy Barriers for Newcomers to Canada" (2006),

- at 51, online: < [https://www.aclrc.com/access-to-justice-new-canadians#barriers](https://dalspace.library.dal.ca/bitstream/handle/10222/10465/WaylandResearchImmigrantSettlementEN.pdf?sequence=1#:~:text=Examples%20of%20legal%20and%20policy,newcomers%2C%20such%20as%20not%20hiring%20%E2%80%9C> (Wayland) (newcomers in Hamilton reporting that they “don’t know where to go for help with their needs” and find it difficult to get legal advice and representation); Alberta Civil Liberties Research Centre, “Access to Justice – New Canadians,” online: < <a href=) > (noting that new Canadians disproportionately experience the same generic access-to-justice barriers as other members of Canadian society, and citing other specific barriers).
87. See also Muttersbach, *supra* note 59 at 12 (noting that “language barriers were a recurring theme” throughout the literature on the barriers new immigrants encounter when accessing important information); Cohl & Thomson, *supra* note 59 at pp 15-16; Yedida Zalik, “Linguistic Access Report” (August 2005) at 31, online: < <http://plelearningexchange.ca/wp-content/uploads/2014/02/LAP-Report.pdf> > (reporting that community legal clinics identify language barriers as a major concern regarding access to justice and the provision of service to clinic clients); Clinic Interview Partnership, “Community Legal Clinics and A2J Guided Interviews” (October 2016) at 9, online: < <https://cleoconnect.ca/resource/research/community-legal-clinics-a2j-guided-interviews-october-2016/> > (citing language barriers) (Clinic IP).
  88. Improving access to professional interpreters has been proposed in other research involving newcomers (see e.g. Cohl & Thomson, *supra* note 59 at 21). However, having a lawyer on staff who could speak all languages spoken by newcomers would be impossible.
  89. The third intake worker reported never having a newcomer reject the offer of an interpreter.
  90. This report does not compare the CLB levels of participants who requested and did not request a call from HCLS because the pre-conversation survey did not ask participants to report their CLB level.
  91. Chat participants expressed concerns about affording legal assistance. One chat participant said hiring a lawyer is “the last decision because you have to pay him. No free service for you.” Another chat participant noted that they “let a problem go” because their lawyer’s fees were “too high,” while another said they “never contacted a lawyer because they have no idea how much [the fees] would be.”
  92. One chat participant recalled that when she was fired from her job, she “wouldn’t talk to a lawyer” because her boss “treated her well,” and she did not want “to trouble a lawyer” when she could “easily find another job.” The participant reported that she needed help applying for employment insurance, but did not want to “bother” anyone because it was a “minor issue” and people are “very busy.”
  93. Examples include newcomers “being scammed” or “not getting the help they need” from a lawyer.
  94. Previous research has found that newcomers do not know where to get help and find it difficult to secure legal advice (see e.g. Wayland, *supra* note 86 at pp IV, 51 (referring to newcomers in Hamilton)).
  95. The HCLS legal assistant similarly reported that language is a frequent barrier in their initial contact with most HCLS clients, including newcomers.
  96. The HCLS community worker was unable to determine, based on the available CIMS data, whether two of the 22 newcomer participants were either new or returning clients.
  97. This percentage is slightly higher (7%; 22/333) if only newcomer participants who reported at least one potential everyday legal problem and requested a call are included.
  98. The conversation topic was not recorded for three clients.
  99. HCLS case files prior to the data collection period were not reviewed since HCLS did not actively identify newcomer clients prior to the project.
  100. HCLS does not collect client data during an LSC, so it is impossible to determine the profile of newcomers who are indirectly receiving help through this service.
  101. No immigration law problems were identified for participant clients since the conversations did not cover this topic. However, immigration law problems were the second-most identified problem type during an LSC request (20%). This suggests that service providers who requested an LSC from HCLS were unaware that the clinic does not practice in this area, or were not sure where else to go for help.
  102. This figure may be misleading since the available data might not capture a legal problem with an element of discrimination or a human rights violation.
  103. The author calculated the cumulative rankings as follows: (a) the percentage of actual/reported legal problem types identified for new and returning newcomer clients, newcomers covered by LSC requests and newcomer clients of the service providers were ranked. Higher percentages received a lower rank (1-3), and lower percentages received a higher rank (4-6) depending on the number of problem types identified (5 to 6); (b) the rankings across the three data sources were added together for each legal problem type to determine which newcomers were most (i.e., a lower cumulative ranking) or least likely (i.e., a higher cumulative ranking) to experience a particular legal problem type (see Appendix L, Table 3). Immigration law was excluded from the rankings.
  104. See Cohl & Thomson, *supra* note 59 at pp 44, 54-55 (finding that linguistic minorities living in Ontario turn to organizations such as settlement services or education when they have (legal) problems). More recent research confirms this finding (see e.g. Karen Cohl et al, “Part 2 – Trusted Help: The role of community workers as trusted intermediaries who help people with legal problems” (February 2018) at pp 29-30, online: < <https://lawfoundation.on.ca/download/part-2-trusted-help-the-role-of-community-workers-as-trusted-intermediaries-who>

- help-people-with-legal-problems-2018/> (Cohl) (referring to settlement workers); PLE Learning Exchange Ontario, “Boundaries and opportunities for community workers” (February 8, 2018), online: < <http://plelearningexchange.ca/boundaries-opportunities-community-workers-conversation-jagdeep-kailey/> > (referring to settlement workers) (PLELEO); Anita Balakrishnan, “Comic book helps newcomers find legal resources” *Law Times* (August 16, 2019), online: < <https://www.lawtimesnews.com/practice-areas/labour-and-employment/comic-book-helps-newcomers-find-legal-resources/287376> > (noting that when newcomers have a legal problem they likely first connect with community agencies, not a lawyer). For a recent discussion on trusted intermediaries, see Julie Mathews & David Wiseman, “Community Justice Help: Advancing Community-Based Access to Justice: A discussion paper” (June 2020), online < [https://cleoconnect.ca/wp-content/uploads/2020/07/Community-Justice-Help-Advancing-Community-Based-Access-to-Justice\\_discussion-paper-July-2020.pdf](https://cleoconnect.ca/wp-content/uploads/2020/07/Community-Justice-Help-Advancing-Community-Based-Access-to-Justice_discussion-paper-July-2020.pdf) > ; Rachana Rajan et al, “Secondary consultation: A tool for sharing information and transferring knowledge in health justice partnership” *Health Justice Australia* (June, 2021), online: < <https://healthjustice.org.au/?wpdmdl=3941> > .
105. Most service providers interviewed (86%; 18/21) reported that their newcomer clients come to them or someone in their host organization for help with legal problems.
  106. One ESL/LINC coordinator reported that newcomers come with “questions” as opposed to legal problems.
  107. Two service providers (10%; 2/22) indicated that they assist with legal problems “a lot” or “many times per month.” Five service providers (23%; 5/22) estimated that they handle legal problems an average of one to four times a month.
  108. The settlement specialists were more likely to report dealing with a wider range of legal problem types (such as immigration law, tenant, benefits, family law, housing, wills/POAs, employment and criminal law) than the ESL/LINC instructors (mostly tenant problems).
  109. The existing trusted intermediary literature reports similar findings. See e.g. PLELEO, *supra* note 104 (reporting that settlement workers are the first points of contact for newcomers, and that clients have a high level of trust with settlement workers from their linguistic communities). See also Cohl, *supra* note 104 at 28 (citing additional reasons).
  110. The HCLS Executive Director and lawyer-instructors said they also refer newcomer clients to these service providers.
  111. This amounts to between 420 and 540 annual referrals.
  112. It is impossible to determine the percentage of newcomer clients who follow through when referred by a service provider to HCLS. Assuming 100% follow-through, the referrals would account for 17% to 22% (425 to 540/2,500) of HCLS’s average yearly contacts.
  113. Recorded referral data from the host organizations was unavailable.
  114. Another service provider noted the challenge ESL/LINC instructors face when confronted by a range of newcomer legal problems: “When I do outreach in schools, these teachers tell me [my host organization] is great because students ask them so many legal and tax questions, and they don’t know what to do.”
  115. TMC refers newcomer clients to internal settlement specialists at HCDSB or those at the Centre for Skills Development and HMC Connections, as well as newcomer information specialists at Achēv, based on a client’s spoken language and any pre-existing relationship. The HDSB Welcome Centre refers newcomers to an internal youth settlement specialist if there are language barriers or to youth settlement specialists at HMC Connections.
  116. One ESL/LINC instructor reported that requesting an LSC was “not something I would want to do.” Others stated that they thought “teachers are not allowed to call the clinic.” Some settlement specialists expressed similar concerns, yet accessed the service. For example, one settlement specialist stated, “I will never give legal advice” but has made three LSC requests since 2016. For further discussion on this issue related to the LSC service, see Ab Currie, “Legal Secondary Consultation: How Legal Aid Can Support Communities and Expand Access to Justice” (March 2018) at 16, online: < [https://www.haltonlegal.ca/wp-content/uploads/2019/06/LSC\\_Report-final.pdf](https://www.haltonlegal.ca/wp-content/uploads/2019/06/LSC_Report-final.pdf) > . See also Stewart & Currie, *supra* note 1 at 107, referring to Tim Willcox et al, “Evaluating Consumer Action’s Worker Advice Service” *Consumer Action Law Centre* (June, 2016), online: < <https://consumeraction.org.au/wp-content/uploads/2016/07/Evaluating-Consumer-Actions-worker-advice-line-June-2016.pdf> > and Katia Sanderson et al, “Second Evaluation Report of Consumer Action Law Centre’s Worker Advice Service - A Legal Secondary Consultation Service to Community sector professionals: One year on” *Consumer Action Law Centre* (October, 2017), online: < <https://workers.consumeraction.org.au/wp-content/uploads/sites/12/2017/11/171018-Evaluation-Report-Worker-Advice-Service-final.pdf> > .
  117. The host organizations are well connected and have formed a network of partnerships. For example, Achēv refers newcomer clients to settlement workers at PCAS, the Cross-Cultural Community Services Association and Centre for Skills Development; the Milton Public Library offers patrons drop-in hours with HMC Connections settlement specialists, and partners with Achēv, HMC Connections and the Centre for Skills Development for other newcomer programs; and TMC refers newcomers to the newcomer information specialist at Achēv.
  118. See also sub-sections 7.E and 9.D.
  119. One returning client of HCLS sought help from the clinic before and after attending a conversation.
  120. See also sub-section 10.C.
  121. See also sub-section 7.E.



122. One new participant client asked and received summary advice for a legal issue their family member was experiencing. One might term this a legal secondary consultation.
123. This literature tends to focus on low-income populations in general, but considers linguistic minorities such as newcomers.
124. The service providers interviewed were well placed to speak to differences between the in-person and virtual conversations or to identify challenges regarding the transition to the virtual conversations. During the data collection period, they hosted 48 in-person conversations (57%; 48/84) and 32 virtual conversations (70%; 32/46) and 43% (9/21) hosted both delivery types.
125. PLE Canada, “PLE principles and practices” (2018), online: < <http://www.plecanada.org/ple-processes/> > .
126. This call is part of a series of recommendations related to civil and social justice panel surveys conducted on representative samples of the population of England and Wales in 2010 and 2012 (see Lisa Wintersteiger, “Legal Needs, Legal Capability and the Role of Public Legal Education” *Law for Life* (2015) at 5, online: <http://www.plecanada.org/wp-content/uploads/2017/12/Legal-Needs-Legal-Capability-and-the-Role-of-PLE-Law-for-Life.pdf> (Wintersteiger)).
127. Literature on adult education principles in other educational settings is far more extensive (see Susan E MacDonald, “The Role of PLEI in Poverty Law Services” (2004) 19(3) *Osgoode Journal of Law and Social Policy* 32 at pp 38-39 (MacDonald)).
128. Wintersteiger, *supra* note 127 at 5; Legal Services Society, “PLE Review: Reflections and Recommendations on Public Legal Education Delivery in BC” (2007) at pp 69-70, online: < [https://lss.bc.ca/sites/default/files/2019-03/pleReview\\_en.pdf](https://lss.bc.ca/sites/default/files/2019-03/pleReview_en.pdf) > (referring to 18 PLE case studies of knowledge being transferred and skills acquired due to good adult learning techniques) (LSS).
129. PLE Learning Exchange Ontario, “Module 3: Training community workers and leaders – Using adult education principles” (2021), online: < <http://plelearningexchange.ca/toolbox/using-adult-education-principles/> > ; LSS, *ibid.*, at 39.
130. See e.g. MWB Educational Consultants Inc, “Best Practice Features of Quality LINC Programs,” online: < <http://atwork.settlement.org/downloads/linc/BestPract.pdf> > ; Alberta Teachers of English as a Second Language, “Best Practices for Adult ESL and LINC Programming in Alberta” (2009), online: < [https://www.atesl.ca/documents/1366/ATESL\\_Best\\_Practices.pdf](https://www.atesl.ca/documents/1366/ATESL_Best_Practices.pdf) > ; Andrea Solnes et al, “A Principles-based Approach to Supporting LINC Learners” (March 2019), online: < <https://www.amssa.org/wp-content/uploads/2019/04/A-Principles-based-Approach-to-Supporting-LINC-Learners-April-2019.pdf> > .
131. See Ming-Yeh Lee, “A critical analysis of andragogy: The perspective of foreign-born leaders” (pp 11-16) in Lisa M Baumgartner et al (eds), *Adult learning theory: A primer* (Columbus: Centre on Education and Training for Employment, 2003) at pp 12-13.
132. Some service providers said they were “extremely pleased” with the conversations; others described them as “very good” and “very well done.” One service provider stated that HCLS was their preferred provider for PLE workshops.
133. One service provider and two participants on the post-conversation survey indicated a preference for asking questions at the end of the conversation instead of throughout.
134. Ontario Justice Education Network, “Checklist: Tips for Speaking to a Newcomer Audience” (2014) at 3, online: < <http://lifetoolbox.ca/sites/lifetoolbox.ca/files/Module%207%20-%20Checklist%20Speaking%20to%20Newcomers.pdf> > (OJEN); Ontario Justice Education Network, “Checklist: Strategies for Engaging Your Audience” (2014) at pp 2-3, online: < <http://lifetoolbox.ca/sites/lifetoolbox.ca/files/Module%204%20-%20Checklist%20for%20Engaging%20Your%20Audience.pdf> > (OJEN 2) (“asking people in the audience if they have questions and what they think”); Ontario Justice Education Network, “Guidelines for Better Legal Workshops,” online: < <https://ojen.ca/en/training/facilitator-training/guidelines-for-better-legal-workshops> > .
135. Muttersbach, *supra* note 59 at pp i, 14; CLEO, “Better Legal Information Handbook: Practical Tips for Community Workers” (2013) at pp 7, 18, online: < [https://www.cleo.on.ca/sites/default/files/docs/cleo\\_betterlegalinfo.pdf](https://www.cleo.on.ca/sites/default/files/docs/cleo_betterlegalinfo.pdf) > (noting the value of written materials) (CLEO 2).
136. See e.g. Muttersbach, *ibid* at 8; CLEO Centre for Research & Innovation, “Public Legal Education and Information in Ontario Communities: Formats and Delivery Channels” (August 2013) at 30, online: < <https://cleoconnect.ca/wp-content/uploads/2014/03/CLEO-Report-PLIE-Formats-and-Delivery-Channels-in-Ontario.pdf> > (CLEO Centre).
137. The discussion in sub-section 9.D suggests that providing printed materials and in-conversation supports may have positively influenced newcomer participants’ valuation of the interactive conversations.
138. One service provider corroborated these reports, stating that their newcomer clients were likely less engaged during the virtual conversations because their webcams were off, or they were too shy to be on video and/or ask questions. Other reasons might include privacy concerns, an internet connection that does not support video streaming, or lack of access to suitable technology such as a microphone. The lawyer-instructors also found newcomer participants not as captive as an in-person audience during the pandemic; they appeared more stressed and distracted, and may have multitasked during the conversations.
139. One lawyer-instructor attempted to use a whiteboard add-on feature called “Jamboard” for the virtual conversations on Google Meet, but the link did not work for some participants and required an additional sign-in.
140. Lawyer-instructors reported that when sharing their screen on Google Meet, they could not see participants or access the chat feature, making it difficult to interact with participants.

141. A service provider from one of these host organizations mentioned “initial issues” with the virtual conversations and indicated that they improved following the transition to Zoom.
142. OJEN, *supra* note 134 at 1; Govindasamy, *supra* note 86 at pp 40, 59. See also Jeff Carolin, “When Law Reform is Not Enough: A Case Study on Social Change and the Role that Lawyers and Legal Clinics Ought to Play” (2014) 23(6) Journal of Law and Social Policy 128, citing Sameer M Ashar, “Law Clinics and Collective Mobilization” (2008) 14(2) Clinical L Rev 355 at 399, n 177 (noting the importance of engaging clients because “clinics often fall into the trap of constructing clientless community education and policy advocacy projects. This is inherently in conflict with the mobilization agenda, which relies on organizers or a group of clients to determine their needs and devise at least a few rough collective solutions, which may or may not require the assistance of attorneys.”).
143. OJEN, *supra* note 134 at 3; OJEN 2, *supra* note 134 at 1 (use plain language and review difficult vocabulary); CLEO 2, *supra* note 135, at pp 15, 29, 30; Muttersbach, *supra* note 59 at 8. HCLS developed the conversations in a culturally sensitive way, for example, by including names from diverse cultures in the legal problem scenarios. Also, the lawyer-instructors employed by HCLS regularly complete trauma-informed, domestic violence and cultural competency training, including a program on delivering services to newcomers who identify as 2SLGBTQ+.
144. Approximately 16% of participants (215/1,311) answered “partly” and 2% (23/1,311) of participants answered “no” to the question of whether the conversations were easy to understand during the data collection period. The family (23%; 59/262) and public benefits (22%; 29/130) conversations had the highest percentage of “partly” responses, suggesting that these conversations were the most difficult for newcomer participants to understand.
145. OJEN 2, *supra* note 134 at 2.
146. Muttersbach, *supra* note 59 at 8; CLEO, *supra* note 59 at 20; CLEO 2, *supra* note 135 at 56; Cohll & Thomson, *supra* note 59 at 62.
147. Muttersbach, *supra* note 59 at 18.
148. OJEN 2, *supra* note 134 at 1 (recommending a safe physical space that encourages dialogue); CLEO 2, *supra* note 135 at 61; CLEO Centre, *supra* note 136 at 26.
149. But see CLEO Centre, *supra* note 136 at pp 17-18 (noting that newcomers have “striking levels of home internet access”).
150. Zoom allowed users to access a conversation using a computer, tablet or phone; however, a phone’s smaller screen makes it more difficult to navigate and use Zoom features.
151. For example, SPAC members noted the importance of using a neutral name for the in-person family law conversations so that vulnerable newcomers could safely attend without arousing family members’ suspicion.
152. Muttersbach, *supra* note 59 at 20.
153. *Ibid* at 35.
154. But see Govindasamy, *supra* note 86 at 5 (a Master’s thesis examining the author’s Rights Bites podcasts, which argues that “mobilizing podcasting as a community media project can facilitate the expression of complex feelings about Canadian citizenship amongst newcomers”). Some services with a legal information component for newcomers have been subject to formal evaluations or reports (see e.g. Alcalde & Hayward, *supra* note 86 at pp 17, 40, 51-52 (evaluating the Connecting Ottawa service that helped refugees and other newcomers become more aware of their rights and responsibilities); see also Clinic IP, *supra* note 87 at 9, online: < <https://cleoconnect.ca/wp-content/uploads/2017/03/a2j-guided-interviews-oct-2016.pdf> > (noting a multi-sector referral system of one clinic with a local immigration partnership)).
155. This was done to avoid this pitfall for PLE evaluations:

If [Public Legal Education and Information] is measured only by the number of pamphlets handed out, or the number of information workshops given, there will never be an incentive to truly understand the impact of this information and education. When clinics are making choices about how to allocate their scarce resources (monies and time), PLEI is frequently overlooked. In contrast, by capturing all forms of PLE in this informal learning framework, all educating and informing can be acknowledged.

(MacDonald, *supra* note 127 at 43).
156. Similar shifts are observable across PLE programming in Ontario. A 2018 snapshot by Community Legal Education Ontario found that in-person events accounted for only 1% (16/2,061) of PLE programming in Ontario, while online text accounted for 85% (1,760/2,061). CLEO expressed concern that the “growing reliance on online PLEI threatens to leave behind people in rural and remote communities and others who face barriers in accessing information online.” CLEO also identified a growing number of PLE training initiatives to improve intermediaries’ capabilities to provide legal information to their clients (CLEO, *supra* note 59 at pp 16, 18, 39 and 51). More recent reports note the “the vibrant public legal education and information community [has] expanded its reach by providing creative and user-centric digital tools” and that “e-training has significant potential as a means to train and support community-based intermediaries” (see Action Committee on Access to Justice in Civil and Family Matters, “Tracking Our Progress: Canada’s Justice Development Goals in 2019” (2019) at 8, online: < [http://www.justicedevelopmentgoals.ca/sites/default/files/canadajdg\\_report19\\_en\\_0.pdf](http://www.justicedevelopmentgoals.ca/sites/default/files/canadajdg_report19_en_0.pdf) > ; Legal Services Society (Legal Aid BC), “Online Training for Community-based Intermediaries: Survey Findings and Implications” (October, 2019) at 2, online: < <https://lss.bc.ca/sites/default/files/2019-10/cpsIntermediaryOnlineTrainingSurvey-Findings20191025.pdf> > ).



157. The power of these shifts is difficult to estimate since other PLE programs in use in Ontario may have features similar to those of the project conversations and for which no public information is available. For example, a 2010 environmental scan of PLE programming in British Columbia identified interactive in-person PLE programs that newcomers might attend, including: (1) the Elizabeth Fry Society of Canada's "Community Awareness for New Immigrants Program," which included workshops on traffic law, theft, tenant rights, domestic violence and the immigration process, and in which participants were encouraged to suggest topics for future workshops; and (2) The "Justice Theatre Program" run by the People's Law School in British Columbia, in which audience members acted as jury members for a trial related to a legal topic such as impaired driving or gang violence, and were invited to participate in a question and answer period with the play's director. The author noted that "one of the major strengths of legal theatre is its interactive component. Many productions include opportunities for audience interaction, which can assist people in gaining more comprehensive understanding of the issues being addressed within the play" (Muttersbach, *supra* note 59 at 16).
158. See e.g. PLEA, "NEWLi: Legal Information for Newcomers" (2021), online: < <http://newli.plea.org/> > (NEWLi is a website funded by the Law Foundation of Saskatchewan that provides plain language legal information to newcomers). See also Family Law Education for Women (2021), online: < <https://onefamilylaw.ca/> > .
159. CLEO Connect, "'Before You Sign:' A three part webinar series" (December 1, 2019), online: < <https://cleoconnect.ca/yourlegalrights-webinars/before-you-sign-a-3-part-series-of-webinars-from-ywca-st-thomas-elgin-and-cleo/> > ; CLEO, "Before you Sign" (2019), online: < <https://cleoconnect.ca/wp-content/uploads/2019/12/Before-You-Sign-Final-Electronic-1.pdf> > (YMCA St. Thomas Elgin produced this three-part webinar and a workbook to help service agencies assist newcomer clients in six areas of law).
160. KEYS, *supra* note 61 ("Newcomers Facing Labour Struggles" is an eight-page comic book produced by KEYS Job Centre illustrating workers' rights problems newcomers commonly face. The comic book, which lists organizations to call for support, is translated into French, Spanish, Arabic, Persian, Mandarin and Kirundi).
161. See e.g. OJEN, "Newcomer Community Justice – Perspectives of Youth Leaders" (October 21, 2019), online: < <http://ojen.ca/en/ncj-perspectives-youth-leaders> > (OJEN's Newcomer Community Justice Program introduces newcomer youth to areas of law that commonly affect their families, provides leadership training and has them plan a PLE event for their community); LAWS, "LAWS Newcomer Program" (2021), online: < <https://www.lawinaction.ca/programs/new-comer-program/> > (LAWS "Newcomer Program" is an "engaging, fun and interactive way" for newcomers at seven partner high schools in Toronto to "build their understanding of the Canadian justice system" within the goals of the ESL curriculum).
162. See e.g. CLEO Connect, "Lesson Plans: Rights Bites legal information podcasts" (2021), online: < <https://cleoconnect.ca/lesson-plans/lesson-plans-for-adult-learners/> > ("Rights Bites" is an audio podcast series for newcomers on common legal problems affecting tenants and employees in Ontario. They are intended to be shared by LINC or ESL instructors or used with companion lesson plans and CLB assessment tools); CLEO Connect, "Legal Life Skills Curriculum" (2018), online: < <https://cleoconnect.ca/lesson-plans/legal-life-skills-curriculum/> > (CLEO developed this curriculum for Ontario instructors in job readiness and literacy training programs to help students recognize workplace-related legal problems); Your Legal Rights, "English as a Second Language (ESL) Activity Kits" (2018), online: < <https://cleoconnect.ca/resource/yourlegalrights/english-as-a-second-language-esl-activity-kits/> > (several activity kits on tenants' and workers' rights for use by ESL and LINC instructors with students assessed at CLB benchmarks 1 to 6+).
163. Institute for Work & Health, "Safe Work Toolkit for Newcomers (Ontario)" (December 2019), online: < <https://www.iwh.on.ca/tools-and-guides/safe-work-toolkit-for-newcomers-ontario> > ("to help settlement agencies ... teach newcomers about their occupational health and safety ... and workers' compensation rights and responsibilities").
164. Others have reached a similar conclusion: see CLEO Centre, *supra* note 136 at 26 ("In-person workshops ... including ... [ESL] and ... [LINC] classes remain an important way to reach people with legal information ... including people within non-official language communities"); see also Alcalde & Hayward, *supra* note 86 at 41 (three facilitators noting that they "should conduct more direct outreach to communities" and "it would be better if in the future we start giving the information or training to the ... newcomers themselves").
165. The focus group itself may have jogged participants' memories, which appeared to improve once participants heard peers share what they remembered. The evaluator's attempts to jog the memories of chat participants were unsuccessful.
166. No evidence suggested that the pandemic affected the memories of chat participants more than focus group participants.
167. One focus group participant indicated that she had called HCLS prior to attending a conversation and that "it helped":  
"I called six months ago when I arrived in Canada, and I didn't know much English, and they gave me an interpreter. When I crossed the border, they gave me the little book with [phone] numbers, so I called [HCLS] about a refugee claim and get a referral."
168. Two additional participants who requested a call from an HCLS intake worker became returning clients.
169. The status of two client files is currently unknown based on the available CIMS data.

170. *Supra* note 161 (listing youth-centered PLE programs); but see Muttersbach, *supra* note 59 at 17 (expressing concerns with using immigrant children to distribute information).
171. Explaining why participants approached the lawyer-instructor is somewhat difficult since information was not collected about them or their legal problems. These conversations happened organically and with little notice, such as when the lawyer-instructor was leaving the host organization or travelling to a vehicle.
172. HCLS did not collect host data for pre-project PLE programming, so it was impossible to determine if HCLS had increased interactions with specific service providers or reached new service providers within each host organization during the data collection period.
173. This figure includes host organization staff who provide services to newcomers and might host a conversation, but excludes: (1) staff who did not host conversations or are not within HCLS's catchment area; and (2) managers and/or coordinators of programs that serve newcomers, since they would not have hosted a conversation and/or dealt directly with newcomer clients.
174. The percentages in this column show the percentage of newcomer-related staff at each host organization who personally hosted the conversations.
175. This figure excludes ESL/LINC instructors covered under HCDSB.
176. This is a rough estimate since a contact at the Centre for Skills Development was unsure of staff numbers at one location.
177. Includes the PCAS employee who serves clients within HCLS's catchment area at Achēv's Oakville office.
178. Includes the MPL staff member responsible for all bookings for newcomers and other patrons.
179. Due to service disruptions caused by the COVID-19 pandemic, the service providers interviewed could not determine whether they were referring more of their newcomer clients to HCLS since the project began. Historical data was also unavailable from the host organizations to isolate referral trends.
180. Stewart & Currie, *supra* note 1 at 106, n 5, citing Liz Curran, "Lawyer Secondary Consultations: improving access to justice: reaching clients otherwise excluded through professional support in a multi-disciplinary practice" (2017) 8(1) *Journal of Social Inclusion* 46 at 51.
181. Whether HCLS solved the newcomer's legal problem(s) during these LSCs is unknown because HCLS does not track outcomes for the service providers' clients as part of the LSC service.
182. Between January 2021 and April 2021, HCLS received three LSC requests (an annual rate of nine) from service provider hosts.
183. Roughly half of the service providers interviewed (52%; 11/21) reported being aware of and/or using the LSC service. Settlement specialists (56%; 5/9) were more likely than ESL/LINC instructors (14%; 1/7) to do so and/be aware.
184. One service provider reported that she posts "highlights" from the conversations on a Facebook page accessed by local newcomers.
185. Whether the best practices and resulting trust-building facilitated this knowledge dissemination is unclear. Service providers have always shared legal information HCLS provides in print form (pamphlets, etc.). There is no indication that these service providers would not trust the legal information HCLS provides, regardless of delivery method. What is clear is that sharing the legal information extended HCLS's ability to reach service providers' newcomer clients, at least some of whom likely did not attend a conversation.
186. HCLS promotes the LSC service at community meetings, and the HCLS community worker reminds service providers about the LSC service when they email her about client issues.
187. While many newcomers living in Halton do not know about HCLS or its services, some may be willing to seek help from HCLS directly if they did. To better reach these individuals, HCLS should ensure that its contact information and a description of its services are included in settlement/information packages provided to newcomers arriving at Pearson International Airport who intend to settle in Halton or seek settlement or other services from the host organizations.
188. Stewart & Currie, *supra* note 1 at pp 105-106.
189. *Ibid* at 106.
190. *Ibid*.
191. *Ibid* at pp 104, 112-114.
192. Except for the family law conversations, continuing them should not require significant future funding. The main expenditures would be for lawyer-instructors' time and costs associated with printing conversation materials.
193. IRCC expected HCLS to hold 50 to 100 conversations over 25 months. HCLS delivered 144 conversations over 25 months (an average of 5.6 conversations per month), exceeding IRCC's expectations by 44% to 188% (144/100 to 144/50).
194. One lawyer-instructor made this specific recommendation.
195. The service providers interviewed mentioned a "high level of need" among their newcomer clients for access to free family law and immigration law services. Asked what more HCLS could do to support their newcomer clients, the top suggestion – from two-thirds of the service providers (62%; 13/21) – was for HCLS to expand into these two practice areas.
196. Only 9% of participants (118/1,345) who completed a post-conversation survey suggested improvements. Similarly, almost a quarter of service providers interviewed (24%; 5/21) said no improvements to the conversations were required.

197. This was the most common suggestion newcomer participants made on the post-conversation survey (14%; 16/118).
198. This was the second-most common suggestion newcomer participants made on the post-conversation survey (10%; 12/118). However, some lawyer-instructors and host organizations may not be able to accommodate a longer conversation. Removing the mini-LHC at the start of the conversation to focus more on Q&A is an alternative solution.
199. Alternative outreach strategies will be required where the conversations do not fit into a community agency's service model.
200. The third most common suggestion on the post-conversation survey was for lawyer-instructors to provide legal advice.
201. One service provider recommended that HCLS offer follow-up conversations and advice to their newcomer clients who are not eligible for HCLS services.
202. One lawyer-instructor said upstream assistance is particularly important for housing rights. When newcomers arrive, "the first thing they need is to establish housing. They sign a lease and pre-pay rent two years in advance and by the time we meet them, it's too late. And they say: 'I wish I knew about my housing and benefits rights right away. We need this information before we sign a lease and are taken advantage of.'"