

Public Legal Services for Migrant Workers: Practitioners' Reflections on Education and Poverty Law

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Background

- The literature on precarious migrant and employment issues usually focus on (a) migrant workers' experiences of social and legal injustices, or (b) challenges and limitations for existing legal and social structures to meeting the needs of migrant workers [8].
- Frontline PLS work is not a federally regulated occupation [2]; however Acts, Rules and Regulations applicable to the practice of law, [4,5] added to the multi-layered legal issues experienced by migrant workers, restricts PLS to providing short-term remedies rather than exploring education [1,3] and advocacy for legal reforms.
- Scholarly/practitioner research is needed to shed light onto the crucial role frontline public legal service (PLS) workers have in advocacy efforts oriented to developing and evaluating innovation [6, 7] in the provision of non-profit programs and services for people with precarious migration and employment status.

Methodology



A reflective practitioner

“Most people don’t know what the Employment Standards rights are; I didn’t know and I am Canadian. But then beyond that, even though I know I could file a complaint I didn’t want to because that felt very adversarial. So it wasn’t until I started working as legal advocate that I went into learn all that stuff of employment standards, that I really started understanding these are the minimum rights that we have for workers in BC. It just kind of surprise me because I was born here and I thought I knew all the complexities of society here and I was still in the dark about certain rights.”

Amelia, public legal advocate.

Discussion

- Frontline PLS workers understand the social legal needs and rights of migrant workers as a complex challenge.
- Poverty law and adult education have, in principle, similar foundational values with respect to social justice. In the practice of both PLS and adult education, service models operate under a “banking” approach .
- Funding cutbacks and the regulation of the law profession force the PLS providers to prioritize funding and programs where staff lawyers are front and center.
- Low wages, funding cycles to PLS organizations, and lack of consistent job descriptions and professional development contribute to making Frontline PLS work a precarious type of employment offering little or no job mobility.
- There is high interest within the PLS sector to revamping and/or creating public legal education (PLE) programs staffed by frontline PLS trained in adult education; PLE however should be designed as a sustainable program rather than as pilot or short-lived projects.

Purpose

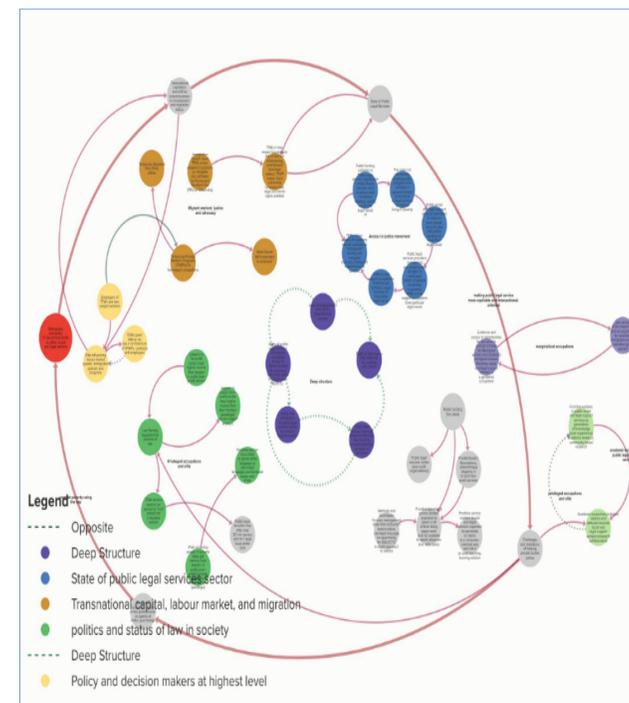
- To contribute to scholarly /practitioner knowledge of the competencies, credentials, skills, and lived experiences frontline PLS workers bring to their job.
- To facilitate opportunities for research participants to engage in an action-oriented critical reflections on the purpose of their services, challenges and opportunities to help people access their legal and social rights.

Research Questions

1. What is PLS and what adult educational dimensions can be found in the existing model of PLS?
2. Who delivers PLS? How did they come to be doing PLS work and how do they understand their work in relation to their roles and the PLS content?
3. Given the everyday experiences of frontline PLS workers and the ability of PLS providers to do their work in the current social and political context, how can PLS move forward to secure the relevance of these programs and services as an educational method to achieve social and legal justice for migrant workers?

Findings: Systemic challenges and opportunities in PLS

- **Lived experience and cultural competences: Popular Public Legal Education (PLE) programs for migrant workers during 1980-2000s are discontinued and given way to by appointment only legal clinics. This coincides with ability to speak the mother language of migrant workers, and have a first hand immigration experience no longer part of the identify, lived-experience, and skills required of frontline PLS workers.**
- **Entry level jobs in PLS services require knowledge of administrative law and little or no teaching or facilitation skills required for designing or delivering public legal education (PLE) programs.**
- **Funding restrictions: PLS services can only address legal needs, one legal issue at the time. Frontline PLS workers reported high levels of stress due to time they now spend reporting numbers funders rather than serving clients and researching program innovations.**



Data analysis and visualization through systems mapping created by participants during workshop sessions.

References

1. Carpenter, S., & Mojab, S. (Eds.). (2011). *Educating from Marx: Race, gender, and learning*. New York, NY: Palgrave MacMillan.
2. Freire, P., & Araujo, A. M. (2004). *Pedagogy of hope: reliving pedagogy of the oppressed* (New ed.). London, UK: Continuum.
3. Employment and Social Development (ESDC). (2016). National Occupations Classification (NOC). Group NOC Social and Community Support Workers.
4. Hamdan, A. K. (2009). Reflexivity of Discomfort in Insider-Outsider Educational Research. *McGill Journal of Education*, 44, 377-404.
5. Law Society of British Columbia, Legal Profession Act. Pub. L. No. SBC 1998, C9, SBC 1998, C9 Stat. (Law Society of British Columbia 1998 December 31, 1998).
6. Legal Services Society Act of British Columbia S.B.C. 2002, 12 (Legislative Assembly of the Government of British Columbia 2002).
7. Meadows, D. (2008). *Thinking in systems: A Primer*. White River, VA: Chelsea Green Pub.
8. Patton, M.Q. (2011). *Developmental evaluation. Applying complexity concepts to enhance innovation and use*. New York, NY: Guilford Press.
9. Public Commission on Legal Aid. (2010). *Proceedings Legal Aid Commission, Vancouver 10.07.10*.

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I respectfully acknowledge that I live, work, and play in the unceded territories of the Coast Salish People.